

MINUTES OF NOVEMBER 14, 1977

14th BOARD OF REPRESENTATIVES

Stamford, Connecticut

A regular monthly meeting of the 14th Board of Representatives of the City of Stamford, Connecticut, was held on Monday, November 14, 1977, in the Board of Representatives Legislative Chambers on the Second Floor of the Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut.

The meeting was called to order by the PRESIDENT, FREDERICK E. MILLER, JR., at 9:00 P.M., after both political parties had met in caucus.

INVOCATION: The Rev. Roderick Brennan of Our Lady of Montserrat Roman Catholic Church.

PLEDGE OF ALLEGIANCE TO THE FLAG: The PRESIDENT, FREDERICK E. MILLER, JR., led the members in the Pledge of Allegiance.

MOMENT OF SILENCE: The Chair asked the members to observe a Moment of Silence out of respect for the memory of a former member of this Board who recently passed away, the late ALANSON R. FREDERICKS.

ROLL CALL: Roll Call was taken by the CLERK, SANDRA GOLDSTEIN. There were 39 members present and 1 absent (George Baxter).

The President declared a QUORUM.

CHECK OF THE VOTING MACHINE: A check of the voting machine was conducted and it appeared to be in good working order.

PAGES: SHARI FISHMAN, a student at Rippowam High School.
BARBARA LANDRESS, a student at Bi-Cultural Day School.

MR. MILLER: And the Chair would like to make note of the fact that we have with us this evening, members of a class on Community Government from Norwalk Community College present in the gallery.

ACCEPTANCE OF THE MINUTES: December 6, 1976 - Regular Meeting -- ACCEPTED by a vote of 36 YES, 2 NO (Wm. Flanagan and Jeremiah Livingston; and 1 ABSTENTION. Mr. Miller said it was the Chair's understanding that no other minutes would be accepted at this point in the meeting.

RECESS: From 9:08 P.M. until 9:48 p.m. in order that the LEGISLATIVE AND RULES COMMITTEE, the FISCAL COMMITTEE, and the PARKS & RECREATION COMMITTEE could meet in order to come up with reports for the balance of the meeting since they had no quorums when they met previously.

COMMITTEE REPORTSSTEERING COMMITTEE:

MR. BLOIS MOVED to WAIVE the reading of the Steering Committee Report of its meeting held on Monday, October 24, 1977, which started at 8:50 P.M. and ended at 9:30 P.M. The Steering Committee Report appears below:

STEERING COMMITTEE REPORTMEETING HELD MONDAY, OCTOBER 24, 1977

A meeting of the Steering Committee was held on Monday, October 24, 1977 in the Democratic Caucus Room, Second Floor, Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut.

The meeting was called to order by the Chairman and President of the Board, FREDERICK E. MILLER, JR., at 8:50 P.M. There were eleven (11) members present as follows:

Lynn Lowden	Frederick E. Miller, Jr.
Thomas D'Agostino	S. A. Signore
Alfred Perillo	Jeanne Lois Santy
John Wayne Fox	Julius Blois
David Blum	John G. Schlechtweg, II
Michael Morgan	

Also present were: James Loboza, John Zelinski, Mildred Perillo; as well as Gina Mallon of WSTC-WYRS and Diane Sentementes of the ADVOCATE.

The Steering Committee meeting began after the adjournment of a SPECIAL MEETING earlier the same evening.

MAYOR'S APPOINTMENTS:

(1) The name of ERNEST ORGERA for the BOARD OF TAX REVIEW, while appearing on the Steering Agenda, was withdrawn before the Board's regular Agenda was made up, as Mr. Orgera did not wish to be on this particular Board. The Mayor, accordingly, withdrew this name.

The other four names were ordered ON THE AGENDA: Irving Teitelbaum for Building Board of Appeals; and for the Commission on Aging, the Rev. Paul DuBois, Eugene Daly, and Michael Nagurney.

ADDITIONAL APPROPRIATION (FISCAL) ITEMS:

(2) There were 28 items on the Tentative Steering Agenda, of which 26 were ordered ON THE AGENDA, plus an additional item from the Tentative L&R Agenda, being that item for a proposed resolution regarding Lawn Ave. Park requested by the Community Development Dept. The two items that were ordered off the agenda, and HELD, were \$3,196.50 for Board of Recreation, Sterling Farms, Insurance, Code 663.1301; and \$6,000.00 for Commissioner of Finance, Code 298.0000, Public Technology membership to be continued for a second year. The 27 items of a fiscal nature were ordered on the agenda under FISCAL COMMITTEE, with those over \$2,000.00 being referred to one, or two, secondary committee(s).

STEERING COMMITTEE REPORT (continued)

LEGISLATIVE MATTERS:

- (3) FOR FINAL ADOPTION - PROPOSED ORDINANCE CONCERNING PENSIONS FOR REGISTRARS OF VOTERS AND ASSISTANT REGISTRARS OF VOTERS.

Above ordered HELD IN COMMITTEE.

- (4) PROPOSED ORDINANCE RE 25 ft. x 490 ft. EASEMENT REQUESTED BY STAMFORD WATER CO. ALONG ONE BOUNDARY LINE OF STERLING FARMS GOLF COURSE.

Above ordered ON THE AGENDA; referred to PUBLIC WORKS and PARKS & REC. COMMITTEES.

- (5) REQUEST FOR REVISION OF SECTION 18-79 OF CODE OF ORDINANCES which is entitled Release of Performance Bond; Executing Maintenance Bond.

Above ordered ON THE AGENDA; referred to PUBLIC WORKS COMMITTEE.

- (6) APPROVAL REQUESTED TO ACQUIRE BY CONDEMNATION, IF NECESSARY, OF A .567 ACRE PARCEL OF LAND ON HARBORVIEW AVENUE OWNED BY FIRST STAMFORD CORPORATION to be used for a transfer station in connection with City's incinerator facility.

Above ordered ON THE AGENDA; referred to PUBLIC WORKS COMMITTEE.

- (7) FOR FINAL ADOPTION - PROPOSED ORDINANCE PERTAINING TO FOOD SERVICE SANITATION, AND SETTING LICENSE REQUIREMENTS, FEES FOR SAME, AND PENALTIES FOR VIOLATIONS.

Above ordered ON THE AGENDA; referred to HEALTH & PROTECTION COMMITTEE.

- (8) REQUEST FOR TAX EXEMPTION FOR UNION BAPTIST CHURCH AT 28 ADAMS AVE.

Above ordered HELD IN COMMITTEE.

- (9) REQUEST FROM MRS. MARGOT WORMSER OF STAMFORD HOUSING AUTHORITY REGARDING AMENDING EXISTING COOPERATIVE AGREEMENT BETWEEN THEM AND THE CITY OF STAMFORD to permit additional housing - 250 units more.

Above ordered ON THE AGENDA; referred to HOUSING & GENERAL RELOCATION COMMITTEE.

- (10) REQUEST TO WAIVE BUILDING PERMIT FEE FOR GLENBROOK ROAD ELDERLY HOUSING PROJECT.

Above ordered ON THE AGENDA.

- (11) PROPOSED ORDINANCE FOR TAX EXEMPTION FOR STAMFORD JEWISH CENTER ON NEWFIELD AVE.

Above ordered HELD IN COMMITTEE.

- (12) FOR FINAL ADOPTION - REQUEST FROM FAIR RENT COMMISSION DATED 8/5/77 FOR AMENDMENTS TO CODE OF ORDINANCES CONCERNING CLAIMS OF RETALIATORY ACTION FILED WITH FAIR RENT COMMISSION.

Above ordered ON THE AGENDA; referred to HOUSING & GENERAL RELOCATION COMMITTEE.

STEERING COMMITTEE REPORT (continued)LEGISLATIVE MATTERS (continued)(13) REQUEST FOR RELIEF FROM TRACTOR TRAILER NOISES.

Above ordered HELD IN COMMITTEE.

(14) PROPOSED ORDINANCE REGARDING CIVIL SERVICE REGULATION CHANGES WHICH CONTINUE THE MANDATE OF APPROVAL OF BOARD OF REPRESENTATIVES AND FOR FUTURE CHANGES.
May be changed to a resolution if deemed more suitable and expeditious.

Above ordered ON THE AGENDA; also referred to PERSONNEL COMMITTEE.

(15) Board of Finance's 10/13/77 resolution "Tax Relief for the Elderly".

Above ordered ON THE AGENDA; under COMMUNICATIONS FROM OTHER BOARDS and INDIVIDUALS.

(16) THE MATTER OF APPOINTING A SAFETY COUNCIL IN CITY OF STAMFORD.

Above ordered HELD IN COMMITTEE.

(17) PROPOSED ORDINANCE TO CONTROL & REGULATE EXCAVATION, FILLING AND GRADING.

Above ordered HELD IN COMMITTEE.

(18) PROPOSED ORDINANCE TO COMMEMORATE BIRTHDAY OF REV. DR. MARTIN LUTHER KING, SR. A CITY HOLIDAY EVERY JANUARY 15th.

Above ordered HELD IN COMMITTEE.

(19) PROPOSED ORDINANCE PROVIDING FOR PROPERTY TAX EXEMPTION FOR SOLAR ENERGY SYSTEMS.

Above ordered HELD IN COMMITTEE.

(20) PROPOSED RESOLUTION RE SHELTER HOUSING submitted by D. Blum.

Above ordered off the agenda (it was adopted).

(21) PROPOSED RESOLUTION AUTHORIZING CITY TO SIGN A DECLARATION OF PRESERVATION RESTRICTIONS required by Connecticut Historical Commission re Old Town Hall.

Above ordered ON THE AGENDA; also referred to PUBLIC WORKS COMMITTEE.

(22) PROPOSED RESOLUTION AUTHORIZING MAYOR TO EXECUTE NECESSARY AGREEMENTS, ETC., regarding LAWN AVENUE PARK, from Community Development. Park adjacent to Lawn Hill Terrace Moderate Rent Housing Project & Lawn Ave. Townhouses, low-rent.

Above ordered ON THE AGENDA under FISCAL COMMITTEE; also referred to PARKS & RECREATION COMMITTEE.

STEERING COMMITTEE REPORT (continued)

- (23) THE MATTER OF PROPOSED CHANGES TO CIVIL SERVICE REGULATIONS. Final draft due soon from Personnel Commission and Director.
- (24) LETTER OF OCT. 21, 1977 from Leonard Vignola, Jr., Board of Finance member, urging rejection of FACT FINDING REPORT on POLICE CONTRACT.

Both items above, #23 and #24 ordered ON THE AGENDA under PERSONNEL COMMITTEE. Item #24 also referred to HEALTH & PROTECTION COMMITTEE and FISCAL COMMITTEE.

- (25) COMM. OF FINANCE DWIGHT HADLEY'S LETTER 6/20/77 ENCLOSING ARTHUR YOUNG & CO. REPORT ENTITLED "CITY OF STAMFORD - PAYROLL PROCESSING -PHASE I: ANALYSIS & GENERAL SYSTEMS DESIGN, JUNE, 1977".

Above ordered ON THE AGENDA under PERSONNEL COMMITTEE; also referred to FISCAL COM.

- (26) THE MATTER OF HOUSING AUTHORITY EMPLOYEES BEING UNDER CIVIL SERVICE.

Above ordered ON THE AGENDA under PERSONNEL COMMITTEE.

- (27) PITNEY BOWES REQUEST TO RE-NAME WALNUT ST. TO WALTER H. WHEELER, JR.

Above ordered ON THE AGENDA under PLANNING & ZONING COMMITTEE; also referred to PUBLIC WORKS COMMITTEE.

- (28) PETITION THAT CROSBY ST. BE DISCONTINUED AS A PUBLIC ST. by Pitney Bowes - to be used for employee parking.

Above ordered ON THE AGENDA under PLANNING & ZONING; also referred to PUBLIC WORKS.

- (29) THE MATTER OF THE INDUSTRIAL SERVICE ROAD (VIADUCT ROAD).

Above ordered HELD IN COMMITTEE; in Planning & Zoning.

- (30) ACCEPTANCE OF LIBERTY PLACE AS A CITY STREET.

Above ordered ON THE AGENDA under PLANNING & ZONING; also referred to PUBLIC WKS.

- (31) ACCEPTANCE OF CATOONA LANE AS A CITY STREET.

Above ordered ON THE AGENDA under PLANNING & ZONING; also referred to PUBLIC WKS.

- (32) PETITION FROM ARTHUR PLACE RESIDENTS RE TRUCKS, ETC. OPERATING FROM A RESIDENTIALLY-ZONED AREA.

Above ordered ON THE AGENDA in PLANNING & ZONING COMMITTEE.

- (33) COURTLAND TERRACE ASSN.'S REQUEST RE LEGALITY OF CONDOMINIUMS UNDER EXISTING ZONING LAWS OF STAMFORD.

Above ordered HELD IN COMMITTEE, in PLANNING & ZONING COMMITTEE.

STEERING COMMITTEE REPORT (continued)

(34) THE MATTER OF A CONSUMER PROTECTION AGENCY.

Above ordered ON THE AGENDA in HEALTH & PROTECTION COMMITTEE; also referred to LEGISLATIVE AND RULES COMMITTEE.

(35) THE MATTER OF PROBLEMS THAT TENANTS ARE HAVING AT RIDGEWAY GARDENS - from Mrs. Parshall, letter of Oct. 18, 1977.

(36) THE MATTER OF DRUGS AT STARK SCHOOL.

Above ordered ON THE AGENDA in HEALTH & PROTECTION COMMITTEE.

(37) THE MATTER OF ROACH INFESTATION AND REQUEST FOR CONTROL THEREOF FROM HOUSING CODE ENFORCEMENT DEPT.

Above ordered ON THE AGENDA in LEGISLATIVE & RULES COMMITTEE; also referred to HEALTH & PROTECTION COMMITTEE.

(38) REQUEST FROM STAMFORD EMERGENCY SERVICE FOR PROPOSED ORDINANCE.

Above ordered ON THE AGENDA in LEGISLATIVE & RULES COMMITTEE; also referred to HEALTH & PROTECTION COMMITTEE.

(39) PROPOSED ORDINANCE RE ELDERLY AND HANDICAPPED ASSISTANCE IN HOUSING.

Above ordered ON THE AGENDA in LEGISLATIVE & RULES COMMITTEE; also referred to PLANNING & ZONING COMMITTEE.

(40) REQUEST FOR PERMIT TO HOLD 50th YEAR ANNIVERSARY CELEBRATION FOR THE BELLTOWN FIRE DEPARTMENT, by Joseph DeRose. To be held in 1978.

Above ordered ON THE AGENDA in PARKS & RECREATION COMMITTEE.

(41) PETITIONS FROM "THE STAMFORD BEACH COMMITTEE" re improvements needed.

Above ordered ON THE AGENDA in PARKS & RECREATION COMMITTEE.

(42) PERMIT REQUESTED TO HOLD 50th YEAR CELEBRATION ON HIGH RIDGE ROAD - PARADE, ETC., BY TURN-OF-RIVER FIRE DEPT. To be held in 1978.

Above ordered ON THE AGENDA in PARKS & RECREATION COMMITTEE.

(43) FINAL REPORT OF THE SPECIAL INVESTIGATING COMMITTEE RE GRANTS OFFICER APPOINTMENT from Co-Chairmen Lynn Lowden and Kurt Zimble.

Above ordered ON THE AGENDA under SPECIAL INVESTIGATING COMMITTEE.

There being no further business to come before the STEERING COMMITTEE, on MOTION, duly SECONDED AND CARRIED, the meeting was ADJOURNED at 9:30 P.M. (after which President Miller met with Staff and John Wayne Fox to discuss some other matters until 10:10 P.M.)

FREDERICK E. MILLER, JR.
CHAIRMAN, STEERING COMMITTEE

HMM:MS

APPOINTMENTS COMMITTEE - Handy Dixon

MR. DIXON: The Appointments Committee met on Thursday November 10th. We did not have a quorum, so I have no report to make.

BUILDING BOARD OF APPEALS

(1) Irving Teitelbaum (R) 43 Kenilworth Dr. West	HELD in COMMITTEE (no quorum)	<u>Term Expires:</u> Dec. 1, 1982
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COMMISSION ON AGING

(2) Rev. Paul DuBois (D) 18 Jane's Lane	HELD in COMMITTEE (no quorum)	Dec. 1, 1979
(3) Eugene Daly (D) 33 Brinckerhoff Ave	HELD in COMMITTEE (no quorum)	Dec. 1 1979
(4) Michael J. Nagurney (D) 76 Hope Street	HELD in COMMITTEE (no quorum)	Dec. 1, 1977

MR. HAYS: May I ask Parks and Recreation Committee to meet with Fiscal?

MR. MILLER: Yes, you may; there will be a recess at this time.

RECESS; lasted from 9:08 p.m. to 9:48 p.m.

MR. MILLER: We will proceed with the report of the Fiscal Committee.

FISCAL COMMITTEE - Michael Morgan

- (1) \$6,000.00 - CULTURAL CENTER - Code 737.0935 - Additional Appropriation requested by F. D. Rich Co., per Robert W. Rich's letter 8/11/77; 6/15/77 letter from Cleveland Area Arts Council Cleveland, Ohio; 6/20/77 letter from Assoc. Councils of Arts, N.Y.C., also 6/8/77; Mayor Clapes' letter 9/6/77. This represents 50% of cost of a study of feasibility of a new Cultural Center adjoining the present Hartman Theatre. \$3,000 being contributed by F.D.Rich, Champion and xerox; plus 3 other prospective corporate donors to come up with \$3,000 more for the other 50% of total \$12,000 required. Board of Finance approved 9/9/77. Held in Comm. 10/3/77.

MR. MORGAN: Our Committee held it on October 3; but with ten members tonight the committee voted 10-0 in favor and I so MOVE.

MR. SANDOR: Mr. Hays, Vice Chairman, will take care of this.

MR. HAYS: Parks and Recreation concurs.

MR. COSTELLO: Urban Renewal concurs.

MR. MILLER: MOVED and SECONDED.

MR. LOBOZZA: Through you to Mr. Morgan, where will this Cultural Center be located?

FISCAL COMMITTEE (continued)

MR. MORGAN: It will be located downtown, somewhere in the Urban Renewal area.

