

MINUTES OF MONDAY, JUNE 5, 1978 MEETING

15th BOARD OF REPRESENTATIVES

Stamford, Connecticut

A regular monthly meeting of the 15th Board of Representatives of the City of Stamford, Connecticut was held on Monday, June 5, 1978, in the Legislative Chambers of the Board of Representatives, in the Municipal Office Building, Second Floor, 429 Atlantic Street, Stamford, Connecticut.

The meeting was called to order at 9:07 P.M. by PRESIDENT JOHN WAYNE FOX, after both parties had met in political caucus.

INVOCATION: Rev. William A. Nagle, St. John's Roman Catholic Church, Stamford.

PLEDGE OF ALLEGIANCE TO THE FLAG: Led by President John Wayne Fox.

PAGES: ROGER HARPER, a senior at Rippowam High School.  
PETER STONE, a sophomore at Rippowam High School.

ROLL CALL: CLERK DIANE RAYMOND called the Roll. There were 37 members present and 3 absent. The absent members were Charles Tiani, George Baxter, and Leo Carlucci.

The CHAIR declared a QUORUM.

CHECK OF THE VOTING MACHINE: President Fox asked the members to test the voting machine, which was found to be operating improperly and Mr. Fox said we would proceed without the machine for as long as we could.

MRS. MAIHOCK requested a Point of Special Privilege, and Mr. Fox recognized her, for three (3) Moments of Silence.

MOMENTS OF SILENCE:

- (1) For MRS. KATHERINE M. DUNN. Mrs. Maihock said Mrs. Dunn was a lady we would all admire knowing; that she was 86 years old, and a very concerned citizen of Stamford; never failed to exercise her voting privilege. She was a member of the Star Guild of North Stamford, the Senior Citizens of Stamford, and the North Stamford Congregational Church.
- (2) For MR. HELMUTH WEBER. Mrs. Maihock said Mr. Weber was well-thought of North Stamford resident for nine years, and who so courageously met his death at age 51. He was the present owner of the Inter-Optic Eyewear, Inc., and a member of St. Francis Episcopal Church.
- (3) For MRS. IONE PENFIELD, the wife of Col. Richard Penfield, Sr., a very well-loved, long-time resident of North Stamford. Mrs. Penfield was head of the Board of Education under Mayor Quigley. She was active in Girl Scouts; a member of the Historical Society, the D.A.R., and the Long Ridge Book and Garden Club, said Mrs. Maihock.

ACCEPTANCE OF THE MINUTES:

May 1, 1978 Regular Board Meeting:

MR. MORGAN Moved for Acceptance. Seconded.

MR. ZELINSKI: "Thank you, Mr. President. I had just a couple of additions I would like to make, please. Very briefly, on Page 5 under the Personnel Committee's report, I would just like to have it noted and rather than talk about it now, it can be gotten off the tapes, the reasons for my Committee's rejection of that particular contract. Again, just a sentence or two would be satisfactory. I'd just like to have it in the record, the reasons why our Committee voted to the full Board to reject it.

"I think it's important and I would hope that in the future that I don't have to correct this again. Also, on Page 6, again under the Personnel Committee's report pertaining to the Custodians and Mechanics, I would like the comment as to why our Committee voted in favor. Again, I feel this is important. They could be gotten off the tapes, I'm sure. Page 7, under the Fiscal Committee's report, Item #1, the Collection of Taxes, I would just like to have it so noted and added on the record that my brief comments pertaining that this had originally been requested back in January and that as a result of the Personnel Committee's asking for rejection so the funds could be gotten from CETA rather than City funds. I would like that noted; and the last addition would be on Page 11 under the Parks and Recreation Committee's report.

"The first sentence where I made the Motion to Return it to Committee and then later withdrew the Motion. I would just like it so noted. Again, it was on the tapes because it was brought to my attention that evening that if we did Return it to Committee that the Memorial Day weekend would pass and that there would be no beach stickers and consequently anybody could come in and go to the City beaches. And I would thank you for those additions, Mr. President."

MR. FOX called for a vote on the Motion to amend the Minutes of May 1, 1978 as outlined by Mr. Zelinski. Seconded. Motion CARRIED.

MR. ZELINSKI: "A Point of Personal Privilege. I would just like to know for the record if someone who voted against that, if someone could please inform me as to why they voted against the additions that I felt were important enough."

MR. FOX said that was out of order. That it was not a Point of Personal Privilege. That the Motion was Made, Seconded, and Carried.

MR. HAYS requested that at the bottom of Page 1 in the Resolution he proposed that the maiden name of Mrs. Ralph Loomis be corrected to "Rega" instead of "Riga".