MR. LOBOZZA: The information we had before, it would be adjacent to the Hartman Theatre in that area back where the parking lot now stands.

MR. MORGAN: That's one proposed spot, but no definite one has been chosen.

MR. LOBOZZA: One other thing, since this thing is sketchy, couldn't this be done with private funds totally, rather than commit the City into a situation.

MR. MORGAN: Let me just say that the private sector is participating in this to the extent of \$5,000. This is being a project where there is a joint venture. The City supports a number of arts in Stamford, and this is just another aspect of the same program.

MR. LOBOZZA: I agree the City does sponsor many cultural activities, but I hear the cry from the people and it's not the cultural activities, it's for more city services and more productivity out of its personnel now.

MRS. GOLDSTEIN: I don't know where that statement about tax exemption came in, because I don't think it's true. One of the most important things to realize in relation to this study, is that it is a feasibility study to see whether or not Stamford itself could support a Cultural Center.

MR. FLANAGAN: I think that the concept of the total downtown Stamford in the day time and at night is essential to our City. I hope that this City will become a viable cultural center for Southwestern Fairfield County.

MR. LOOMIS: First of all, the Hartman Co. could no longer, at least in the near future, stay where they are. They are far more successful than anybody has predicted or would realize. No Cultural Center in this County, in this State or indeed in this nation has been funded exclusively with private sector funds. Government has to have an involvement.

MRS. RITCHIE: I agree, I think bringing in a cultural center is part of a growing City. It will make us a well-rounded city. Our children not only need sport activities, but they will be able to attend concerts, plays, art shows, and attend professional sporting games right here in town instead of going out of town.

MR. HAYS: I MOVE the QUESTION.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED. We will now take a vote. There will be a division using the machine. Required for approval, two-thirds of the members present. The MOTION is CARRIED with 30 YES; and 9 NO (M. Perillo, K. Zimble, L. Hoffman, S. Signore, J. Loboza, J. Santy, J. DeRose, B. McInerney, D. Sherer). 1 Absent (G. Baxter)

(2) \$3,000.00 - STAMFORD HISTORICAL SOCIETY - Code 736.0000 - Additional Appropriation requested Mayor's letter 8/3/77; Mr. Bromley's letter 7/21/77 to cover projected deficit (partial). They expect to raise the balance of \$3,475 by other means. He state they now have a paid director and encloses tentative budget for fiscal 6/30/78. Board of Finance approved 9/19/77. Held in Committee 10/3/77.

FISCAL COMMITTEE (continued)

MR. MORGAN: Tonight we voted 10-0 in favor and I so MOVE.

MR. HAYS: Parks and Recreation concurs.

MR. MILLER: MOVED and SECONDED. The MOTION IS CARRIED UNANIMOUSLY.

- (3) ~~\$41,500 -96-~~ BOARD OF RECREATION - Code 650.5714 - Self Sustaining
\$36,500.00 programs 77-78 - Mayor's letter 8/3/77; Supt. Giordano's
(reduced) letter 8/2/77 listing the various programs involved. Bd.
of Finance approved 9/19/77 Held in Committee 10/3/77.

MR. MORGAN: Meeting this evening we voted 10-0 to reduce it to the amount of \$36,500., and with the lesser amount, I so MOVE.

MR. HAYS: Parks and Recreation concurs.

MR. MILLER: MOVED and SECONDED.

MR. BLOIS: To Mr. Morgan, why was this reduced?

MR. MORGAN: Supt. Giordano told us that he did not need \$5,000 for the Youth Soccer league, did not need \$18,000 for the Winter evening programs, the gyms. When you add those, it was the amount we cut.

MR. BLOIS: Isn't this supposed to be a self-sustaining program?

MR. MORGAN: Yes, this is simply a bookkeeping matter, to take the money that the Board of Recreation receives and has deposited in the general fund and give it back to the Board of Rec. to operate the program.

MR. BLOIS: Does the Recreation Dept. have \$41,500 on deposit with the City at this present time?

MR. MORGAN: They have \$59,500 on deposit at the present time, for various recreation programs that are being operated by the Board of Recreation.

MR. MILLER: We will proceed to a vote. The MOTION is CARRIED UNANIMOUSLY.

- (4) ADDITION TO DESCRIPTION OF 1974/75 CAPITAL PROJECTS BUDGET NEW
CONSTRUCTION PUMPING STATIONS ALVORD LANE PUMPING STATION: Add
following words "also installation of pumps at alvord lane pumping
station" per Mr. Canavan's letter of 9/19/77. Board of Finance
approved SUBJECT TO approval of BOTH Corporation Counsel and
Planning Board. Held in Committee 10/3/77 pending approval.

MR. MORGAN: This evening the Committee voted 10-0 in favor and I so MOVE.

MR. PERILLO: Public Works met on Nov. 9th. Present were: Mildred Ritchie, Lathon Wider, Leonard Hoffman, and Alfred Perillo. Although we heard Mr. Canavan's presentation, Public Works could not vote on any items on this agenda. As Chairman of the Public Works Committee for the past twenty-three months, I'd like to thank the members who have served and attended all meetings. Other members

FISCAL COMMITTEE (continued)

MR. PERILLO (continuing)...who have attended meetings once or twice, I thank the although I feel they really never did perform their duties as to what they were appointed to their committees for, and for that reason, the Committee has no vote for any items on this Agenda.

MR. MILLER: The question arises as to whether we'll have to Suspend the Rules. I think we should. A MOTION is made, and SECONDED to SUSPEND THE RULES to consider Item #4. The MOTION is CARRIED UNANIMOUSLY.

We will proceed to a vote on the main MOTION, Item #4. The MOTION is CARRIED UNANIMOUSLY.

RESOLUTION NO. 1131

ADDITION TO THE DESCRIPTION OF 1974-1975 CAPITAL PROJECTS BUDGET,
NEW CONSTRUCTION, PUMPING STATIONS, ALVORD LANE PUMPING STATION:
ADD FOLLOWING WORDS "ALSO INSTALLATION OF PUMPS AT ALVORD LANE
PUMPING STATION" - PUBLIC WORKS DEPARTMENT.

BE AND IT IS HEREBY RESOLVED BY the Board of Representatives of the City of Stamford in accordance with the City of Stamford's Charter:

1. To adopt an amendment to the 1974-1975 Capital Projects Budget by the addition to the description the following words: "Also installation of pumps at Alvord Lane Pumping Station" - Public Works Department.
2. That this Resolution shall take effect upon enactment.

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- (5) PROPOSED ORDINANCE FOR FINAL ADOPTION AND AGREEMENT ON TAX ABATEMENT FOR AN ELDERLY HOUSING PROJECT OF 148 UNITS PROPOSED ON 1.9 ACRES ON SHIPPAN AVE. TO BE BUILT BY RICHARD A. HOROWITZ AND FOREST CITY DILLON, A LIMITED PARTNERSHIP. Approved for publication 10/11/77 and published 10/19/77. (Held in Committee for Public hearing 10/6/77) Publication approved at a Special meeting of 10/11/77.

MR. MORGAN: Before we take a vote, let me introduce one additional piece of information. At our last meeting when this Board approved the agreement between the developer and the City, inadvertently one section which is really of a technical notion was left out of the agreement. I would like to introduce that language as is drawn up by the tax abatement committee of the City and have it included in the agreement that exists between the City and the Developer.

"ANY DELAYS CAUSED BY STRIKES, WALKOUTS, ACTS OF GOD, UNAVAILABILITY OF MATERIALS, GOVERNMENTAL RESTRICTIONS, WEATHER CONDITIONS AND OTHER CAUSES BEYOND THE CONTROL OF THE DEVELOPERS OR SPONSOR SHALL NOT BE CHARGEABLE AGAINST SAID DEVELOPERS OR SPONSOR WITH THE RESPECT TO THE TIMES FOR PERFORMANCE PROVIDED HEREIN".

FISCAL COMMITTEE (continued)

MR. MILLER: You're making a MOTION that we amend the agreement by adding that language.

MR. MORGAN: Yes, I am.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY.

MR. MORGAN: On the matter of FINAL ADOPTION of the Ordinance for the Shippan Elderly Housing Project, this evening the Fiscal Committee approved this by a vote of 9-1 and I so MOVE.

MR. FOX: Legislative and Rules Committee did not vote on this.

MR. LIVINGSTON: Housing and Relocation Committee did not vote on this.

MR. HOFFMAN: I understand there has been a lot of discussion about this, and certainly one of the things that I'm opposed to is the tax abatement, and also the rental cost of the particular apartments of \$441.00. I think the elderly people who require this type of housing could never afford this kind of rent.

MR. LOBOZZA: I'd just like to say that anytime we could do something for the elderly, the people that built this City, I think we should stick our chest out and be proud.

MR. FLANAGAN: The question came up as to the chances of Stamford getting the urgent need funds that we're applied for which amounts to about fifteen million dollars. Our application was tremendous, it was supported by the community and a good delegation went down there, and HUD is very receptive to our application and it is a very good chance that we will be getting about 10% of the total kitty for the nation.

MR. ZELINSKI: My senior citizens constituents who are feeling the pinch, created by inflation are very excited about this proposed project. I want to see it built now, for them housing is a pressing every day problem.

MR. ZIMBLER; There are any number of things I don't like. It's definitely not a black and white thing. The high rents, the tax abatement, when ever I consider all these negative factors, it come back to one thing, does the end justify the means?

MRS. McINERNEY: I would prefer since I see later this evening we are voting on a resolution providing tax relief for the elderly, I would prefer in my heart to give that \$62,000 abatement instead to a group that is a corporation to the elderly who are trying to maintain their home. I'm sorry, but I will have to vote against.

MR. COSTELLO: I think it's a shame that we might be losing this money to some other city in Connecticut or elsewhere. I think our senior citizens have paid their dues.

FISCAL COMMITTEE (continued)

MR. SIGNORE: My personal inclination would be to vote against tax abatement of any kind, however we are talking about the elderly, it's a different story. These people have worked hard contributing to the City of Stamford, and in their old age we deny them a decent place to live.

MR. WIDER: As far as housing is concerned for senior citizens in this town, I think we're extremely short. I would feel the more housing we could create for senior citizens, the better off we will be.

MRS. PERILLO: Everyone is telling the senior citizens what they need. They are going to tell them pretty soon when they should wake up and when they should go to sleep and what they should eat. I think we should let the senior citizens decide for themselves.

MR. HAYS: I MOVE the question.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED. We will proceed to a vote on the main MOTION, FINAL ADOPTION of this ORDINANCE. There is a request for a ROLL CALL VOTE. The Clerk will call the roll.

<u>YES VOTES</u>		<u>NO VOTES</u>
M. Morgan	L. Lowden	M. Perillo
K. Zimble	T. D'Agostino	L. Hoffman
H. Dixon	L. Wider	G. Ravallesse
G. Hays	G. Rybnick	A. Perillo
R. Loomis	J. DeRose	M. Hawe
A. Osuch	J. Blois	B. McInerney
S. Signore	J. Livingston	J. Sandor
V. Wiesley	C. Nizolek	A. Cosentini
J. Lobozza	J. Zelinski	
J. Santy	D. Sherer	
J. Fox	R. Costello	<u>ABSENT</u>
M. Ritchie	L. Carlucci	G. Baxter
W. Flanagan	D. Blum	
J. Schlechtweg	G. Connors	
S. Goldstein	J. Robie	
F. Miller		

MR. MILLER: The MOTION is CARRIED with 31 YES votes and 8 NO votes for FINAL ADOPTION.

FISCAL COMMITTEE (continued)ORDINANCE NO. 363 SUPPLEMENTALFOR TAX ABATEMENT FOR "THE SHIPPAN ELDERLY HOUSING PROJECT"

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

1. The City of Stamford hereby grants tax abatement of the ad valorem taxes applicable to ALL THAT CERTAIN tract or parcel of land situated in the City of Stamford, County of Fairfield, and State of Connecticut, in area approximately 1.9 (one and nine-tenths) acres, bounded:

EASTERLY : By Shippan Avenue;

NORTHERLY : By land of Ford Leasing Development Company;

WESTERLY : By land of the said Ford Leasing Development Company;

SOUTHERLY : By land of Louis G. Bratsanis; and

AGAIN

WESTERLY : By land of the said Louis G. Bratsanis.

located at Shippan Avenue, in the City of Stamford, Connecticut, which property is owned by RICHARD HOROWITZ and FOREST CITY DILLON, a Limited Partnership and is known as THE SHIPPAN ELDERLY HOUSING PROJECT.

2. This tax abatement shall be in accordance with and subject to the terms and provisions of agreement to be entered into between RICHARD HOROWITZ AND FOREST CITY DILLON, a Limited Partnership, and the City of Stamford, which agreement was approved October 11, 1977.

This Ordinance to take effect upon formal execution of agreement referred to herein and attached.

Effective Date: December 9, 1977.

(Note: Tax Abatement Agreement on following pages)

ORDINANCE NO. 363 (continued)

TAX ABATEMENT AGREEMENT BETWEEN THE CITY OF STAMFORD
AND RICHARD A. HOROWITZ AND FOREST CITY DILLON, A
LIMITED PARTNERSHIP, FOR "THE SHIPPAN ELDERLY HOUSING
PROJECT" in STAMFORD, CONNECTICUT

THIS AGREEMENT made this _____ day of _____, 1977 between the CITY OF STAMFORD, a municipal corporation organized and existing under the laws of the State of Connecticut and located in the County of Fairfield in said State, acting herein by LOUIS A. CLAPES, its Mayor, hereunto duly authorized, and RICHARD A. HOROWITZ and FOREST CITY DILLON, A Limited Partnership, organized and existing under the laws of the State of Connecticut, having an office in said Stamford, acting herein by GEORGE CARROLL, Esq., its ATTORNEY, hereunto duly authorized.

W I T N E S S E T H :

WHEREAS, RICHARD A. HOROWITZ and FOREST CITY DILLON, A Limited Partnership, is the owner of two (2) acres of vacant land located on Shippan Avenue in said City of Stamford, more particularly described as follows:

EASTERLY : By Shippan Avenue;

NORTHERLY : By land of Ford Leasing Development Company;

WESTERLY : By land of the said Ford Leasing Development Company;

SOUTHERLY : By land of Louis G. Bratsanis; and

AGAIN

WESTERLY : By land of the said Louis G. Bratsanis;

to be known as THE SHIPPAN ELDERLY HOUSING PROJECT, which property is to provide 148 (One Hundred and Forty-Eight) units of rental dwelling accommodations for senior citizens and/or handicapped persons of low and/or moderate income levels as established by the U. S. Department of Housing and Urban Development (HUD), and

WHEREAS, the CITY OF STAMFORD is empowered to grant tax abatement to such housing projects under Ordinance No. 228 Supplemental, authorized by Sections 8-215 and 8-216 of the Connecticut General Statutes, as amended, which tax abatement is necessary to said housing project in order to qualify for rental subsidy under the Section 8 Housing Assistance Projects Program of HUD.

NOW THEREFORE, in consideration of the mutual undertakings herein contained and other valuable considerations, the parties hereto agree as follows:

1. In accordance with Ordinance No. 228 Supplemental of the City of Stamford, the CITY OF STAMFORD hereby grants to RICHARD A. HOROWITZ and FOREST CITY DILLON, a Limited Partnership, an abatement of up to 100% of the real property tax as it may vary from year to year on the property located at Shippan Avenue to be know as THE SHIPPAN ELDERLY HOUSING PROJECT, more particularly described above.

(continued)

ORDINANCE NO. 363 (continued)

TAX ABATEMENT AGREEMENT (continued)

2. RICHARD A. HOROWITZ and FOREST CITY DILLON, a Limited Partnership, agrees that such tax abatement shall be used for one or more of the following purposes:

To reduce rents below the level which would be achieved in the absence of the abatement, or to improve the quality and design of such housing, or to effect occupancy of such housing by persons and families of varying income levels within the limits determined for the City of Stamford, or to provide necessary related facilities or services in such housing.

3. Said tax abatement shall terminate at any time when said housing is not used solely for and occupied by low or moderate income persons or families as said term is defined in Section 8-215 and 8-216 of the Connecticut General Statutes, as amended.
4. During the period of construction of the project the CITY OF STAMFORD will abate 100% (One Hundred Per Cent) of the real property taxes on the subject property.
5. As a condition to the tax abatement granted herein, commencing with the issuance of the appropriate Certificate of Occupancy, RICHARD A. HOROWITZ and FOREST CITY DILLON, a Limited Partnership, shall pay to the City of Stamford an amount not to exceed 10% (Ten Per Cent) of the gross income of the project upon the following terms and conditions:
 - (a) If in any fiscal year during tax abatement hereunder the State of Connecticut reimburses the City of Stamford less than the full amount of taxes abated.
 - (b) Under no circumstances will the sum of payments made by RICHARD A. HOROWITZ and FOREST CITY DILLON, a Limited Partnership, and the State of Connecticut to the City of Stamford in any fiscal year exceed the amount of the real property taxes determined by multiplying the assessed valuation by the tax rate.
 - (c) For the purposes of this agreement the term "gross income" shall have the same definition provided in Section 6-17 (3) of the Code of Ordinances of the City of Stamford.
 - (d) The payment required herein from RICHARD A. HOROWITZ and FOREST CITY DILLON, a Limited Partnership, to the CITY OF STAMFORD shall be made twice annually with the first such payment made no later than February 1st and the second no later than August 1st of each year.

(continued)

ORDINANCE NO. 363 (continued)TAX ABATEMENT AGREEMENT (continued)

6. (a) RICHARD A. HOROWITZ and FOREST CITY DILLON, a Limited Partnership, agrees to make all financial books and records of RICHARD A. HOROWITZ and FOREST CITY DILLON, a Limited Partnership, available to the Tax Abatement Committee of the CITY OF STAMFORD or any person duly appointed by it for review, inspection and reproduction of any documentation or portion thereof so long as this agreement shall remain in force and effect. It is understood that on the basis of such review the Tax Abatement Committee shall report to the Board of Representatives on or before June 1st of any year immediately following execution of this agreement and June 1st of each year thereafter with reference to the need and desirability for continued abatement of real estate taxes on THE SHIPPAN ELDERLY HOUSING PROJECT; and RICHARD A. HOROWITZ and FOREST CITY DILLON, a Limited Partnership, shall have the opportunity to review any report made pursuant to this provision before it is submitted to the Board of Representatives of the City of Stamford and to comment upon or criticize the same both to the Tax Abatement Committee and the Board of Representatives of said City.
6. (b) In addition hereto the CITY OF STAMFORD, its officers, agents and employees authorized by law or any person duly appointed by its Mayor for the following purpose may make a periodic inspection of any books, documents or premises in the possession or owned by RICHARD A. HOROWITZ and FOREST CITY DILLON, a Limited Partnership, as such may be required of the City of Stamford by the State of Connecticut pursuant to any reimbursement agreement between said City and said State for taxes abated for THE SHIPPAN ELDERLY HOUSING PROJECT.
7. (a) RICHARD A. HOROWITZ and FOREST CITY DILLON, a Limited Partnership, its officers, agents and employees shall conform their hiring, employment and housing practices to all requirements of Federal, State and local law and shall not discriminate against any person because of age, color, national origin or sex, or because any person is physically handicapped solely for that reason alone.
7. (b) RICHARD A. HOROWITZ and FOREST CITY DILLON, a Limited Partnership, hereby recognizes the jurisdiction of the Human Rights Commission of the City of Stamford and in conjunction with RICHARD A. HOROWITZ and FOREST CITY DILLON, a Limited Partnership, its performance of this agreement waives any claim contesting same and further agrees to abide by any determination of said Commission made in accordance with Section 11-1 to 11-5 of the Code of Ordinances of the City of Stamford.
8. The tax abatement provided for herein is expressly conditioned upon the following:
 1. That RICHARD A. HOROWITZ and FOREST CITY DILLON, a Limited Partnership, shall construct 148 (One Hundred Forty-Eight) units of residential housing for Senior Citizens and/or the handicapped so as to qualify the project for tax abatement eligibility pursuant to Section 8-215 of the Connecticut General Statutes.

(continued)

2. That the land cost represented to be \$585,000.00 (FIVE HUNDRED EIGHT FIVE THOUSAND DOLLARS) (to be re-negotiated solely to reflect the increased acreage from the present 1.7 acres to the proposed 1.9 acres) shall be the price paid by RICHARD A. HOROWITZ and FOREST CITY DILLON, a Limited Partnership. There shall be no transfer of the subject parcel for a profit.
3. That there be a firm commitment by HUD for rental subsidy under Section 8 Housing Assistance Payments Program to supplement rent for at least the duration of the term of the permanent mortgage loan from CHFA to RICHARD A. HOROWITZ and FOREST CITY DILLON, a Limited Partnership, so as to insure that the tenants of the completed project shall be obligated to pay in rent no more than an amount equal to 25% (Twenty-Five Per Cent) of all eligible income per household under said HUD program.
4. That within 6 (six) months of the date hereof, RICHARD A. HOROWITZ and FOREST CITY DILLON, a Limited Partnership, shall supply the Assessor of the City of Stamford with detailed plans, specifications, cost estimates and such other pertinent information as shall reasonably be required for preliminary assessment purposes.
5. That within 180 (One Hundred Eighty) days from the date hereof, RICHARD A. HOROWITZ and FOREST CITY DILLON, a Limited Partnership, shall furnish the Tax Abatement Committee and the Board of Representatives of the City of Stamford with certified copies of the commitments from CHFA for construction and permanent mortgage financing for the project.
6. That within 180 (One Hundred Eighty) days from date hereof, RICHARD A. HOROWITZ and FOREST CITY DILLON, a Limited Partnership, shall forward to the Tax Abatement Committee and the Board of Representatives certified copies of the deeds of conveyance of the subject parcel, with a certification from the attorney representing RICHARD A. HOROWITZ and FOREST CITY DILLON, a Limited Partnership, to the effect that said property is owned by said developer in fee simple subject to no loan encumbrances whatsoever excepting the mortgage loans from CHFA contemplated hereunder.
7. That the construction contract shall provide for project completion on or before April 1, 1979 and a copy of the executed construction contract shall be delivered to the Tax Abatement Committee and the Board of Representatives within 180 (One Hundred Eighty) days from date hereof.

Any delays caused by strikes, walkouts, acts of God, unavailability of materials, governmental restrictions, weather conditions, and other causes beyond the control of the developers or sponsor shall not be chargeable against said developers or sponsor with the respect to the times for performance provided herein.

IN WITNESS WHEREOF, we have hereunto set our hands and seals the day and year above written.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF

CITY OF STAMFORD

By _____
Louis A. Clapes, Mayor

By _____
Richard A. Horowitz and
Forest City Dillon, A Limited
Partnership

FISCAL COMMITTEE (continued)

- (6) \$3,350.00 - COMMISSION ON AGING - Additional Appropriation is to cover a gift received and deposited to the General fund of \$100.00, plus a 100% reimbursable grant to be received for \$3,250.00 from the State. Mayor's letter 10/4/77; Mrs. Russell's letter 10/3/77; Bd. Of Finance approved 10/13/77.

Code 114.2201 New Equipment for Quintard Center	\$3,250.00
Code 114.0920 Gifts & Donations from Soroptomist club for Quintard	100.00
	<hr/> \$3,350.00

MR. MORGAN: Our Committee voted this evening 10-0, and I so MOVE.

MR. BLUM: Health and Protection concurs.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY.

- (7) \$25,980.90 - REGISTRARS OF VOTERS - Code 101.5105 - PRIMARY ACCOUNT for 9/15/77 Republican and Democratic Primary Elections per Mayor Clapes' letter 10/7/77 and Registrars' letter 10/3/77. Approved by Bd. of Finance 10/13/77.

MR. MORGAN: This evening our Committee voted 10-0 in favor and I so MOVE.

MR. WIESLEY: Education, Government and Welfare concurs.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY.

- (8) \$109,520.00 - BOARD OF EDUCATION - Additional Appropriation representing a 100% Prepaid Federal Grant, under BILLINGUAL EDUCATION ACT, P.L. 90-247 to continue this program 9/1/77-8/31/78. Bd. Of Finance approved 10/13/77.

MR. MORGAN: Our Committee voted this evening 10-0 and I so MOVE.

MR. WIESLEY: EWG concurs.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY.

- (9) \$4,276.00 - PLANNING BOARD - Additional appropriation to be funded under PUBLIC WORKS TITLE II 100% per Mayor's letter 10/3/77 and Jon Smith's letter 9/16/77 to re-employ a Clerk-Typist II. Bd. of Finance approved 10/13/77.

MR. MORGAN: I so MOVE.

MRS. GOLDSTEIN: Personnel concurs.

MR. RAVALLESE: What happened to the Board Members? We have an empty Board here, what are we voting on?

FISCAL COMMITTEE (continued)

MR. BLOIS: I'd like to correct that, the DEMOCRAT'S are all present.

MR. MILLER: We have a request for a ROLL CALL. The Clerk will call the Roll. There are 37 members present, 3 absent (D'Agostino, Baxter and Carlucci)

MRS. PERILLO: To Mr. Morgan, do we have a "Freeze" on hiring? I think we have a letter about a freeze on hiring? If we have a "Freeze" how are we approving a new position?

MR. MORGAN: I haven't seen the letter Mrs. Perillo is referring to, so I can't answer the question.

MRS. PERILLO: Could someone answer it before we vote.

MR. MILLER: No one can respond to the question, I think we'll just have to proceed to a vote.

MRS. PERILLO: Will you mark me as abstaining since no one could answer the question.

MR. MILLER: The MOTION is CARRIED with 36 YES and 1 ABSTENTION (M. Perillo)

- (10) \$10,000.00 - FIRE DEPARTMENT - Additional Appropriation Code 450.0103 OVERTIME to be 100% funded under PublicWorks Title II Grant per Mayor's letter 9/19/77; Fire Chief Vitti's letter 9/15/77. Overtime has been occasioned by fact that Fire Dept. is prevented from filling existing vacancies due to litigation. Bd. of Finance approved \$10,000.00 and Deferred \$26,000.00 of the original request for \$36,000.00 on 10/13/77.

MR. MORGAN: Our Committee voted this evening 10-0 in favor and I so MOVE.

MRS. GOLDSTEIN: Personnel Concurs.

MR. BLUM: Health and Protection concurs.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY.

- (11) \$2,530.00 - GLENBROOK FIRE DEPARTMENT - Additional Appropriation to cover salary increases for 4 paid employees to effect parity with recently negotiated City Firemen's contract. Mayor's letter 10/3/77; Treas. Yark's letter 5/18/77 and Mr. Ruskowski's letter 9/28/77. The Bd. of Finance approved 10/13/77.

Code 472.0101 Salaries	\$2,200.00
Code 472.0120 Employee Benefits	<u>330.00</u>
	\$2,530.00

MR. MORGAN: Our Committee this evening voted 10-0 in favor and I so MOVE.

MRS. GOLDSTEIN: Personnel concurs.

FISCAL COMMITTEE (continued)

MR. BLUM: Health and Protection concurs.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY.

- (12) \$90,000.00 - DEPARTMENT OF HEALTH-Additional appropriation representing renewal of the WIC PROGRAM GRANT from Federal Govt. for fiscal year 10/1/77 - 9/30/78 per Mayor's letter 9/22/77; Dr. Gofstein's letter 9/12/77; 9/13/77 letter from Estelle Siker, M. D.; State of Conn.; John J. Hogan III's letter submitting budget figures. State will amend figures by 1/1/78 since this figure is a lesser amount. Board of Finance approved 10/13/77.

Code 573.0101 Salaries	\$25,650.00
573.0120 Fringe Benefits	4,650.00
573.2201 New Equipment	900.00
573.0501 Telephone & Telegraph	900.00
573.0601 General Mat. & Supplies	2,663.00
573.0801 Auto Gas & Maintenance	75.00
573.0802 Travel	975.00
573.0938 Clinical	54,187.00
	<u>\$90,000.00</u>

MR. MORGAN: This evening our Committee voted 10-0 in favor and I so MOVE.

MRS. GOLDSTEIN: Personnel concurs.

MR. BLUM: Health & Protection concurs.

MR. MILLER: MOVED and SECONDED. The MOTION IS CARRIED UNANIMOUSLY.

- (13) \$3,000.00 - E. GAYNOR BRENNAN SR. PUBLIC GOLF COURSE - AMENDMENT TO THE CAPITAL BUDGET FOR 77-78 BY ADDING A PROJECT IN THE SUM OF \$3,000.00 TO BE KNOWN AS "VACUUM BREAKER ASSEMBLY" to be funded by the issuance of bonds. Per Mayor's letter 10/1/77 and Manager Ralph Vitti's letter 0/7/77 stating necessity to protect potable water supply from contamination; Water Company sent statutes which apply. Bd. of Finance approved 10/13/77; Planning Board approved per letter 10/13/77.

MR. MORGAN: Since the Committee did not have an opportunity to meet with the members of the Golf Commission, we voted 10-0 to HOLD this pending further study.

MR. HAYS: Parks and Recreation concurs.

MR. BLOIS: This Vacuum breaker for the E. Gaynor Brennan Golf Course is mandated by an old State Law that's been in effect for a good many years. The reason it has come to light, there has been some water poisoning up State in Connecticut. The State has been insisting that the Golf Courses that have drainage put a valve on the pipes coming back from the course so it won't pollute the drinking water. I would like to MOVE it out of

FISCAL COMMITTEE (continued)

MR. BLOIS: (continuing)...committee for the purpose of approving this tonight.

MR. MILLER: MOVED and SECONDED.

MR. MORGAN: I'd speak against that; if this is such an important item, why didn't some member of the Golf Commission appear before the Fiscal Committee? I think we should hold it for another month.

MR. BLOIS: I can't believe that one of the five members of the E. Gaynor Brennan Golf Commission wouldn't've attended this meeting.

MR. HAYS: I speak against bringing it out of Committee. I think that we've got to be careful about setting precedents of going against the recommendations of the Committee.

MR. BLOIS: I think that precedent has been set since 1949, since this Board has been into effect. We have set precedent here night after night. I think something of such importance, you should stop and take notice. This is a State Law, they could be fined, I don't know what length of time they have, sooner or later this is going to have to be approved. When I hear that you're setting precedent, I can't go along with that.

MRS. PERILLO: Just last month we had the same situation before us. Again Mr. Morgan opposed it and it was defeated. Does it make a difference what department is involved here? Let's stop playing games.

MRS. McINERNEY: Am I right in assuming that this particular water problem or request is in regards to water pollution that is under the 1972 Federal Clean Water Act? If we're in violation, then I would say I would have to go along with Mr. Blois.

MR. LOBOZZA: I MOVE the QUESTION.

MR. MILLER: MOVED and SECONDED. The question is on moving the previous question. The MOTION is CARRIED UNANIMOUSLY.

We will proceed to a vote on Mr. Blois' motion to bring Item #13 out of Committee. The CHAIR is in doubt, we'll take a DIVISION, using the machine. There should be 37 members participating in this vote.

MR. HOFFMAN: Would you please change my vote from a no to yes?

MR. MILLER: Mr. Hoffman will be recorded as a yes vote. The ^MOTION is CARRIED with 20 YES votes and 12 NO votes.

MR. BLOIS: I MOVE that we approve Item #13 for \$3,000.

MR. MILLER: MOVED and SECONDED.

FISCAL COMMITTEE (continued)

MRS. PERILLO: MOVE the question.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED.

We'll proceed to a vote on Item #13 under Fiscal. We will take a Division, using the machine. The MOTION is LOST with 15 NO and 14 YES as follows:

YES VOTES

M. Pezillo	B. McInerney
K. Zimbler	J. Blois
L. Hoffman	J. Zelinski
A. Perillo	D. Blum
A. Osuch	J. Robie
V. Wiesley	F. Miller
J. Loboza	W. Flanagan

NO VOTES

M. Morgan	J. Fox
H. Dixon	M. Ritchie
G. Hays	J. Schlechtweg
R. Loomis	S. Goldstein
G. Ravallese	L. Wider
M. Hawe	C. Nizolek
L. Santy	R. Costello
J. Sandor	

ABSENT

T. D'Agostino
G. Rybnick
G. Baxter
L. Carlucci
G. Connors

ABSTENTIONS

S. Signore
L. Lowden
J. DeRose
J. Livingston
D. Sherer
A. Cosentini

(14) \$5,500.00 - LONG RIDGE FIRE DEPARTMENT - AMENDMENT TO THE 77-78 CAPITAL PROJECTS BUDGET BY ADDING A PROJECT IN SUM OF \$5,500.00 TO BE KNOWN AS "#32 HURST POWER TOOL" - to be financed by the issuance of bonds, per Mayor's letter 9/15/77; 9/6/77 letter of Stuart Konspore. Pres. of Long Ridge Fire Co.; and quotation of 8/5/77 from American Fire Equipment Co., Inc. Bd. of Finance approved 10/13/77. Planning Board approved 10/13/77 letter.

Note: Board of Finance while approving this purchase, suggests that the Hurst Power Tool in the possession of the Civil Defense Corps which is not being used to full advantage, might possibly locate that piece of equipment at the Long Ridge Fire Dept. where it would be more readily available for emergencies.

MR. MORGAN: The Committee voted 10-0 to HOLD this pending further study.

MR. BLUM: Health and Protection concurs.

(15) \$50,000.00 - LONG RIDGE FIRE DEPARTMENT - AMENDMENT TO THE 77-78 CAPITAL BUDGET BY ADDING A PROJECT IN THE SUM OF \$50,000 TO BE KNOWN AS "LONG RIDGE FIRE DEPT. - PURCHASE OF PROPERTY FOR SECOND FIRE STATION" - to be financed through the "Capital Non-Recurring Fund"; per Mayor's Clapes' letter 10/7/77; Pres. Stuart Konspore's

FISCAL COMMITTEE(continued)

(item #15 continued)letter 9/29/77 and map showing location of property they wish to buy. Bd. of Finance approved 10/13/77.

MR. MORGAN: Our Committee voted 10-0 in favor and I so MOVE.

MR. BLUM: Health & Protection concurs.

MR. MILLER: MOVED and SECONDED.

MRS. McINERNEY: I would like to thank all the members of the Fiscal Committee who realize that the station is long overdue.

MR. HAYS: I just wanted to say this is a much needed facility.

MR. LOOMIS: I'd just like to support the remarks of Mrs. McInerney and Mr. Hays. It takes about fifteen minutes for engines to get over to that area of High Ridge Road

MR. ZELINSKI: I fully support this and it's sadly needed.

MR. FLANAGAN: Most members remember the night I went home and watched my house on fire. The Long Ridge Fire Dept. saved it.

MR. WIDER: MOVE the question.

MR. MILLER: MOVED and SECONDED. The motion is carried unanimously. We'll proceed to a vote on Item #15, Long Ridge Fire Dept. The MOTION is CARRIED UNANIMOUSLY.

- (16) APPROVAL REQUESTED FOR LEASE BETWEEN CITY OF STAMFORD AND GLENBROOK COMMUNITY CENTER, INC. for 3 years at \$1.00 per year, per Mayor's letter 9/30/77; Lease signed by Mayor Clapes and Thomas A. Pia, Sr. on 9/28/77. Bd. of Finance approved 10/13/77.

MR. MORGAN: The Committee voted 10-0 to HOLD.

MR. HAYS: Parks and Recreation concurs.

- (17) \$1,257.52 - BOARD OF RECREATION - Additional Appropriation per Mayor's letter 10/11/77 and Supt. Giordano's letter 10/7/77. Bd. of Finance approved 10/13/77.

Code 662.1801 Maintenance of Building (Sanitrol)	\$	440.00
662.2201 New Equipment to replace stolen and vandalized Youth Center items:		
Stereo Radio Combo (BSA Turntable)	\$299.52	
Two Speakers	110.00	
Tape Recorder	88.00	
Color Television Set	320.00	
		<u>817.52</u>
		\$1,257.52

FISCAL COMMITTEE (continued)

MR. MORGAN: Our Committee voted 10-0 in favor and I so MOVE.

MR. HAYS: Parks and Recreation concurs.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY.