MR. FOX said the Motion to amend has been made, seconded. The Motion was CARRIED UNANIMOUSLY.

ACCEPTANCE OF THE MINUTES (continued)

May 10 and May 11, 1978 Special Budget Meeting Minutes:

MR. MORGAN Moved for Acceptance of these Minutes. Seconded.

MR. ZELINSKI: "Thank you again, Mr. President. I noticed while I was going over both the May, well, let's start with the May 10th Minutes, that they were very, very much condensed over the past years and that greatly concerns me. I think for the record, the Representatives on this Board who took the time and the effort to make motions, and the reason for those motions, for cuts in the budget, should be so noted. And I was very displeased when I read that these Minutes were so condensed that all they had were simply the approval of what went through, and I think that this is not right. I think the public has a right to know that in the future if someone wants to come into this office and look at the minutes to see how their Representatives voted, that they should. So I would like to MOVE that the Administrative Assistant of our Board be instructed to correct these Minutes to include very briefly the Motions that were made by the Representatives, and maybe one sentence as to what the rationale was for the Motion and if it was defeated, by how much. Thank you very much, Mr. President."

MR. FOX said he was not going to allow that Motion, that it was not a proper Motion to Amend which is what they were doing here. He said Mr. Zelinski could vote against approval of the minutes.

MR. ZELINSKI: "Those were Motions for addition, Mr. President, that is in order at this time."

MR. FOX repeated that he didn't consider that a proper Motion to Amend, and said they would move on in the agenda.

MR. BLUM: "I think this will be the third time I'll be talking about this. But, it has to be said anyway. I know the machine is out-of-order this evening. But I'd like to know how I voted in this Special Budget Meeting, and I think those below me would like to know on certain pages you'll find there, if you look for them, at the voting record that the machine is out-of-order. And I know Mr. Thomsen is saying patiently, wait, it'll be fixed. And we've waited, and I think this is the third time I'm saying the same thing. How is anyone to know how he voted from -- well, I don't know, it goes very good until about #17, I think Mrs. Ritchie there. From then on, it's on the line and no one knows how they voted. I looked at this and there are, in my particular space, you can see I voted for nothing. But there's a "Y" on this side and an "N" on that side, and sometimes there's a "No", but in the space I voted, to nothing. But I'm sure I voted."

MRS. RITCHIE: "Along those same lines, my name, it indicates in several places where I did not vote. Now I know I voted specifically for the Board of Education. I spoke on it quite a bit and it says Mrs. Ritchie did not vote. I voted verbally because the machine this evening was going along with Mr. Hays' vote. So I'd like those votes in particular because my name does stand out in several places that I didn't vote."

MR. FOX asked Mrs. Ritchie if she could provide him with a Motion to Amend right now/

MRS. RITCHIE said yes, that she hereby makes a Motion to Amend the voting list.

ACCEPTANCE OF THE MINUTES (continued)May 10 and 11, 1978 Special Budget Meeting (discussion continued)

MR. FOX asked Mrs. Ritchie if she knew specifically, and that if she did not, then maybe they should hold these minutes until we straighten them out.

MRS. RITCHIE said fine, she'd like to do that, and asked if there was a Motion on the floor.

MR. FOX said there was a Motion made by Mr. Morgan to approve the minutes. He said he was not sure whether Mr. Morgan wants to reconsider that or not.

MR. MORGAN withdrew his Motion.

MRS. RITCHIE made a Motion to hold the voting record of the Special Budget meeting.

MR. FOX said what we could do would be to just hold the minutes entirely and do nothing with them until we can review that point.

MRS. RITCHIE agreed with that.

MR. MORGAN said that based on what Mr. Blum and Mrs. Ritchie had to say about the voting machine, it would be appropriate for the Leadership to meet with Mr. Thomsen to get a list of exactly what's wrong with the machine and when he is going to have it fixed as this has been going on for some months now and it's an irritant to us all.

MR. FOX said this was a point well-taken.

MR. BLUM: "Not to belabor this, but I believe there are a few times when Mrs. Ritchie did say she voted a certain way."

MR. FOX said the minutes are being held and we didn't have to dwell on it any longer. We will review them and discuss the problem with Mr. Thomsen.

MR. RYBNICK: "Getting back to the use of the machine, and I hope when the Leadership meets with Mr. Thomsen, I wish they would make, consider the rules that were made many years ago. Who has the use of this room and has the use of our audio system here? We used to never let anyone use it during the last two weeks of the month so we could have a perfect polling machine for our meeting, and if you let everybody use it right up to meeting night here, and then our meeting night comes, we don't have the use of the machine, so I wish that the Leadership would take that into consideration."