- (18) \$33,836.00 - PUBLIC WORKS DEPARTMENT - Additional Appropriation to be funded by PUBLIC WORKS TITLE II 50% and 50% by taxes. Mayor's letter 10/11/77; DPW Comm. Canavan's letter 10/6/77. Mr. Canavan's letter listed his breakdown as follows:

332.0101 Heating & Air Cond. Inspector	\$16,918.00
332.0101 Electrical Inspector	16,918.00
DPW Bureau of Engineering, Div. of Bldg. Insp.	\$33,836.00

MR. MORGAN: Our Committee voted 10-0 in favor and I so MOVE.

MRS. GOLDSTEIN: Personnel concurs.

MR. MILLER: MOVED and SECONDED. Mr. DeRose has left the meeting, we now have 34 members present. The MOTION is CARRIED UNANIMOUSLY.

- (19) \$375.00 - PUBLIC WORKS DEPARTMENT - Additional Appropriation - Code 301.2502 CLOTHING ALLOWANCE - ADMINISTRATION, per Mayor's letter 10/11/77; DPW Comm. Canavan's letter 10/11/77; Labor Negotiator Barrett's memo 10/6/77. Bd. of Finance approved 10/13/77.

Code 301.2502 Clothing Allowance for
3 timekeepers..... \$375.00

MR. MORGAN: Our Committee voted 10-0 in favor and I so MOVE.

MR. MILLER: MOVED and SECONDED. The MOTION IS CARRIED UNANIMOUSLY.

- (20) \$210.00 - BOARD OF FINANCE - Code 103.0501 Telephone and Telegraph - Mayor's letter 10/3/77; Mr. Callahan's letter 9/28/77; includes telephone charges for auditors. Bd. of Finance approved 10/13/77.

MR. MORGAN: This evening we voted 10-0 in favor and I so MOVE.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY.

- (21) \$15,000.00 - DEPARTMENT OF PUBLIC WORKS - Additional Appropriation being the balance of a \$20,000.00 request of which \$5,000.00 Board of Finance approved 9/19/77 and Bd. of Reps. approved 10/3/77. \$15,000.00 approved by Bd. of Finance 10/13/77.
DIVISION OF SEWAGE TREATMENT - CODE 341.0601 MATERIAL & SUPPLIES.

FISCAL COMMITTEE (continued)

MR. MORGAN: This evening our Committee voted 10-0 in favor and I so MOVE.

MR. MILLER: MOVED and SECONDED by Mr. Wider.

MR. BLUM: I'd like to know what we need \$15,000 for additional appropriation at this late date.

MR. MORGAN: Because it still smells.

MR. SCHLECHTWEG: I believe we should let this particular item pass. What I'd like to do, I don't know whether it would be in order at this point, I'd like to initiate an investigation of the Sewage Treatment Plant, where the funds are going and exactly what the problem might be.

MR. MILLER: I suppose we'll have to wait for the 15th Board.

MR. WIDER: Mr. Blum wanted a direct answer to his question, we are out of chlorine and lime, those are the two chemicals that we put over the lagoon and in the plant to keep the smell down. I'd like to see this item approved tonight.

MR. LOBOZZA: I guess I would have to be considered the authority on the Sewage Treatment Plant. I'd like to say to Mr. Schlechtweg that we have what I would consider an ongoing inquiry in the Sewage Treatment Plant and I hope the next Board could do a little better then we did.

MRS. MCINERNEY: I would have to agree with the representative from the 6th District; it's about time we start looking very carefully on what's happening down there. We have spent many years cleaning up the Sound, and what's happening on Magee Ave. is not only causing air-pollution but is going to cause a lot more serious pollution to the waters.

MRS. HAWE: Do we have to suspend the rules because of only one committee?

MR. MILLER: We have no report from Mr. Perillo's committee and it is over \$2,000, so would someone make a motion to Suspend the Rules. MOVED and SECONDED, the MOTION is CARRIED unanimously, for SUSPENSION OF THE RULES. We will now vote on the main motion. The MOTION is CARRIED UNANIMOUSLY.

(22) \$29,462.00 - DEPARTMENT OF PUBLIC WORKS - SEWAGE TREATMENT PLANT-

Code 341.0101 SALARIES - Mayor's letter 9/7/77; Comm. Canavan's letters 9/6/77; required to staff the Waste Treatment Complex in accordance with the recommendations of W.K. WILLIAMS & CO., effective Oct. 1, 1977

Code 341.0101 3 Laborers (T-08) @\$9,547.00	\$21,481.00
341.0101 1 S.P. Operator I (T-13) @	
\$10,641.00	7,981.00
Bd. of Finance approved 10/13/77.	\$29,462.00

FISCAL COMMITTEE (continued)

MR. MORGAN: Our Committee voted 10-0 in favor and I so MOVE.

MRS. GOLDSTEIN: Personnel Concur.

MR. MILLER: MOVED and SECONDED.

MRS. McINERNEY: Are we hiring people who are qualified to run that sewage treatment plant?

MRS. GOLDSTEIN: Yes, three of the positions are laborers. It's kind of interchangeable with the people who we are hiring who had been laid off from the Bureau of Sanitation. The other person is well qualified for the job, according to Mr. Canavan.

MRS. PERILLO: Mr. Miller, I will be abstaining on this; this is on hiring of personnel and no one could answer my question on the "freeze".

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED, with 34 YES and 1 ABSTENTION (Mildred Perillo).

(23) \$14,321.00 PUBLIC WORKS DEPARTMENT - SANITARY INCINERATOR - Code 343.0101 SALARIES - Mayor's letter 9/7/77; Comm. Canavan's letter 9/6/77; required to staff Waste Treatment Complex per W.K. Williams & Co., effective Oct. 1, 1977; Board of Finance approved 10/13/77.

Code 343.0101 Two Laborers (T-08) @9,547.00 \$14,321.00

MR. MORGAN: This evening our Committee voted 10-0 in favor and I so MOVED

MRS. GOLDSTEIN: Personnel concurs.

MR. MILLER: MOVED and SECONDED.

MR. BLUM: We just passed \$29,462 for salaries for three laborers and one S.P. operator. Now we go to Sanitary Incinerator and a Mayor's letter also to staff the Waste Treatment Complex, same thing. I'd like to ask why are these two separate items?

MRS. GOLDSTEIN: There are two separate accounts, one is Code 341.0101 and one is Code 343.0101. They are different salary accounts and must be voted on separately.

MR. MILLER: We'll proceed to a vote, the question is on Item #23 Dept. of Public Works, Sanitary Incinerator.

MRS. PERILLO: I am abstaining again.

MR. BLUM: Makes it two.

MR. MILLER: The MOTION is CARRIED with 33 YES votes and 2 ABSTENTIONS (Mildred Perillo and Dave Blum).

FISCAL COMMITTEE (continued)

- (24) \$44,671.00 DEPARTMENT OF PUBLIC WORKS - EQUIPMENT AND BUILDING MAINTENANCE 346.0101 SALARIES - Mayor's letter 9/7/77; Comm. Canavan's letters 9/6/77; required for nine months of current fiscal year. Board of Finance approved 10/13/77.

Code 346.0101 Equipment & Building Maint.		
Three Laborers T-08)	@ 9,547.00	\$21,481.00
Millwright (T-15)	@ 11,417.00	8,563.00
Custodian Grounds		
Keeper (W-10)	@ 9,954.00	7,466.00
Absence Allowance	@ 9,547.00	7,161.00
		<u>\$44,671.00</u>

MR. MORGAN: Our Committee meeting tonight voted 10-0 in favor and I so MOVE.

MRS. GOLDSTEIN: Personnel concurs.

MR. MILLER: MOVED and SECONDED.

MR. HOFFMAN: Just one question, what is this absence allowance?

MR. MORGAN: I think it's a title, it's probably a misnomer, it should be called something like salary differential. For example, you're a crane operator who is being paid \$4.00 per hour and someone who works on the ground is being paid \$3.00 per hour. As the crane operator you're absent from work on a particular day and one of the people who works on the ground has to take your place, he's paid the difference in salary out of this account.

MR. BLOIS: Mr. President, through the Chair to Mr. Morgan. Are you telling this Board, everybody that works down there in this particular area is qualified to do any job at any particular time?

MR. MORGAN: I'm saying that some people are qualified to do other jobs, from the ones which they might be hired.

MRS. GOLDSTEIN: The Absence Allowance and I agree with Mr. Morgan is a misnomer. It also covers sick days and vacations days.

MR. HOFFMAN: How many people are in this department, all told, do you have any idea, Mr. Morgan?

MR. MORGAN: I can't give you a complete number off-hand.

MR. HOFFMAN: We're saying that this particular sum of money is the equivalent of one laborer, because you have three laborers and each is being paid \$9,547.00. What you're doing is actually putting in a kitty, so to speak which is going to cover absenteeism, and various other things.

MR. WIDER: We did go into this with Mr. Canavan. When you add the number of people that are out sick and people who take vacations and you have to substitute workers for them it would add up to a full-time laborer per year.

MRS. GOLDSTEIN: It also covers around-the-clock operations.

FISCAL COMMITTEE (continued)

MR. MILLER: We will proceed to a vote on Item #24 Public Works Department, Code 346.0101 Salaries. The MOTION is CARRIED UNANIMOUSLY.

- (25) \$4,000.00 DEPARTMENT OF PUBLIC WORKS - BUREAU OF SANITATION. DIVISION OF EQUIPMENT AND BUILDING MAINTENANCE - 346.0103 OVER-TIME being the balance of an original request for \$6,000.00, \$2,000.00 of which was approved by Bd. of Finance 9/19/77 as a TITLE II PUBLIC WORKS FUND GRANT. Mayor's letter 9/7/77 indicated this to be funded by Title II Public Works Grant, so altho' Bd. of Finance's minutes for 10/13/77 approval did not indicate grant financing, the Mayor's letter would indicate it is Title II funded. This is for essential maintenance work on Incinerators outside normal operating hours and to provide emergency service for Sewage Treatment Plant during night time and weekends.

MR. MORGAN: Our Committee voted 10-0 in favor and I so MOVE.

MRS. GOLDSTEIN: Personnel concurs.

MR. BLUM: I would like to ask a question as to what this maintenance of work on the incinerator outside normal operating hours. This Board at one time voted 1.8 million dollars to repair the MULTI-PURPOSE INCINERATOR. This is probably the last chance I'll ever have in saying this, I know that Multi-Purpose Incinerator stands there dormant just going to waste. I think it's time people ought to look into that.

MR. WIDER: I offered a suggestion to Mr. Canavan, because there are maintenance personnel that cover the equipment and repair the equipment while the people are not working, which is over a week-end. Since we are concerned with having employment, I offered the suggestion that to employ two other people and have a differential work week.

MR. MILLER: We will proceed to a vote. The MOTION is CARRIED UNANIMOUSLY.

- (26) \$4,000.00 DEPARTMENT OF PARKS - Code 610.1401 RENTAL OF EQUIPMENT- per Mayor's letter 10/7/77 and Supt. Cook's letter 10/6/77. Bd. of Finance approved on 10/13/77 this \$4,000.00 (and deferred 5 items totalling \$24,800.00)

MR. MORGAN: Tonight our Committee voted 10-0 in favor and I so MOVE.

MR. HAYS: Parks and Recreation concurs.

MR. MILLER: MOVED and SECONDED.

FISCAL COMMITTEE (continued)

MR. ZELINSKI: It is my understanding that the Department of Parks has to rent this equipment and there's no other piece of equipment that the City has in order to use this rather than having to rent it?

MR. MORGAN: That's what we were told.

MR. HOFFMAN: What is the cost of the equipment, if the City was to go out and buy it.

MR. MORGAN: I can't answer that.

MR. WIDER: It would cost \$55,000.

MR. BLUM: At this time I would like to make a MOTION that we HOLD this in Committee to find out some more facts about this shredder.

MR. MILLER: MOVED and SECONDED by Mr. Zelinski.

MR. SIGNORE: It was explained to us earlier in our caucus that this was being used to shred up branches and what have you. They're having a tough time down Magee Ave. trying to find room to take this stuff.

MR. MORGAN: I'm opposed to putting this back in Committee. One thing that was also told us which hasn't been mentioned, is that in the past the Parks Department made available the compost and the mulch to people to come and take it away and use it in their own yards. If we're going to defer this another month there is going to be snow on the ground and your constituents aren't going to have a chance to take it. Maybe that doesn't mean much to Mr. Hoffman who lives in an Apartment Building but it means a lot to me.

MR. HOFFMAN: As long as contracts don't bother you, this doesn't bother me either, Mike. For the record, if indeed, high rent doesn't bother Mr. Morgan, composting and other things that homeowners have, do bother me. In light of the additional information that I received, I'd be willing to withdraw my second to this Motion about Holding it. I would hope that the next Board, if it comes up again next year and they want to rent equipment for \$4,000, take another look at it and then say let's go out and buy it.

MR. ZELINSKI: Thank you Mr. President. Through you to Mr. Morgan, if this particular item pertains to Cove Island, what is done with the other parks in the City of Stamford that have the same problems?

MR. MORGAN: This particular project is only for Cove Island, which hasn't been cleaned up in two or three years. I don't believe there is a formal program for the other parks in the City that's handled by the Parks Dept.

MR. ZELINSKI: Excuse me then am I to understand then the problem that you mentioned regarding the snow coming, is going to be a problem for Parks throughout the City that don't have this equipment available, Mr. Morgan?

FISCAL COMMITTEE (continued)

MR. HAYS: Just to supplement the answer to Mr. Zelinski's question. I think debris from the other parks is carried down the Cove now and all of the shredding will be done at the Cove.

MR. BLUM: We talk so much of leaves. We're willing to rent equipment \$4,000 for shredding leaves. Just a little way back we were talking of pollution, \$3,000 and they're willing for the homeowners in that area for their waste to be polluted, but they are willing to hold that in committee. I think this Fiscal Committee ought to reconsider that \$3,000. It's just as important as leaves.

MR. WIDER: I kinda resent people referring to our denial of \$3,000. The fact is we are not denying them the \$3,000; it's we would like to have some input from people who requested the money.

MR. MILLER: We'll now vote on whether to put this item in Committee. There is a request for a ROLL CALL vote. There is a INSUFFICIENT number of persons desiring a roll call vote. We'll proceed to a vote on the motion. The MOTION is LOST. We will now vote on the main motion, the question is \$4,000 Department of Parks. We will take a DIVISION using the machine. The MOTION is CARRIED 33 YES votes and 1 NO vote (D. Blum)

(27) PROPOSED RESOLUTION AUTHORIZING MAYOR TO EXECUTE NECESSARY AGREEMENTS, ETC. regarding LAWN AVE. PARK. Acquisition for \$94,300 was approved in first year of COMMUNITY DEVELOPMENT budget funds. Year 2 approved development of park for \$90,000 but obstacles prevented completion of this phase. This, year 3, we are asking for \$50,000 matching funds from the Bureau of Outdoor Recreation, U.S. Dept. of the Interior since the \$90,000 of Year 2 had to be partially used for URC or whatever. Time is of the essence on this resolution since others are competing for these BOR funds, Park adjacent to Lawn Hill Terrace & Lawn Ave. Townhouses, moderate and low income respectively.

MR. MORGAN: This item we are HOLDING in Committee by a vote of 9 in favor 1 against the project and 1 abstention. Part of the reason we did this is both representatives from the 8th District are opposed to this project, so we think it needs further study.

MR. HAYS: Parks and Recreation concurs.

MR. MILLER: Is that the end of the Fiscal Report?

MR. MORGAN: No, I have one item Mr. President that I would like to bring up under SUSPENSION of the RULES.

MR. MILLER: MOVED and SECONDED. The MOTION for SUSPENSION of the RULES is CARRIED UNANIMOUSLY.

FISCAL COMMITTEE (continued)

(Item #28 under suspension of the rules)

(28) \$60,000.00- PUBLIC WORKS DEPARTMENT - BUREAU OF HIGHWAYS AND MAINTENANCE
DIVISION OF HIGHWAYS covering Code 310.0612 FALL PICK-UP

NOTE: Board of Finance REDUCED this to \$35,000.00 on
11/10/77.

MR. MORGAN: We have a request from the Public Works Dept. in the amount of \$60,000 to be used for the leaf pick-up. The Board of Finance approved this on November 10, 1977. Our Committee voted this evening 10-0 in Favor and I so MOVE.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY.
Does that conclude your report Mr. Morgan?

MR. MORGAN: No, Mr. President. There are several park Department items which I would like to differ to Mr. Hays to bring up under suspension of the rules.

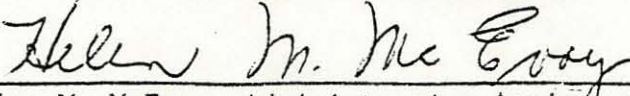
MR. MILLER: It would appear, Mr. Morgan, that the will of this group is to adjourn the meeting to a date certain and perhaps it would be better to consider those items at that time.

ADJOURNMENT: Mr. Signore made a MOTION to ADJOURN the meeting to November 28, 1977.

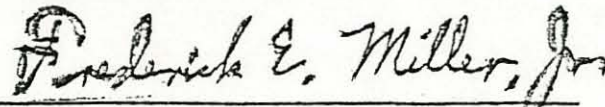
MR. MILLER: A MOTION is made to adjourn this Board to November 28, 1977.
Seconded by Mr. Blois.

The meeting was adjourned at 11:55 p.m.

MR. MILLER: Before you leave might I suggest that the Special Investigating Committee would have an opportunity to meet in the interim and I would suggest that the Appointments Committee meet in the interim on those four appointees, because it is not certain that those appointments survive this term for the Mayor and the Board of Representatives. I would hope that those four appointments could be disposed of on November 28th. The MEETING is ADJOURNED to November 28th.


Helen M. McEvoy, Administrative Assistant
(and Recording Secretary)

APPROVED:


Frederick E. Miller, Jr., President
14th Board of Representatives

Note: above meeting was broadcast in
its entirety over Radio WSTC.

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MINUTES OF ADJOURNED MEETING OF NOVEMBER 28, 1977

14th BOARD OF REPRESENTATIVES

STAMFORD, CONNECTICUT

An Adjourned Meeting, being adjourned from the Regular Monthly Meeting of the 14th Board of Representatives of the City of Stamford, Connecticut, was held on Monday, November 28, 1977, in the Legislative Chambers of the Board, 429 Atlantic Street, Stamford, in order to complete the unfinished business still pending from the previous meeting of November 14, 1977. This was the last meeting of the 14th Board of Representatives, its term ending November 30, 1977.

The meeting was called to order by the PRESIDENT, FREDERICK E. MILLER, JR., at 8:20 P.M., after a short caucus by both parties.

PLEDGE OF ALLEGIANCE TO THE FLAG: The PRESIDENT, FREDERICK E. MILLER, JR., led the members in the Pledge of Allegiance to the Flag.

ROLL CALL: Roll Call was taken by the Clerk, Sandra Goldstein. There were 32 members present and 8 absent. The eight absent members were:

Michael G. Morgan	Jeremiah Livingston
Leonard A. Hoffman	George G. Baxter
Ralph C. Loomis	Leo J. Carlucci
Adam E. Osuch	John A. Sandor

(Mr. Morgan was in one of the offices and not on the floor and consequently did not respond to 3 Roll Calls of the evening, so was recorded as absent.)

The PRESIDENT declared a QUORUM.

CHECK OF THE VOTING MACHINE: A check of the voting machine was conducted and it indicated a total loss of audio. Audio was restored at 9:10 P.M.

ACCEPTANCE OF THE MINUTES: The following Minutes were accepted, each set individually voted upon; acceptance by majority vote, there being no audio and no taping for the half-hour between 8:20 and 8:50 p.m. This time was spent discussing minutes and other matters. A MOTION was made, Seconded, and ADOPTED to follow the previous practice of numeration, that is consecutively, rather than each month individually from one on.

January 17, 1977	Regular Meeting (Special)
January 24, 1977	Adjourned Regular Meeting
March 14, 1977	Adjourned Regular Meeting
April 6, 1977	Adjourned Regular Meeting
May 11, 1977	Special Budget Meeting
May 12, 1977	Adjourned Budget Meeting
July 18, 1977	Adjourned Regular Meeting

RECESS: From 8:50 P.M. until 9:05 P.M. until microphone and audio system restored to operation by Mr. Thomsen who came in. (HMM)

APPOINTMENTS COMMITTEE - Handy Dixon

MR. DIXON: At the November 22, 1977 meeting of the Appointments Committee there were five members present: Robert Costello, George Ravallese, John Robie, Leo Carlucci and Handy Dixon. There was a lack of quorum Mr. President and I am not able to make an official report. If it is in order at this time, I'd like to MOVE for SUSPENSION of the RULES, so that we may act on those appointees tonight.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY.

The following four appointments were brought up under SUSPENSION of the RULES, upon Motions duly made, seconded and approved.

<u>BUILDING BOARD OF APPEALS</u>		<u>Term Expires:</u>
(1) <u>Irving Teitelbaum (R)</u> 43 Kenilworth Dr. West (Replacing Frank Greco)	<u>APPROVED</u> 32 YES 1 ABSTENTION (M. Perillo)	Dec. 1, 1982
<u>COMMISSION ON AGING</u>		
(2) <u>Rev. Paul DuBois (D)</u> 18 Jane's Lane (Re-Appointment)	<u>APPROVED</u> 32 YES 1 ABSTENTION (M. Perillo)	Dec. 1, 1979
(3) <u>Eugene Daly (D)</u> 33 Brinckerhoff Ave. (Re-Appointment)	<u>APPROVED</u> 32 YES 1 ABSTENTION (M. Perillo)	Dec. 1, 1979
(4) <u>Michael J. Nazurnev (D)</u> 76 Hope Street (Replacing Freida Brown who resigned)	<u>APPROVED</u> 32 YES 1 ABSTENTION (M. Perillo)	Dec. 1, 1977

MR. DIXON: That ends my report, Mr. President.

MR. MILLER: We'll proceed to the Fiscal Committee, Mr. Morgan.

FISCAL COMMITTEE - Michael Morgan

MR. MORGAN: At this time I yield to Mr. Hays.

MR. HAYS: There are two items that will require Suspension of the Rules, two accounts for the Parks Dept., both of which were presented to the Fiscal Committee and Parks and Recreation, both of which were approved by both committees, but are not on the agenda.

MR. MILLER: If you wish, it would be in order to make a Motion to Suspend the Rules, Mr. Hays.

MR. HAYS: I MOVE for SUSPENSION OF THE RULES to consider Item #28 under FISCAL.

FISCAL COMMITTEE (continued)

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY for SUSPENSION OF THE RULES.

- (28) \$9,500.00 - PARK DEPARTMENT - Additional Appropriation for Overhaul and repair of 10-year-old Hydraulic Ranger Aerial Bucket Truck.

	Approved by Bd. of Finance 11/10/77	
Code 610.1701	Hydraulic System	\$8,000.00
	Engine and other overhaul	<u>1,500.00</u>
		\$9,500.00

MR. HAYS: The first item is the Auto Operation and Maintenance in the amount of \$9,500. This is for the repair and overhaul of the High Ranger Aerial Bucket. I MOVE for approval.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY.

MR. HAYS: I MOVE for SUSPENSION of the RULES to consider Item # 29, Park Department.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY.

- (29) \$2,000.00 - PARK DEPARTMENT - Additional Appropriation for Overtime Account 610.0103 - Board of Finance approved \$4,000.00 on 11/10/77, BUT Board of Representatives reduced it to \$2,000.00.

MR. HAYS: The next item is the Overtime Account, which is now totally depleted. They had requested \$4,000 and especially since the request came by mail, the Fiscal Committee, while recognizing the urgency of some overtime monies, thought that the full amount should be explained in person, and decided to cut the request to \$2,000 and I so MOVE for that amount.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY. Is there anything else under Fiscal?

MRS. COSENTINI: I may have to defer to Mildred Ritchie for the actual motion, because I abstained when this item came up, I believe it was Item 13.

MR. MILLER: You could make a motion to bring it out of committee.

MRS. COSENTINI: I would so MOVE.

MR. MILLER: MOVED and SECONDED.

MRS. COSENTINI: Would like to describe what I just found out about this. I did receive a letter from Marie Patterson on behalf of the E. Gaynor Brennan Golf Board. She explains that this particular item is mandated by State Dept. of Environmental Protection. What it is actually, is a little valve that prevents the back-up of chemicals into the watering system. They use various chemicals, fertilizers or insecticides to maintain the golf course. It is a very old State Law and appears to be a very critical environmental concern. This small sum of \$3,000.00 probably will prevent some hazardous conditions. Since this is mandated, we should approve it tonight.

MR. BLUM: Beside it being an environmental protection mandate, it also deals with OSHA. It was also an OSHA inspection that found this valve, I understand.

MR. LOBOZZA: If people would only pay attention, it was only two weeks ago that Mr. Blois who made all these points on the floor and made them exactly the same way as Mrs. Cosentini has now. I don't know why people don't take other people's words for things like this because Mr. Blois stood behind what he said. We wouldn't have this problem coming back again tonight. I voted for it two weeks ago and I'm going to vote for it again tonight. But I wish people would pay attention and maybe it would help us get through our meetings a little faster.

MR. WIDER: When anything as important as poison in the water is concerned, people should make it their business to know whether it's on the agenda for the meeting.

MR. RITCHIE: I think the majority of those voting against it was for the simple fact, as Lathon said, the Committee did not come before Fiscal. Miss Patterson explained it all to us. They were not invited.

MR. ZIMBLER: MOVE THE QUESTION.

MR. MILLER: MOVED and SECONDED. We'll vote on Moving the Question. CARRIED UNANIMOUSLY.

MRS. COSENTINI: I MOVE for approval of this \$3,000.00 in the Capital Budget.

(13) \$3,000.00 - E. GAYNOR BRENNAN, SR., PUBLIC GOLF COURSE - AMENDMENT TO THE 1977-1978 CAPITAL PROJECTS BUDGET - "VACUUM BREAKER ASSEMBLY" to be funded by the issuance of bonds. Necessary to protect potable water supply from contamination per State Statutes.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY.

RESOLUTION NO. 1133

AMENDING THE 1977-1978 CAPITAL PROJECTS BUDGET BY ADDING A NEW PROJECT IN THE SUM OF \$3,000.00 ENTITLED "VACUUM BREAKER ASSEMBLY E. GAYNOR BRENNAN, SR. PUBLIC GOLF COURSE" TO BE FINANCED BY THE ISSUANCE OF BONDS.

BE AND IT IS HEREBY RESOLVED By the Board of Representatives of the City of Stamford in accordance with the City Charter:

1. To adopt an amendment to the 1977-1978 Capital Projects Budget by adding a project in the amount of THREE THOUSAND DOLLARS (\$3,000.00) to be known as "Vacuum Breaker Assembly - E. Gaynor Brennan, Sr. Public Golf Course".
2. To authorize the financing of said project by the issuance of bonds.
3. That this Resolution shall take effect upon enactment.

MRS. McINERNEY: I'd like to bring out a Fiscal item for Reconsideration; and would note that the Board voted \$60,000 when the Board of Finance only approved \$35,000. I have other reasons.

MR. MILLER: Mrs. McInerney, that matter was not on the Agenda. It was taken up after Suspension of Rules and then approved. You are concerned that we approved a figure higher than the figure given to us by the Board of Finance.

FISCAL COMMITTEE (continued)

MRS. McINERNEY: That is one of my concerns, the other concern is the way in which I had thought I was voting on the item. I thought the item was supposed to be a city-wide leaf collection which in fact is not going to be.

MR. MILLER: You wish to make a motion to re-consider, you may without suspending the rules or anything, because we've already voted on it in this meeting, so a motion to re-consider would be in order if you were on the prevailing side when the vote was taken.

MRS. McINERNEY: Yes, I would like to make a motion.

MR. MILLER: MOVED and SECONDED by Mr. Zelinski.

MRS. McINERNEY: When we voted for this item two weeks ago, it was with the understanding that there would be a city-wide leaf collection. I feel that as a representative from an area north of the parkway, that I was duped into believing that my area would be having a leaf collection. The Residents of my district have already piled their leaves up to the curb side. There is room for one car to get by on many streets; that is a fire hazard, it is a traffic hazard; we have them all over this city. I would like the whole rescinded, or I would like the entire city included in the leaf collection.

MR. BLUM: Through you, I would like to ask Mrs. McInerney, what areas are going to be picked up as opposed to the area in your district?

MRS. McINERNEY: Everything south of the Merritt Parkway is being picked up. I feel very strongly that we are being discriminated against and I don't think it's fair; if it's a City-Wide collection, it should be exactly as it's stated.

MR. HAYS: I want to echo the remarks of Mrs. McInerney and add to that, for the edification of this Full Board. Mr. Canavan, in making his pitch for these funds to the Fiscal Committee, committed himself to start this pick-up to the State Line and move south. The Committee and subsequently this Board voted \$60,000 for this program. I'm not going to say Mr. Canavan is the culprit here, because he got the monies he asked for to do the program, but the Board of Finance cut him back and it seems to me there the culprits here.

MR. ZELINSKI: I'm also in agreement with the remarks made by Mrs. McInerney. I live in the 11th District which is south of the Parkway but as she eloquently stated "we represent all of Stamford".

MRS. GOLDSTEIN: It's very ironic; about a year ago we were all sitting here and in total agreement over a MOTION to pass an Ordinance to have a total City-Wide lawn, leaf debris, meaning lawn debris pick-up twice a year. It was passed unanimously. My District is not north of the Parkway, but I as a resident of Stamford feel just as slighted by the fact that the Public Works Dept. sees fit merely to pick-up south of the Parkway. These people are citizens, also.

FISCAL COMMITTEE (continued)

MR. SHERER: I wish that I can be as dramatic as Mrs. Goldstein, but I can't even try at this point. I have a problem with this all-or-nothing situation. I don't believe we should ever take a role of provincialism here. Unfortunately we did not have any thing to do with the amount of money the Board of Finance sent down to us. Therefore if they have \$35,000 and that's all they could work with, it's impossible to spread the trucks and the manpower all over the City. We are talking about a definite ratio between money and work. I urge you not to be spiteful and cut the whole project out from the entire City. It's unfortunate and I emphasize, all those districts that aren't getting covered, and I wish they could.

MR. ZIMBLER: Awhile back Mr. Baxter made a statement, something to the effect of "well it all depends on whose ox is being gored". Once again tonight we are faced with a situation of some people's oxen being gored and others not. I think it is a crime that it's not being picked up, because we've passed an Ordinance mandating not only leaf, but yard and garden debris.

MRS. COSENTINI: We are all in agreement we want a City-Wide pick-up. I would like to pursue Mr. Hays' second idea which was that we formulate a resolution and keep the \$35,000 appropriated, but formulate a resolution asking that those who are responsible for initiating an appropriation do so immediately, so that any additional sums of money that are necessary will come to the new Board.

MR. LOBOZZA: I find myself in agreement with Mrs. Cosentini. I think the Board of Finance cut this appropriation for the simple reason that they thought they could do it for \$35,000. Seeing that I'm going to be a member of the Board of Finance, I would be in favor of approving the additional funds that it would need to complete the project. You have to realize that we appropriated this money two weeks ago; I'm almost positive that the Public Works Dept. already did start on the projects, so there are probably some monies already expended from the money we did allocate.

MR. SIGNORE: Sitting listening to this, it sounds as if it's the beginning of the political season that just passed. We have an Ordinance on the Books that states the City should be covered completely when it comes to clean-ups. I don't see what the question is. Let's get it cleaned up. If they need more funds, go back and get them. They come for other emergency appropriations, what's wrong with this?

MR. WIDER: This really sounds like a political issue, one with the Republicans. I would suggest that you travel around the City of Stamford before you cry wolf, and look at some of our other Districts. Most of the leaves that have been picked up are in areas where it's a possibility that they stop the catch basin and cause flooding.

MR. DIXON: Mr. President, are we speaking to a motion?

MR. MILLER: The motion is to re-consider this matter; that's Mrs. McInerney's motion.

MR. DIXON: May I ask Mrs. McInerney, do you know whether or not the project has begun yet?

FISCAL COMMITTEE (continued)

MRS. McINERNEY: No, Mr. Dixon, the schedule does start tomorrow morning.

MR. DIXON: Could it in anyway be that the money we appropriated two weeks is encumbered already, in any way?

MRS. McINERNEY: I don't believe so, but I cannot speak for Mr. Canavan.

MR. DIXON: Mr. President, I would pose this question to you, can we legally withdraw our approval of the appropriation that we made two weeks ago?

MR. MILLER: The Motion to Re-consider is certainly in order. The CHAIR cannot comment on what mechanics are involved in the Public Works Dept. The CHAIR does not have any direct knowledge of what is going on in the Public Works Dept., but the motion to re-consider is in order.

MR. RYBNICK: Leaves is right, I don't think there is anything we could do without any necessary funds. You must go back and ask for another appropriation to cover the north of the parkway, or ask the Public Works to use their three vacuums after they're completed with this job. If Mrs. McInerney says they haven't started, come over to the Cove and see the leaves that they are bringing over to the Eastside, I'm telling you I'm tired of seeing leaves over the Eastside. We have to take them over there every year, and I wish they would be located in some other part of town.

MRS. PERILLO: MOVE the QUESTION.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY. We will now vote on Mrs. McInerney's motion.

MR. SIGNORE: I'd like a clarification on the motion, Mr. President.

MR. MILLER: Perhaps Mrs. McInerney could re-state the motion.

MRS. McINERNEY: The MOTION is to reconsider approval of the funds for leaf collection throughout the City of Stamford, until such time as we can have total leaf collection.

MR. MILLER: On Reconsideration, and if this Motion receives a majority of those present and voting, then we will have to revote on the matter itself.

MR. ZELINSKI: Am I to understand that if this is approved, that means we will be taking the money away that we voted for at our last meeting?

MR. MILLER: We're voting now on whether or not to Reconsider. If the majority of those present and voting, vote to reconsider, then it would be in order for Mrs. McInerney or some other member of the Board to make a Motion to Rescind or to not approve of the appropriation.

MRS. COSENTINI: If we do not want to Reconsider, we can safely vote no at this time?

MR. MILLER: Yes.

FISCAL COMMITTEE (continued)

MR. SIGNORE: POINT OF ORDER. If the Board approves \$60,000 and the Board of Finance approves \$35,000 and the Board of Finance has already appropriated the \$35,000, could we stand with our \$60,000 original?

MR. MILLER: It's impossible; you can't approve anymore then the amount approved by the Board of Finance.

MR. CONNORS: I think Mr. Loboza hit it right on top of the head. Forget the \$35,000 and ask for a special appropriation.

MR. MILLER: Mr. Connors, we're not going to take any more debate, I'm sorry.

MRS. COSENTINI: I would like to propose a resolution at this time. Does this come under Suspension of the Rules?

MR. MILLER: The CHAIR rules that it wouldn't have to come under Suspension of the Rules, because it's closely related to that matter which we approved under Suspension of the Rules.

MRS. COSENTINI: I would like to propose that there be a SENSE-OF-THE-BOARD Resolution asking the Mayor to request any balance of funds needed to complete a total leaf and debris pick-up in the City.

MR. MILLER: MOVED and SECONDED. Discussion.

MR. BLUM: I would just like to correct Mr. Hays, that we, too, have small streets and massive parking situations where maybe one car could only go through. Besides, I do feel that the entire City should have a leaf pick-up and this resolution asking for the additional funds to go forward is what we need.

MR. HAYS: First, through you, responding to Mr. Blum, I'm very happy that his narrow streets, which are wider then ours, (laughter) existing in his District, I hope he enjoys them. My question really, Mr. President, is that may a resolution to the Board of Finance to reconsider \$25,000 appropriation so that it could fall under the umbrella of the \$60,000 we already approved would be more expeditious?

MR. MILLER: That is not the motion Mrs. Cosentini made.

MRS. McINERNEY: I can't answer Mr. Hays, other than to say that seems to be against the Charter Provisions for our Board. I would say that if we approve the resolution, it would have to start with the Mayor's Office and that it would probably take at least a month and a half in duration, and at that time the leaves will still be in the road.

MR. SIGNORE: I MOVE the QUESTION.