May 25, 1977 Special Meeting Minutes:

MR. MORGAN Moved for Acceptance. Seconded.

MR. FOX said some of the members might wish to Abstain as they weren't on the Board at that time. He called for a show of hands. The Motion is CARRIED.

MR. MORGAN said he'd like to change his opposition to abstaining, and Mr. FOX said the Motion is still CARRIED, but that he would be noted as abstaining.



STANDING COMMITTEE REPORTS

STEERING COMMITTEE REPORT - John Wayne Fox, Chairman

MR. MORGAN MOVED to WAIVE the reading of the Steering Committee Report. It was SECONDED and CARRIED.

STEERING COMMITTEE REPORT

The Steering Committee met on Monday, May 22, 1978 in the Democratic Caucus Room. JOHN WAYNE FOX, the Chairman and President, called the meeting to order. Present were Members Fox, Raymond, Schlechtweg, Dixon, Feighan, Zelinski, Wilmot, Wider, Wiesley, Sherer, Hays, and Ritchie. The Admin. Asst. was absent due to illness.

(1) MAYOR'S APPOINTMENTS:

Eight names submitted by the Mayor were ordered ON THE AGENDA. Two names were Held in Committee: Anthony Dastoli and Frank Noto, both proposed for the Sterling Farms Golf Authority, to replace E. Callahan and M. Holahan, respectively.

(2) ADDITIONAL APPROPRIATIONS (FISCAL) ITEMS:

Twenty-one of the items on the Tentative Steering Agenda were ordered ON THE AGENDA; and one was ordered Held in Committee, being a proposed resolution from the Fire Commission and Fire Chief Vitti dated 5/10/78 requesting retention and/or restoration of \$87,000.00 cut in their salary account. ALSO 17 items on the Addenda to the Tentative Steering Agenda were ordered ON THE AGENDA.

(3) LEGISLATIVE MATTERS:

For the LEGISLATIVE AND RULES COMMITTEE, ten of the eleven items on the Tentative Steering Agenda were ordered ON THE AGENDA. The item numbered 10 (a and b) on page 8 relating to the removal of Sterling Farms Golf Authority members who voted themselves certain privileges and "freebies" per the Mayor's request, and Rep. DeLuca and Pollard's request for a Special Investigating Committee to look into the operation of the Sterling Farms Golf Authority was moved to PARKS & RECREATION COMMITTEE, with L&R as the secondary committee.

Four items were ADDED to the L&R agenda and ordered ON THE AGENDA: (a) From the Addenda to the Tentative Steering Agenda, item #5 appearing under Parks & Rec., a proposal by Rep. Zelinski to consolidate the City's two golf courses under one commission; (b) For Publication, the proposed ordinance re pigeon control; (c) Proposed ordinance to be re-published re transit district due to text changes; and (d) Proposed Ordinance and proposed resolution re researcher as independent contractor for Board. For final adoption.

For the PERSONNEL COMMITTEE, four items were ordered ON THE AGENDA.

For the PLANNING AND ZONING COMMITTEE, the one item was ordered ON THE AGENDA.

For the PUBLIC WORKS COMMITTEE, the one item on the Addenda to the Tentative Steering Agenda was ordered HELD IN COMMITTEE, being a 5/19 letter from Rep. Zelinski for an investigation on how to enforce compliance with Ord. 340 mandating spring and fall clean-up and pick-up.

6.

MINUTES OF MONDAY, JUNE 5, 1978 REGULAR MEETING

STEERING COMMITTEE REPORT (continued)

For the HEALTH AND PROTECTION COMMITTEE, the item re Outlook St. and Hawk Transpn. was ordered ON THE AGENDA; and the other item re vacancies in Fire Dept. staffing being dangerous was ordered HELD IN COMMITTEE. Also HELD IN COMMITTEE was the item on the Addenda to the Tentative Steering Agenda was the item of Mr. Zelinski's requesting boiler inspection ordinance for all multi-family buildings of 3 families or more. There already is an item on the L&R agenda covering this problem.

For the PARKS AND RECREATION COMMITTEE, two items were ordered ON THE AGENDA. One item was ordered OFF THE AGENDA, being a letter from Edw. Connell of Cove Neighborhood Assn. re beach stickers, parking problems, etc.

For the SEWER COMMITTEE, the one item was ordered HELD IN COMMITTEE, referring to the City Engineer and sewer-tie-in applications.

For the HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE, the one item was ordered HELD IN COMMITTEE, being Mr. Blum's letter of 5/16/78 re need for emergency housing and permanent housing due to recent numerous fires.