MR. MILLER: MOVED and SECONDED. We'll vote on moving the question. The MOTION is CARRIED. We'll proceed to a vote on Mrs. Cosentini's proposed Resolution. The MOTION is CARRIED UNANIMOUSLY.

FISCAL COMMITTEE (continued)

SENSE-OF-THE-BOARD RESOLUTION

CONCERNING FALL AND SPRING PICK-UP OF LEAVES,
YARD AND GARDEN DEBRIS, HOUSEHOLD DEBRIS, ETC.

WHEREAS, the City of Stamford has Ordinance No. 340 Supplemental effective November 27, 1976, which mandates an annual City-wide pick-up of household and yard debris, which pick-up shall be in the Spring of each year; and

WHEREAS, said Ordinance further specifies that there shall be an annual City-wide pick-up of leaves, yard and garden debris only, which pick-up shall be in the Fall of each year; and

WHEREAS, said Ordinance calls for adequate public notice in advance of said pick-ups; and

WHEREAS, the Commissioner of Public Works requested an additional appropriation for Sixty Thousand Dollars (\$60,000.00) in order to comply with City Ordinance No. 340 mandating said City-wide pick-up; and

WHEREAS, the Finance Board approved only Thirty-Five Thousand Dollars (\$35,000.00) for said pick-up, thus limiting the amount that the Board of Representatives could approve and appropriate for said pick-up; and

WHEREAS, the Public Works Commissioner had to limit the scope of the pick-up to the areas below the Merritt Parkway;

NOW, THEREFORE, BE IT RESOLVED by UNANIMOUS vote of the Board of Representatives at their Adjourned Regular Meeting on Monday, November 28, 1977, the Mayor of the City of Stamford, LOUIS A. CLAPES, is hereby requested to initiate the necessary action for funding to effect City-wide pick-up, in accordance with Ordinance 340, at the earliest possible time, so that no taxpayers will be deprived of a City service for which they are taxed.

LEGISLATIVE AND RULES - John Wayne Fox

MR. FOX: The Legislative and Rules Committee met on November 10, 1977, and met again on November 14, 1977 for a short period of time. For a number of reasons, the primary one being that a number of the individuals involved in connection with the various items have asked that these matters not go forward this evening, I have only two items to report out of Committee.

MR. MILLER: I suppose we should go through them one by one, because they were committed to other committees.

- (1) PROPOSED ORDINANCE re 25ft. x 490 ft. EASEMENT requested by Stamford Water Co. along one boundary line of Sterling Farms Golf Course per letter from Atty. Gordon Paterson. This Board approved this request 8/1/77; however Sec. 488 of the Charter has some further technical requirements to be filled which Law Dept. brought to our attention such as approval of Mayor, Board of Finance and Planning Board, Held for compliance of such requirements. Held in Committee. No vote taken.
- Letter 10/3/77 from Mayor Clapes requesting approval of ordinance he submits re this matter. Planning Board advises of unanimous approval, letter 10/14/77. Letter of Mr. Frattaroli of 10/28/77. Copy of Executed and Signed Agreement dated Sept. 29, 1977 by Mayor Clapes. (Mr. Frattaroli mentions \$1 and other consideration). Bd. of Finance approved 10/13/77.

MR. FOX: The Committee voted 8-0 to Waive Publication and I so MOVE.

MR. PERILLO: Public Works did not meet on this.

MR. MILLER: MOVED and SECONDED. Discussion.

MR. LOBOZZA: I urge support of this for the simple reason that it is going to solve two problems. One, we have a very bad situation with low water pressure in the area that easement is going to serve. Two, it is going to correct an existing problem with drainage from the water run-off from Sterling Farms.

MR. MILLER: Before we proceed, the CHAIR will ask all of the members to please come to the floor of the Board. If not, we will take a roll call vote; you don't have 27 people on the floor, which is what you need to Waive Publication. The CHAIR would invite a request to a Roll Call vote. The Chair see a sufficient number desiring a ROLL CALL vote. The CLERK will call the roll:

<u>YES VOTES</u>		<u>YES VOTES</u>	
Mildred Perillo	James Loboza	Gerald Rybnick	George Connors
Kurt Zimble	Jeanne Lois Santy	David Blum	S.A. Signore
Handy Dixon	John Wayne Fox	Barbara McInerney	
George Hays	Mildred Ritchie	Julius Blois	
George Ravalles	William Flanagan	Christine Nizolek	
Alfred Perillo	John Schlechtweg	John Zelinski	
Vere Wiesley	Sandra Goldstein	Donald Sherer	
Marie Hawe	Dr. Lowden	John Robie	
Robert Costello	Lathon Wider	Frederick Miller	

ABSENT

Michael Morgan
Thomas D'Agostino
Joseph DeRose

NO VOTE

Audrey Cosentini

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. MILLER: With 30 members present, the MOTION is CARRIED with 29 YES and 1 NO to WAIVE PUBLICATION.

MR. FOX: Publication having been Waived, the Committee voted 8-0 to approve FINAL ADOPTION of that Ordinance.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY, with 30 members of the present, for FINAL ADOPTION.

ORDINANCE NO. 364 SUPPLEMENTAL

AUTHORIZATION OF EASEMENT FROM THE CITY OF STAMFORD TO THE STAMFORD WATER COMPANY FOR THE PURPOSE OF PROVIDING WATER TRANSMISSION AND DISTRIBUTION MAINS AND SERVICE LINES IN THE VICINITY OF HILLTOP AVENUE AND SUNSET STREET IN STAMFORD, CONN.

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

In conformity with Section 488 of the Stamford Charter and notwithstanding any provisions of Chapter 2, Section 2-24 to 2-27 inclusive, of the Code of General Ordinances of the City of Stamford, the easement as shown on the following map entitled "MAP SHOWING RIGHT-OF-WAY TO BE CONVEYED BY THE CITY OF STAMFORD TO THE STAMFORD WATER COMPANY, STAMFORD, CONNECTICUT" dated August 1, 1977, which Map is to be filed in the Office of the Town Clerk of said City of Stamford, is hereby authorized for the purposes of providing water transmission and distribution mains and service lines in the vicinity of Hilltop Avenue and Sunset Street in Stamford, Connecticut.

The Mayor of the City of Stamford is hereby authorized and empowered to act for the City of Stamford and to execute and deliver all documents necessary to grant the easement as aforesaid.

This Ordinance shall take effect on the date of its enactment.
EFFECTIVE December 12, 1977

LEGISLATIVE AND RULES (continued)ORDINANCE NO. 364 - EASEMENT AGREEMENT

TO ALL PEOPLE TO WHOM THESE PRESENTS SHALL COME, GREETING:

KNOW YE, that the CITY OF STAMFORD, a municipal corporation created and existing under the laws of the State of Connecticut, and located in the County of Fairfield in said state, acting herein by LOUIS A. CLAPES, its Mayor, hereunto duly authorized, hereinafter referred to as "Grantor", for the consideration of One Dollar and other value received to its full satisfaction of the STAMFORD WATER COMPANY, a corporation specially chartered by the General Assembly of said State of Connecticut, and located and doing business in said Stamford, hereinafter referred to as "Grantee", does give, grant, bargain, sell and confirm unto the said Grantee, a perpetual right, privilege and easement to construct, operate and maintain transmission and distribution mains, service lines and connections and appurtenances, through and under a certain 25 foot wide strip of land belonging to the Grantor shown and delineated on a certain map entitled, "Map Showing Right-of-Way to be Conveyed by the City of Stamford to the Stamford Water Company, Stamford, Connecticut", certified substantially correct by Moody & O'Brien, August 1, 1977, to be filed in the Office of the Town and City Clerk of said Stamford, and for that purpose and to the extent necessary, to enter in and upon said area for the purpose of constructing, operating, maintaining and repairing said mains, lines, connections and appurtenances thereto; provided the said Grantee after such entry and upon completion of any work shall at its sole cost and expense restore the affected land, as nearly as possible, to its condition prior to such work.

TO HAVE AND TO HOLD the above granted and bargained easement to the said Grantee, its successors and assigns forever, to their own proper use and behoof.

- (2) REQUEST FOR REVISION OF SECTION 18-79 OF CODE OF ORDINANCES "Release of Performance Bond; Executing Maintenance Bond."

MR. FOX: Item No. 2 is being HELD.

- (3) APPROVAL REQUESTED TO ACQUIRE BY CONDEMNATION, IF NECESSARY, OF A .567 ACRE PARCEL OF LAND ON HARBORVIEW AVENUE OWNED BY FIRST STAMFORD CORPORATION.

MR. FOX: There was a specific request from one of the parties involved that we hold the matter so they might have the opportunity to be heard. The Committee approved and the item is being HELD.

- (4) FOR FINAL ADOPTION - PROSED ORDINANCE PERTAINING TO FOOD SERVICE SANITATION AND SETTING LICENSE REQUIREMENTS, FEES FOR SAME, AND PENALTIES FOR VIOLATIONS.

MR. FOX: Item 4 has been in committee for almost the entire two years that this 14th Board has been in existence. This item was published last July. The L&R Committee met and discussed the item. Since the publication, they have modified two sections, being Section I and Section IV. The Committee voted 8-0 approved this Ordinance and I so MOVE.

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. BLUM: I would like to ask Mr. Fox, why that language was removed from Item 4?

MR. FOX: Section IV was amended for the same reason Section I was amended. First of all, Section I was much too broad, and as proposed encompass almost everything, including possibly your home and mine. In addition, there was a concern that the ordinance as originally proposed would allow a Government Official or an agent of a Government Official, in particular, a member of the Health Dept. to go into a church or religious facility and inspect that and encroach on that facility more than many members of this Board felt it was appropriate.

MR. PERILLO: For possible conflict of interest, I directly show that I will not participate in any discussion or voting on this issue. I leave the floor,

MRS. PERILLO: That goes the same for me.

MR. MILLER: Let the record indicate that Mr. and Mrs. Perillo are leaving the floor and not participating in any way.

MR. BLOIS: Mr. President, legally and technically, seeing that we made changes, do we have to publicize this again?

MR. MILLER: No. We'll proceed to a vote on FINAL ADOPTION of this matter. We have 28 members present.

MR. BLUM. Health and Protection concurs.

MR. MILLER: With 28 members present, the MOTION for FINAL ADOPTION is CARRIED, 28 members voting yes. (M. Perillo, A. Perillo, not participating)

ORDINANCE NO. 365 SUPPLEMENTALCONCERNING FOOD SERVICE SANITATION AND SETTING LICENSE REQUIREMENTS, FEES FOR SAME, AND PENALTIES FOR VIOLATIONS.

PURSUANT TO CHAPTERS 98 and 99 OF THE GENERAL STATUTES OF THE STATE OF CONNECTICUT, AS AMENDED,

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

SECTION 1. DEFINITION:

"Food Service Establishment" shall mean any fixed or mobile restaurant, industrial feeding establishment, catering kitchen, commissary, food vending machine location, or similar place where food or drink is prepared for sale or for service on the premises or elsewhere more than twice a year.

SECTION 2. LICENSE:

No person shall operate a food service establishment who does not have a valid license issued to him by the Director of Health. Only a person who complies with the requirements of this Ordinance and the Public Health Code of the State of Connecticut shall be entitled to receive or retain such a license. Licenses are not transferable. A valid license shall be posted in every food service establishment. Licenses for temporary food service establishments shall be issued for a period of time not to exceed 14 consecutive days. (continued)

LEGISLATIVE AND RULES (continued)ORDINANCE NO. 365 (continued)SECTION 3. ISSUANCE OF LICENSES:

(a) Any person desiring to operate a food service establishment shall make written application for a license on forms provided by the Director of Health. Such application shall include the name and address of the owner of the establishment, the location and type of the proposed food service establishment, and the signature of each owner. If the application is for a temporary food service establishment, it shall also include the dates of the proposed operation.

(b) Prior to approval of an application for license, the Director of Health or his authorized agent, who shall be a certified food service officer, shall inspect the proposed food service establishment to determine compliance with the provisions of this Ordinance and the Public Health Code of the State of Connecticut.

(c) The Director of Health shall issue a license to the applicant if the inspection reveals that the proposed food service establishment complies with the requirements of this Ordinance and the Public Health Code of the State of Connecticut.

SECTION 4. ANNUAL FEE:

a. Establishment with a seating capacity of 1 to 15 people	\$ 10.00
b. Establishment with a seating capacity of 16 to 25 people	25.00
c. Establishment with a seating capacity of 26 to 50 people	50.00
d. Establishment with a seating capacity above 50 people	100.00
e. Take-out Establishments	75.00
f. Itinerant Food Vending Trucks	150.00
g. Caterers	100.00
h. Temporary License (not to exceed 14 days)	25.00
i. Public & Private Schools, Non-Profit Organizations and Churches	1.00

SECTION 5. EXPIRATION OF PERMANENT LICENSES:

All licenses shall expire on the last day of the calendar year, and be reviewed for another year upon application and payment of annual fee.

SECTION 6. SUSPENSION OF LICENSES:

(a) The Director of Health shall suspend any license to operate a food service establishment if the license holder does not comply with the requirements of this Ordinance or the Public Health Code of the State of Connecticut. If the Director of Health finds insanitary or other conditions in the operation of a food service establishment which, in his judgment, constitutes an immediate and substantial hazard to public health, he shall immediately issue a written notice to the license holder or operator citing such conditions, specifying the corrective action to be taken and specifying the time period within which such action shall be taken, and, if deemed necessary, order immediate correction. If correction is not made the stated time, the license shall be suspended.

(continued)

LEGISLATIVE AND RULES (continues)ORDINANCE NO. 365 (continued)SECTION 6. SUSPENSION OF LICENSES: (continued)

Suspension is effective upon service of a notice as stated in Section 8 of this Ordinance. When a license is suspended, food service operations shall immediately cease.

(b) Whenever a license is suspended, the license holder or person in charge may, within 48 hours, file a written appeal with the Director of Health. If no appeal is filed within 48 hours, the suspension becomes final. If an appeal is filed, the Director of Health shall thereupon immediately examine into the merits of such suspension and may vacate or affirm such suspension.

SECTION 7. REVOCATION OF LICENSES:

The Director of Health may, after providing opportunity for an appeal, revoke a license for serious or repeated violations of any of the requirements of this Ordinance or the Public Health Code of the State of Connecticut, or for interference with the Director of Health, or his authorized agent, in the performance of their duties. Prior to revocation, the Director of Health shall notify the license holder or person in charge, in writing, of the reasons for which the license is subject to revocation, and that the license shall be revoked at the end of 14 days following service of such notice, unless an appeal is filed with the Director of Health by the license holder within 48 hours. If no request for appeal is filed within 48 hours, the revocation of the license becomes final. If an appeal is filed, the Director of Health shall thereupon immediately examine the merits of such revocation and may vacate or affirm such revocation.

SECTION 8. SERVICE OF NOTICES:

A notice provided for in this Ordinance is properly served when it is delivered to the license holder or person in charge, or when it is sent by registered or certified mail - return receipt requested - to the last known address of the license holder. A copy of any notice shall be filed in the records of the Director of Health.

SECTION 9. REAPPLICATION:

(a) Suspension: Whenever a license has been suspended, the holder of the suspended license, may make a written request for reinstatement of the suspended license. Within 10 days following receipt of a written request, including a statement signed by the applicant that, in his opinion, the conditions causing the suspension have been corrected, the Director of Health or his authorized agent shall make a reinspection. If the applicant is complying with the requirements of this Ordinance and the Public Health Code, the license shall be reinstated.

(b) Revocation: After a period of 60 days from the date of revocation, a written application may be made for the reinstatement of a license, as provided in Section 3 of this Ordinance, and payment of the annual fee.

(continued)

LEGISLATIVE AND RULES (continued)SECTION 10. SUBMISSION OF PLANS:

Whenever a food service establishment is constructed or remodeled, and whenever an existing structure is converted to use as a food service establishment, properly prepared plans and specifications for such construction, remodeling, or alteration shall be submitted to the Director of Health, or his authorized agent, for review and approval before construction, remodeling or alteration is begun. The plans and specifications shall indicate the proposed layout, arrangement, and construction materials of work areas, and the type and model of proposed fixed equipment and facilities. The Director of Health, or his authorized agent, shall approve the plans and specifications if they meet the requirements of this Ordinance and the Public Health Code of the State of Connecticut. No food service establishment shall be constructed, remodeled, or altered except in accordance with plans and specifications approved by the Director of Health, or his authorized agent.

SECTION 11. PRE-OPERATIONAL INSPECTION:

Whenever plans and specifications are required by Section 10 of this Ordinance to be submitted to the Director of Health, or his authorized agent, the Director of Health, or his authorized agent, shall inspect the food service establishment prior to its beginning operation to determine compliance with the approved plans and specifications, and with the requirements of this Ordinance and the Public Health Code of the State of Connecticut.

SECTION 12. EXAMINATION AND CONDEMNATION OF FOOD:

General. Food may be examined or sampled by the Director of Health as often as necessary for enforcement of this Ordinance or the Public Health Code of the State of Connecticut. The Director of Health may, upon written notice to the owner or person in charge specifying with particularity the reasons therefore, place a hold order on any food or beverage which he believes is unfit for human consumption. The Director of Health, or his authorized agent, shall tag, label, or otherwise identify any food subject to the hold order. No food subject to a hold order shall be used, served, or moved from the establishment. The Director of Health shall permit storage of the food under conditions specified in the hold order, unless storage is not possible without risk to the public health, in which case immediate destruction shall be ordered and accomplished. The hold order shall state that a request for hearing may be filed with the Director of Health within 48 hours, and that if no hearing is requested, the food shall be destroyed. The Director of Health shall hold a hearing, if so requested, and on the basis of evidence produced at that hearing, the hold order may be vacated or the owner or person in charge of the food may be directed, by written order, to denature or destroy such food or to bring it into compliance with the provisions of this Ordinance or the Public Health Code of the State of Connecticut.

SECTION 13. FOOD SERVICE ESTABLISHMENTS OUTSIDE JURISDICTION OF THE CORPORATE LIMITS OF THE CITY OF STAMFORD:

Food from food service establishments outside the jurisdiction of the Director of Health of the City of Stamford may be sold within the City of Stamford if such food service establishments conform to the provisions of this Ordinance or to substantially equivalent provisions. To determine the extent of compliance with such provisions, the Director of Health may accept reports from responsible authorities in other jurisdictions where such food service establishments are located.

(continued)

LEGISLATIVE AND RULES COMMITTEE (continued)SECTION 14. PENALTIES OTHER THAN SUSPENSION AND REVOCATION OF LICENSES:

Any person who shall violate any of the provisions of this Ordinance and/or the Public Health Code of the State of Connecticut shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than One Hundred Dollars (\$100.00). In addition thereto, such persons may be enjoined from continuing such violations. Each day upon which such a violation occurs shall constitute a separate violation.

SECTION 15. REPEAL AND DATE OF EFFECT:

This Ordinance shall be in full force and effect sixty (60) days after its adoption and publication as provided by law, and, at that time, all ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 16. UNCONSTITUTIONALITY CLAUSE:

Should any section, paragraph, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of said Ordinance shall not be affected thereby.

EFFECTIVE DATE:

(Note: will be 60 days after signed and published per Section 15)

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- (5) REQUEST FROM MRS. MARGOT WORMSER OF STAMFORD HOUSING AUTHORITY RE AMENDING EXISTING COOPERATIVE AGREEMENT BETWEEN THEM AND CITY OF STAMFORD TO PERMIT ADDITIONAL HOUSING (250 units more).

MR. FOX: This is being HELD.

- (6) REQUEST TO WAIVE BUILDING PERMIT FEE FOR GLENBROOK ROAD ELDERLY HOUSING PROJECT - from Housing Authority Commissioner Daniel McCabe.

MR. FOX: This Item is being HELD.

- (7) FOR FINAL ADOPTION - REQUEST FROM FAIR RENT COMMISSION DATED 8/5/77 FOR AMENDMENTS TO CODE OF ORDINANCE CONCERNING CLAIMS OF RETALIATORY ACTION FILED WITH FAIR RENT COMMISSION. Approved for Publication 10/3/77.

MR. FOX: We have not received an opinion requested from the Corporation Counsel's Office and consequently this is being HELD.

- (8) PROPOSED ORDINANCE REGARDING CIVIL SERVICE REGULATION CHANGES WHICH CONTINUES THE MANDATE OF APPROVAL OF BOARD OF REPRESENTATIVES AND FOR FUTURE CHANGES. By City Reps. Signore & Santy. May be changed to a Resolution if deemed more suitable and expeditious.

MR. FOX: This is being HELD in Committee.

LEGISLATIVE AND RULES (continued)

MRS. GOLDSTEIN: Personnel Concurs.

- (9) PROPOSED RESOLUTION AUTHORIZING CITY TO SIGN A DECLARATION OF PRESERVATION RESTRICTIONS.

MR. FOX: Item NO. 9 is being HELD.

- (10) MATTER OF ROACH INFESTATION AND REQUEST FOR CONTROL THEREOF FROM HOUSING CODE ENFORCEMENT DEPT.

MR. FOX: This is being HELD.

- (11) REQUEST FROM STAMFORD EMERGENCY SERVICE FOR PROPOSED ORDINANCE.

MR. FOX: At the request of Mr. Haydu, this is being HELD over to the next Board.

- (12) PROPOSED ORDINANCE RE ELDERLY AND HANDICAPPED ASSISTANCE IN HOUSING.

MR. FOX: Item NO. 12 is being HELD.

- (13) MR. FOX WISHED TO MENTION, BUT NOT BRING UP FOR A VOTE, OR ANY OTHER ACTION AT THIS TIME, A REQUESTED RESOLUTION TO FILE FOR A GRANT OF \$15,000.00 FOR AN INTERGOVERNMENTAL PERSONNEL STUDY OF EXISTING MAA PERSONNEL.

MR. FOX: Above is an Item which came to my attention by letter, dated 11/21/77, from Susan Brewster, the Grants Director. The reason that I want to bring it to the attention of the Board is that I am told there is a dead-line for filing the application. This was not on the Steering Committee agenda; it has not been discussed by our committee for the simple reason we just recently received it. (Steering Committee Meeting was Oct. 24, 1977 for Nov. meeting.)

MR. MILLER: If there is no motion on the floor, we'll just proceed. If someone wants to make a motion to suspend the rules to consider this item, that would be permitted.

MR. FLANAGAN: I would make that motion, Mr. President.

MR. MILLER: Is there a Second? There is no Second, Mr. Flanagan. We will proceed to the Personnel Committee.

PERSONNEL COMMITTEE - Sandra Goldstein

MRS. GOLDSTEIN: Since this is the last meeting, I would like to take this opportunity to thank what I believe was a marvelous committee.

- (1) THE MATTER OF PROPOSED CHANGES TO CIVIL SERVICE REGULATIONS.

MRS. GOLDSTEIN: The Personnel Committee did submit a list of recommendations to the Personnel Commission which are being very seriously taken into consideration.

- (2) LETTER OF OCT. 21, 1977 FROM LEONARD VIGNOLA, JR., MEMBER OF BOARD OF FINANCE requesting his Board to meet and consider a resolution which would urge the Board of Representatives to reject the FACT FINDING REPORT on the POLICE CONTRACT.

PERSONNEL COMMITTEE (continued)

MRS. GOLDSTEIN: This item will have to be carefully considered by the Personnel Committee of the 15th Board.

- (3) LETTER OF 6/20/77 FROM FINANCE COMM. HADLEY ENCLOSING ARTHUR YOUNG & Co.'s REPORT ENTITLED 'THE CITY OF STAMFORD = PAYROLL PROCESSING - PHASE I: ANALYSIS & GENERAL SYSTEMS DESIGN, JUNE, 1977'.

MRS. GOLDSTEIN: This, too, is a proper item to be considered by the next Board.

- (4) THE MATTER OF THE STAMFORD HOUSING AUTHORITY AND CIVIL SERVICE STATUS.

MRS. GOLDSTEIN: Mr. Bernstein has told the committee that the Housing Authority is acting at this point cooperatively with the Personnel Dept., in getting the Housing Authority to become part of the Civil Service System, as per State Law.

PLANNING AND ZONING COMMITTEE - George Baxter

- (1) LETTER FROM PITNEY-BOWES RE RE-NAMING WALNUT ST. TO WALTER H. WHEELER JR.

HELD in Committee - no report.

- (2) PETITION THAT CROSBY ST. BE DISCONTINUED AS A PUBLIC STREET - requested by Pitney-Bowes via Atty. Richard Tobin.

HELD in Committee - no report.

- (3) ACCEPTANCE OF LIBERTY PLACE as a City Street.

HELD in Committee - no report.

- (4) PETITION FROM ARTHUR PLACE RESIDENTS RE TRUCKS, ETC. OPERATING FROM A RESIDENTIALLY-ZONED AREA.

HELD in committee - no report.

- (5) ACCEPTANCE OF CATOONA LANE as a City Street.

HELD in committee - no report.

HEALTH AND PROTECTION COMMITTEE - David Blum

- (1) COMPLAINT FROM MRS. PARSHALL RE RIDGEWAY GARDENS MANAGEMENT. Tenant Assn. having problems.

MR. BLUM: Mrs. Parshall finds that State Law supersedes the Fair Rent retaliatory action. If Mrs. Parshall wishes to further act upon this, she will have to deal with the next Board.

- (2) THE MATTER OF A CONSUMER PROTECTION AGENCY. Resolution to be submitted by Mr. Blum.

MR. BLUM: I have a Sense-of-the-Board Resolution in regard to Consumer Protection. This Committee heard from SACIA, Better Business Bureau and also a Representative from the State. We discussed the Better Business Bureau proposal to the City. They offered to supply a person for that particular office if the City would supply the space and furniture. The only cost to the City of Stamford, would be State taxes, which we are now paying. This offer is going to other cities in the State. We have an opportunity of having it here in Stamford. I so MOVE.

MR. MILLER: MOVED and SECONDED by Mrs. Cosentini.

MRS. COSENTINI: I think it is an excellent idea to have a branch of the legal enforcement agency in the area of consumer protection. I think Mr. Blum covered it very well.

MR. SCHLECHTWEG: I'd like to ask Mr. Blum, it mentions in the resolution minimal cost, do we have any idea what that minimal cost might be?

MR. BLUM: The minimal costs are those that would be to transfer people already working now in Hartford to Stamford.

MR. SCHLECHTWEG: I'm very much in favor of consumer protection. It just seems to me that warrants a little more investigation.

MR. HAYS: It's a pleasure to support your motion for a resolution. The State is committed to an office in Fairfield and I certainly would prefer to see it in Stamford. The cost is to the State, not to the City.

MRS. MCINERNEY: As far as the Better Business Bureau is concerned, yes, they provide a service, they provide information, however the consumer groups across the country are now beginning to question whether business represents business, or business represents the consumer. I think that Stamford is far behind. I think we couldn't do anything better for the citizens of this community.

MR. ZIMBLER: In view of what has been said, that the State has already committed itself to the establishment of an office in Fairfield County, I would go along with this, because if it's going to be done, by all means let's have it in Stamford.

MR. WIDER: I've been dealing with Better Business ever since I came to Stamford, and they have done a fine job, but I don't think any of them have the enforcement power that is necessary to deal with some of these big corporations that are operating in the City of Stamford. I certainly support this wholeheartedly.

MR. ZELINSKI: Let me say at the outset, that I'm also in favor of consumer protection. But just for some food for thought, I sat on the Health and Protection Committee when we had the Public Hearing and the only people that came and spoke were members of the Better Business Bureau, Representatives of SACIA and a representative from the Governor's Office. There were no Stamford people, I'm wondering where is the outcry of the need for an office like this in Stamford. I think rather than have it defeated, I would like to make a Motion to Table this for further study.

MR. MILLER: It's not the time to table anything; either this Board votes for it, or disposes of it by rejecting it.

HEALTH AND PROTECTION COMMITTEE (continued)

MR. MILLER: (continuing)... Because, after all, this is the last meeting for the 14th Board of Representatives, so I really don't think the motion to Table is in order. You could make a Motion to Return it to Committee, I suppose that's always in order.

MR. ZELINSKI: Then I would MOVE.

MR. MILLER: MOVED and SECONDED.

MRS. COSENTINI: I think it would be criminal to return this item to committee. There has been enough discussion, that the crux of the issue has really boiled down to "Should we have a formal branch of Government with all of its full powers working on behalf of the consumers, an agency created by the consumers, by the taxpayers, or should we have an agency willing to work hard, but still nevertheless, not an official organ of the consumer, but technically an official organ of the businesses against which the consumers might have complaints".

MRS. PERILLO: I, too, am concerned about the people of Stamford not coming out and saying that they want this type of bureau. I think it should go back into committee so that we should know exactly what this is going to cost.

MRS. GOLDSTEIN: I would not like to see this back into committee. I think the article in the newspaper written by SACIA have been self-serving. I do believe SACIA does a good job, but they represent business.

MR. BLUM: I think maybe the presentation wasn't correct. There were people from Stamford talking in favor of this consumer protection in Stamford.

MR. FLANAGAN: The question really here is whether or not a Consumer Protection is going to be established in Stamford. I think the State is beginning to recognize that Stamford is where the action is in Fairfield. I think we should support this resolution.

MRS. McINERNEY: Again, I would like to reiterate that SACIA and the Better Business Bureau are in fact agencies that are informational and referral agencies, they do the same things. I think this agency would provide service to the City of Stamford, to the people of the City. I certainly would not put this back in committee.

MOVE the QUESTION- (unable to hear person's name on tape)

MR. MILLER: MOVED and SECONDED. We'll vote on moving the question. The MOTION is CARRIED UNANIMOUSLY. We'll proceed to a vote on the MOTION to put Item #1 under Health & Protection back in committee. I am going to call for a DIVISION using a show of hands. There are 9 YES votes, 18 OPPOSED, the MOTION is LOST. We'll now vote on the main MOTION, a Resolution concerning a Consumer Protection Agency. We will take a DIVISION by a show of hands. There are 19 YES votes, and 4 NO votes, (Mr. Perillo abstained). The MOTION is CARRIED.

Is there anything further, Mr. Blum?

MR. BLUM: I would like to thank the Committee members who faithfully had quorums, and for their cooperation.

HEALTH AND PROTECTION (continued)SENSE-OF-THE-BOARD RESOLUTIONA CONSUMER PROTECTION AGENCY FOR THE CITY OFSTAMFORD

WHEREAS, Fairfield County generates more consumer complaints than any other county in the State of Connecticut; and

WHEREAS, the Governor of the State of Connecticut has pledged to establish a Regional satellite Office of the Department of Consumer Protection in Fairfield County; and

WHEREAS, lower Fairfield County and specifically the Greater Stamford area by virtue of its great distance from the main offices of the Department of Consumer Protection in Hartford would benefit from the establishment of a Regional satellite Office of the Department of Consumer Protection in Fairfield County; and

WHEREAS, the taxpayers of lower Fairfield County are currently paying for such services for their yearly taxes; and

WHEREAS, the establishment of the Regional satellite Office could be instituted at a minimal cost; and

WHEREAS, the establishment of the Regional satellite Office of the Department of Consumer Protection would create more efficient consumer services to this area of the State;

NOW THEREFORE, BE IT RESOLVED that the Board of Representatives supports and encourages the establishment of a Regional satellite Office of the Department of Consumer Protection in Fairfield County to provide consumer services and enforcement of consumer laws.

AND THIS BOARD FURTHER RESOLVES, and encourages the State of Connecticut to establish that Regional satellite Office of the Department of Consumer Protection within the existing State office space in the City of Stamford to provide for consumer services and enforcement of consumer laws throughout Fairfield County; and that a copy of this Resolution be sent to the Governor and members of the Connecticut General Assembly from the surrounding Stamford area.

PARKS AND RECREATION - George Hays

- (1) PERMIT TO HOLD 50th YEAR ANNIVERSARY CELEBRATION FOR BELLTOWN FIRE DEPARTMENT next year, requested by City Rep. Joseph DeRose.

MR. HAYS: I so MOVE.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY.

PARKS AND RECREATION (continued)

- (2) PETITIONS FROM "THE STAMFORD BEACH COMMITTEE" re improvements needed for deplorable conditions of City beaches.

MR. HAYS: About a month ago we had a hearing with the group called "The Stamford Beach Committee," who presented us with a petition with an estimated 2,500 signatures. They presented a lot of gripes about the conditions of Stamford beaches. While we felt a great deal of sympathy for the problems, there is little that we could do in the Parks and Recreation Committee on the strength of their petition. But we do propose a resolution, a motion that the President of this Board send a letter to the Parks Commission requesting a report to the 15th Board of Representatives' Park and Recreation Committee. I would MOVE that we do that, Mr. President.

MR. MILLER: MOVED and SECONDED.

MR. WIDER: I certainly appreciate Mr. Hays's report, but I would ask him, would he accept an amendment to this report to include Southfield Beach.

MR. HAYS: I have no objection to your amendment; my motion would cover all beaches.

MR. SHERER: MOVE the QUESTION.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY. We'll proceed to a vote on Mr. Hays' MOTION. The MOTION is CARRIED UNANIMOUSLY.

- (3) PERMIT TO HOLD 50th YEAR CELEBRATION ON HIGH RIDGE ROAD - PARADE, ETC. - TURN-OF-RIVER FIRE DEPT.

MR. HAYS: I so MOVE.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY.

MR. HAYS: I MOVE for SUSPENSION of the RULES to consider Terry Connors' Rink fees.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY.

- (4) TERRY CONNORS RINK FEE SCHEDULE.

MR. HAYS: We all received two weeks ago the Terry Connors Rink fees, which for your information are the previous fees with the addition of two items, the special rate item #6 and #7 which gives a great deal of latitude to the management in conducting promotions down there, which we need to help increase the use of the rink. I so MOVE.

MR. MILLER: MOVED and SECONDED.

MRS. MCINERNEY: The fee for group rentals, they stay the same, am I to understand?

MR. HAYS: That's correct.

MRS. MCINERNEY: There is a separate fee for rentals of out-of-town groups, and I would like to know if possible if we should raise the fees for non-resident groups.

PARKS AND RECREATION (continued)

MR. HAYS: I've discussed that with Mr. Cook. He didn't have any objection to that concept; however he did say unless it was a large organized group, it's hard to police where they are really from.

MR. MILLER: Is there anything further? We'll proceed to a vote on approval of the fees. The MOTION is CARRIED UNANIMOUSLY.

MR. HAYS: I MOVE for SUSPENSION of the RULES to consider Item #5, Waiver of fees for Sterling Farms Barn Theatre.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY.

(5) WAIVER OF FEES FOR STERLING FARMS BARN THEATRE FOR MONTH OF DECEMBER
for non-profit social service organizations, etc.

MR. HAYS: I so MOVE.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY.

MR. BLOIS: I MOVE for SUSPENSION of the RULES to consider Item #6 Salvation Army Christmas Kettles.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY.

(6) SALVATION ARMY REQUEST TO PLACE CHRISTMAS KETTLES ON STREET CORNERS, ETC.

MR. BLOIS: I so MOVE for approval of this for the Salvation Army.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY.

MR. BLOIS: Mr. President, while I have the floor, I'd like to thank my members of the Parks and Recreation Committee and also to thank all the Board members that I've worked with in the past four years and I can truly say that I really got an education. I'd also like to commend the Riverbend Assoc. in the 14th District; they've just donated 10 trees along Washington Blvd., Old Barn Rd., and Coldspring Rd. area. They've taken \$500 out of their funds to beautify this area.

EDUCATION, WELFARE AND GOVERNMENT - Vere Wiesley.

MR. WIESLEY: EW&G is very happy to report they have done all their work for the term.

SEWER COMMITTEE - Thomas D'Agostino.

No Report - Mr. D'Agostino not present.

PUBLIC HOUSING AND GENERAL RELOCATION COMMITTEE

No Report - Mr. Livingston not present.

URBAN RENEWAL COMMITTEE - Robert Costello

MR. COSTELLO: It's been two weeks since the dedication of Veterans Park. For those who attended, it was a very emotional experience. Mr. President, I would like to go on record as personally congratulating Mr. Tony Pia for his perseverance and his determined dedication in getting the Veterans Park open. This man deserves a round of applause from the entire City.

MR. MILLER: Thank you, I think we all agree with those remarks.

MR. COSTELLO: Just a few comments. I would hope that the next Board would try and move Urban Renewal up on the agenda. With everything that's going to be happening with the stores, and garage opening, I think it would be nice to talk to people while they're still awake.

ENVIRONMENTAL PROTECTION COMMITTEE - Lynn Lowden

DR. LOWDEN: No Report, Mr. President.

HOUSE COMMITTEE: - Gerald Rybnick

MR. RYBNICK: I have a report from Mr. Thomsen; our voting machine possibly would be in working order by our December 5, meeting.

DRUG AND ALCOHOL ABUSE COMMITTEE - John Schlechtweg, II.

MR. SCHLECHTWEG: No report.

CHARTER REVISION - Christine Nizolek

MISS NIZOLEK: Well the charter has its ups and downs. I would recommend that it would be suggested through the Mayor's office that another commission be set and I further recommend another liaison committee to clean up some of the left-overs from this November. I'd like to thank Bud Blois, Marie Hawe, George Baxter and most of all our resident Charter expert, Ralph Loomis.

SPECIAL INVESTIGATING COMMITTEE RE APPOINTMENT OF A GRANTS OFFICER - Co-Chairman Kurt Zimbler and Lynn Lowden.

DR. LOWDEN: It seems like old times for me here. The Special Investigating Committee does have a report in writing, at least the members have a copy. Regarding the circumstances leading the appointment to Grants Officer.

I would like to say, before we get started here, we were under not only time pressure but other kinds of pressures during our existence. We expect to get a nice clean copy of this thing to the other Board members as soon as we get a chance to type it up properly and our copier works a little better. What we're going to do is Mr. Zimbler will read one section, I'll read the next section, and Mr. Zimbler will read the final section. I'd like to say what we read in our sections has nothing to do with our own opinions on the matter. This is the opinion of the entire Committee, it is approved, the report in toto by a vote of 5-0. I'd now like to turn the floor over to Mr. Zimbler.

SPECIAL INVESTIGATING COMMITTEE (continued)

MR. ZIMBLER: "The Special Investigating Committee which formed at the initial request of City Reps. Jeanne-Lois Santy and S.A. Signore, who on September 19, 1977 issued a statement criticizing the procedures employed by the City in its recruitment in selection of a Grants Officer. This Statement consists essentially of two distinct charges. On the one hand it alleges favoritism on the part of City Officials in the selection of Miss Susan Brewster over Jack S. Cummings, who Mrs. Santy and Mr. Signore felt to be better-qualified.

The second charge challenges the City's apparent hiring of the Grants Officer on a contractual basis; it was advertised as such. In view of the Charter requirement that all City positions other than those specifically listed in Section 740 be filled under the conditions of the classified service. Since suit has been filed against the City concerning the latter question, City Officials were unable to address themselves to this matter prior to its resolution in court.

Therefore, the Committee along with other interested parties must await court judgement. This report will then henceforth deal specifically with the issue of alleged favoritism, based largely on testimony, both oral and written from the following individuals: Jack S. Cummings, first-ranked but later rejected candidate; James Bingham, Attorney to Mr. Cummings; Sim Bernstein, City Personnel Director; Dwight Hadley, Commissioner of Finance; Nancy Mitchell, Director of Community Development; and Susan Brewster, Grants Management Director.

This report is based further on information received from the Personnel Department concerning the applications of Miss Brewster and Mr. Cummings, after these candidates had authorized the release of such information. Because of time pressures, the chronology of the events leading to the appointment will not be spelled out in this report. This sequence have been documented in some detail by Commissioner Hadley and is a matter of public record. It must be noted, however that the accuracy of each statement made by Mr. Hadley in his chronology cannot be fully verified by this Committee. For example, in his written statement, the Commissioner states that minimum requirements for the position were tightened^{ed} somewhat between the first and second announcements for the position. In fact the reverse was true, as was verified by subsequent questioning. This report then will direct itself toward specific questions raised by Mrs. Santy and Mr. Signore in their September 19th statement. I yield the floor to Mr. Lowden for Section II.

DR. LOWDEN: The two City Reps. refer initially to an Advocate report in May of 1976, concerning the City's inability to find a Director of Grants Management. Our evidence indicates that the position was first advertised in December, 1976. Prior to that time, no search has ever taken place. We can only assume that Mrs. Santy and Mr. Signore were referring to a report issued in May, 1977, when the second examination was announced. The statement goes on to assert that Miss Brewster would not have qualified, had she applied to the respondent's December 13, 1976 announcement. This is correct, but hardly relevant to the issue, since neither she nor Mr. Cummings applied at that time.

The statement continues that job specifications were changed to the extent that Miss Brewster was able to qualify. A comparison of the minimum qualifications

SPECIAL INVESTIGATING COMMITTEE (continued)

DR. LOWDEN: (continuing).....listed in the two announcements reveals one change, the deletion of the words: "full time paid" from the sentence describing the three year experience requirement. Miss Brewster's application indicates work in the Grant Administration or related area, was in fact full time, so that this change was in no way related to her ability to qualify. Her application further indicates that she met the educational requirements without question, although her qualifications under the experience requirement might be debated.

At the time of application, July 5, 1977, Miss Brewster in excess two years and eleven months of the required experience in the judgement of the Personnel Department. She contained her full time work, however, even beyond her official appointment at the end of August, thereby exceeding minimum full time work requirement by the time she assumed her position. Furthermore, she took one year to earn her Master's Degree in Accounting and Urban Management, a distinctly related course of study which should've served to enhance her qualifications. Whether or not her recent eight months' work experience with the Office of Management and Budget in New York can be considered sufficiently related experience appears to be largely a judgmental matter upon which all Committee members might not be inclined to agree.

The statement continues, asserting that Mr. Cummings, a Stamford resident who when all was said and done, ranked first on the list of eligibles, was not appointed, apparently implying that he was the logical appointee. The Committee agrees that Mr. Cummings is a highly-qualified candidate and deserves serious consideration from City Officials for any City position in which he takes an active interest, and for which he is professionally prepared. This first place ranking, however, was abetted by his ten Veterans points legitimately awarded on the basis of his military service, and the service-related disability.

These points may, under certain circumstances, have assured his inclusion on the certified list of three candidates from which the hiring authority, Mr. Hadley, had to choose. In this case, however, he was assured of inclusion, second ranking on the basis of his performance evaluation alone. Beyond that, Mr. Hadley was not obligated to base his judgement on the number of Veterans' points awarded or any other criteria used by Civil Service in screening. It was noted, that while Veterans' points give those who have served their Country a well-deserved boost in competition for the inclusion on the certified list, they do not relate in any basic way to their professional qualifications for the position.

Mr. Hadley, then, was obliged only to use his own best judgement in his final selection from among the top three candidates. Results of the performance evaluation, which apparently discriminated among eligibles solely on the base of oral exam in this case, placed Mr. Cummings second on the certified list, one and two-thirds points ahead of the third-rank candidate. This can hardly be considered a statistically significant difference. Mr. Vari, first rank, if only performance evaluation is considered, would've scored approximately 2.5 points above Mr. Cummings and 4.2 points above Miss Brewster. Mr. Hadley was thus faced with the task of choosing among three qualified candidates,

SPECIAL INVESTIGATING COMMITTEE (continued)

DR. LOWDEN: (continuing).....whose performance differed by a little more than four points. He testified that he rejected Mr. Vari on grounds that he did not appear particularly interested in the position, also other grounds that have not yet been listed here. I think we can add those when we rewrite it.

He further testified that he rejected Mr. Cummings essentially on the grounds that Mr. Cummings showed a negative attitude toward the manner in which Government often functions. Consequently his choice was Miss Brewster.

We would interject here that Mr. Cummings testified that his disillusionment with Government was far from total, but only applied to early personal experience and not to his knowledge to the local position which he was seeking.

Mrs. Santy and Mrs. Signore went on to charge that Miss Brewster was not a City resident and was only employed for eight months at her previous position. It is true that Miss Brewster was not a City resident; it is also true that no residence requirement was specified for the position. Ignored was the fact Miss Brewster previously worked for two years and five months as Assistant Director for the Urban Renewal Agency, preparing applications for Federal and State funds. This must be considered experience relevant to the position.

We should add that Mr. Hadley testified that his choice was based partly on his judgement and that such duties were more relevant to the duties to be performed in her present position than those previously performed by the other certified candidates. Furthermore it is charged that Miss Brewster had a close personal relationship with City Officials. It is difficult for this Committee^{to} distinguish between a personal and professional relationship. But that a relationship did exist between the candidate and City Officials is not contested by either side. The point of contention concerns the nature of that relationship and the effect on the appointment.

Finally it was alleged that the position had been inadequately funded. Subsequent testimony indicates that this may be false. Shortage of time has not allowed the Committee to pursue this question in depth. I would like to yield the floor to Mr. Zimble for the conclusion Section.

MR. ZIMBLER: Point three, conclusion. We are in no position to read minds and therefore unqualified to render judgement on the motivations leading to the ultimate appointment. We simply know, from available evidence, that the selection procedure was legitimate under existing regulations. And question of motives, with regard to this appointment might focus on the possible monitoring function that Miss Brewster might have over the Community Development Program. If such a program proves to be a reality, it may in retrospect, have been wise for Mrs. Mitchell to have declined any role whatsoever in the hiring procedure.

SPECIAL INVESTIGATING COMMITTEE (continued)

MR. ZIMBLER: (continuing)...On the other hand, if personal acquaintanceship plays a role either subconsciously or other-wise, past history has shown that this is hardly a unique situation and to be corrected would necessitate basic changes in Civil Service regulations and perhaps the City Charter. The tenor of this report may have been affected, perhaps in no small degree, to our lack of subpoena powers in a relatively short time allowed for thorough investigation especially considering the campaign season and the unwillingness of those responsible for initiating the investigation to testify on advice of the Attorney in defense of their charges.

If this issue requires further information or clarification, we respectfully request that the 15th Board reestablish the Special Committee to pursue unresolved questions, otherwise we consider this report to stand as final and hope that under the circumstances it will be considered a conscientious discharge of our duties, given time and other restrictions imposed upon this investigation.

Mr. President, while I have the microphone, two things I would like to mention on my own. Number one, a part in the report which had escaped my detection until just now, which I would like to take issue to; that is Mr. Hadley's reason for rejecting Mr. Vari who was the number two candidate on the list. The minutes of the meeting of November 2, 1977 at which time I asked Mr. Hadley, and let me read just briefly from the minutes:

Mr. Zimblar: Mr. Hadley, I'm curious, would you share with the Committee some of the thoughts that went into your mind in recognizing the fact that you are the hiring authority and are completely within your rights in choosing the individual that you consider the best qualified candidate. I'm wondering if you could share with the Committee some of your thoughts as to what prompted you to make the selection that you did, in other words, what prompted you to determine who was the best qualified candidate?

MR. HADLEY: With all due respect to the three people who ended up on the top of the list, there is no question that all three were highly qualified. I'm not trying to say that anyone is not qualified; it's also very clear that the three people had very distinct and different types of background. The one person who scored the highest on the exam is basically a planner by background. I did not feel that's what we needed in this particular office.

Now that's the point I wanted to bring up; at no time to my recollection did Mr. Hadley say to this Committee that he felt Mr. Vari was not interested in the position and again because of time limitation we did not have the opportunity to speak to Mr. Hadley. Now additionally Mr. President, just one personal observation that I would like to make, and this is strictly my opinion, not necessarily the opinion of any other Committee member. I feel after sitting through four meetings and listening to all the testimony, I personally feel that the relationship such as it was, that existed between Miss Brewster and

SPECIAL INVESTIGATING COMMITTEE (continued)

MR. ZIMBLER: (continuing)City Officials, I would say had everything in the world to do with the ultimate selection process. First of all, she was made aware of the position by Nancy Mitchell; she would not have been aware of the opening if she had not been familiar with Nancy Mitchell. Also I felt and, again, this is strictly my personal opinion, that Mr. Hadley at the time of the interviewing of the three candidates had his mind made up as to whom he was going to select prior to going through the routine of interviewing the three top qualified candidates. And I would say this is best evidence by the fact that the time that was spent interviewing Mr. Cummings was no more than fifteen minutes, and during that time Mr. Hadley asked only two superficial questions, and the bulk of the interviewing was handled, in effect, by Nancy Mitchell.

DR. LOWDEN: I just would like to reply to Mr. Zimbler on one point. He does bring up reasons that are recorded in the minutes, as Mr. Hadley gave concerning his rejection of Mr. Vari. I agree with those, incidentally, and I think they should be incorporated in the report in its final form, once we clean it up. I have no disagreement, no argument with that. But the reasons that were given in the report here, the one reason that was given, I distinctly recall having heard from Mr. Hadley in testimony, and I'll try to dig it up, and I assume we can leave it in, if I can't find it.

MR. MILLER: Well, actually, we have a report that was read and given to the Board on behalf of the Committee. You have it on record. There is no need to vote on this, the Committee was charged with this matter and they came up with a written report. The report has been received by the Board. That concludes the report.

COMMUNICATIONS FROM THE MAYOR - None.

PETITIONS - None.

RESOLUTIONS - None.

COMMUNICATIONS FROM OTHER BOARDS AND INDIVIDUALS

MR. CONNORS: I'd like to thank all the Ladies and Gentlemen and fellow Representatives for being so nice to me over a period of years. I enjoyed working on committees and I think they were very nice to me; they were what you say, loving, and I'd also like to thank Helen and Carmella and all the members of the Board, there are too many to name. I enjoyed every minute of it.

MR. MILLER: Thank you George. (applause)

MR. DIXON: I'd like to take this opportunity to make some remarks. I have worked two years with some very fine people on this Board, I worked with some members who were on this Board when I came on some nine years ago, you for one Mr. President and Mr. Ravallese and Mr. Connors. Mr. President you are the fourth President that I worked under during my tenure on this Board. I want you to know that I feel that you equally if you don't even surpass the best of the four.

COMMUNICATION FROM OTHER BOARD and INDIVIDUALS (continued)

MR. DIXON: (continuing)I want to especially thank the Appointments Committee that I had the pleasure of working with for the last two years. WE may not have done all we could, but we did our best. I want to thank every member of this Board of Representatives, I know some of you will not be coming back on the 15th Board, but I want to wish you well and give my blessing for all your future endeavors.

MR. MILLER: Thank you.

MR. MORGAN: The fine people who are leaving the Board, and who all of us will miss. I think that one of them certainly is Frederick Miller, who has served the last two years as our President. He has been a fair and competent individual on the position and I'm sure I'm not the only one who feels this way, but I'd like to say I think he has done a fine job and he should be commended and he should also know that I'll miss him on the 15th Board.

MR. MILLER: Thank you, Mike.

MR. SIGNORE: I would also like to thank members of the Board. This is a completion of my first term on the Board. I've learned quite a bit from some of the older members; Mr. Miller, who is a very competent President, Mr. Connor, an old friend of mine, and some of his advice was excellent; I appreciate it and I wish him well; and all the other members of the Board who are leaving. I enjoyed working with Mrs. Cosentini for two years; even though our political ideals are quite different, I think it is a credit to both of us that we are able to work together. I enjoyed working with Mr. Blois, I wish him well; Mr. Flanagan, who is a Republican, a good Republican, who worked very hard and didn't really get as high in politics as he really should've, I wished that he had gone further. Thank you, and good luck to everyone.

MR. MILLER: Thank you, Sal.

MRS. COSENTINI: I can't be remiss, I'd like to say to all of my good friends that it was a very exciting experience to be on a very different kind of Board. I like being able to disagree with people and then five minutes later being able to be on the same side on another issue. It was sort of a professional kind of give-and-take that didn't have a lot of hard feelings around issues. I found that very different from some past experiences that I have had. So I will miss all of you, and I wish you all very well and I will especially say Fred, you've been an excellent President.

MR. MILLER: The CHAIR would just like to say now, I'm closing ten years service on this Board and as I look around the only two other members who were sworn in for that 10th Board of Representatives were George Connors and Jerry Rybnick. Shortly afterwards, both Robert Costello and Handy Dixon came on the Board,

COMMUNICATIONS (continued)


MR. MILLER: (continuing)...so there has been a considerable amount of turn-over. But I would just like to take this opportunity to, first of all, thank the voters in the 3rd District who made it possible for me to come here. I just wanted to say to this group that I do very much appreciate the fact that on two occasions I was elected President of this Board. The Board has meant a great deal to me in my life, it opened up a number of horizons and new opportunities and I met a lot of wonderful people. I do keep in mind all of the people who served on this Board with me; I'm glad to have had the opportunity to serve the City. I would say that I really think the Board as an institution as it is presently constituted, does serve the City. It's been a great experience and I've enjoyed it and I wish the best of luck to the new 15th Board. I would just like to close by saying that the staff is very important, I've served with three Administrative Assistants, Velma Farrell, Sally Flaherty and Helen McEvoy. I do have in mind some of the other staff members, Diane Maciejczyk, who although was not the Administrative Assistant, for a short while performed the work of the Administrative Assistant during an interim period. I recall Phylliss DeBrisco and Amelia Gerardi, who were excellent staff members, and most recently of course we had Mrs. Genovese and Mrs. Terenzio with us. It has been a great experience and I think we had a great Board in this 14th Board and those of you who are coming back, I wish you the best of luck. Thank you.

The only other communication is a Resolution adopted by the Board of Finance on Tax Relief for the Elderly appears on your agenda in full.

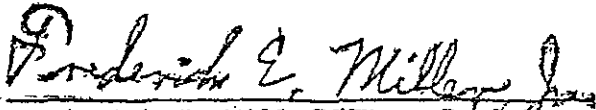
OLD BUSINESS - None.

NEW BUSINESS - None.

ADJOURNMENT: There being no further business to come before the Board, on MOTION, duly SECONDED and CARRIED, the Meeting was adjourned at 11:45 p.m.


Helen M. McEvoy, Administrative Assistant
(and Recording Secretary)

APPROVED:


Frederick E. Miller, Jr., President
14th Board of Representatives

Note: The above meeting was broadcast over Radio Station WSTC.