For the URBAN RENEWAL COMMITTEE, the one item was ordered HELD IN COMMITTEE, being a letter from the Conservationists of Stamford re the proposed sky-walk for the URC area.

For the ENVIRONMENTAL PROTECTION COMMITTEE, the one item was ordered HELD IN COMMITTEE, being Mr. Ferrara's letter re feeding of wildlife at Holly (Cove) Pond disrupting wildlife migratory instincts.

For the TRANSPORTATION COMMITTEE, the one item was ordered OFF THE AGENDA, being the matter of right-turn-on-red-light, dangerous intersections, etc.

There being no further business to come before the STEERING COMMITTEE, on MOTION DULY MADE, SECONDED and CARRIED, the meeting was ADJOURNED.

JOHN WAYNE FOX, Chairman  
Steering Committee

HMM:MS

STANDING COMMITTEE REPORTS

APPOINTMENTS COMMITTEE - Handy Dixon

Term Expires:

MR. DIXON said his Committee met June 1, 1978 to interview the prospective appointees. Those present and attending all or portions of that meeting were Reps. Mildred Perillo, Audrey Maihock, Vere Wiesley, Leo Carlucci, John Boccuzzi, S.A. Signore, Everett Pollard and Handy Dixon. First is MEREDITH LEITCH, III, for the SEWER COMMISSION and the Committee voted 6 YES, 2 ABSTENTIONS, and Mr. Dixon MOVED for his confirmation. Seconded.

APPOINTMENTS COMMITTEE (continued)

MR. FOX called for a vote on Mr. Leitch, and the Motion was CARRIED by a vote taken by a showing of hands, with 32 YES, 4 NO (Reps. Ventura, Corbo, McInerney and Hawe), and 1 ABSTENTION (Mrs. Maihock).

SEWER COMMISSION

(1) MEREDITH LEITCH, III (D)  
110 Skymeadow Drive

APPROVED:

32 YES  
4 NO  
1 ABSTENTION

Term Expires:

Dec. 1, 1980

MR. DIXON said next is Mr. Alex Lichtenheim for the Sewer Commission, and that his Committee unanimously recommended his approval; that is, those participating in the interview voted for confirmation. Mr. Dixon MOVED for confirmation. Seconded.

MR. WILMOT said he does not dispute the Appointments Committee's conclusions on Mr. Lichtenheim but that this evening he was notified by Mr. Repucci that there was only one definite vacancy, which they just filled with Mr. Leitch, and that there is some question as to whether a second vacancy exists on the Sewer Commission. He said it would have to be determined, due to Charter Revision, when Mr. Koczanski's term expires, and he therefore recommended that this appointment be HELD IN COMMITTEE until the vacancy question could be resolved, and he so MOVED. SECONDED.

MR. DARER said he would like to have been informed of this question before the vote on Mr. Leitch as probably would have voted for the one having the engineering experience. He said if they could only vote on one person, they should re-do the vote and give the members a choice between the two.

MR. MORGAN requested a five-minute recess to discuss this matter, since both are Democrats. He so MOVED. SECONDED. CARRIED.

RECESS from 9:45 p.m. to 10:00 p.m.

MR. FOX called the meeting to order again, and stated that the machine appeared to be operable again and they would use the machine. He called for a test of the machine and it worked properly.

MR. SIGNORE said he would like to MOVE to amend the MOTION to return to committee to be, instead, to return to the Mayor's Office where it originated.

MR. FOX said the Motion to Return to Committee is not amendable.

MR. MORGAN said, under the circumstances, he would support the Motion to Return to Committee until the matter can be properly resolved.

MR. FOX called for a vote and the Motion to Return to Committee, the name of Mr. Lichtenheim, was APPROVED by a vote of 26 YES, 11 NO.

SEWER COMMISSION

(2) ALEX LICHTENHEIM (D)  
101 Bridge Street  
(Held in Committee 5/1/78)

HELD IN COMMITTEE:

26 YES  
11 NO

Term Expires:

Dec. 1, 1980

APPOINTMENTS COMMITTEE (continued)

MR. DIXON said next is Philip L. Swan for the Welfare Commission. The Committee voted 6 YES, 2 ABSTENTION to approve Mr. Swan, and he so MOVED. SECONDED. The MOTION is CARRIED UNANIMOUSLY.

WELFARE COMMISSION

(3) PHILIP L. SWAN (D)  
121 Little Hill Drive

APPROVED UNANIMOUSLY

Term Expires:  
Dec. 1, 1979

MR. DIXON said Mr. Walter King is next for the Zoning Board of Appeals. He said the Committee voted 6 YES, 1 ABSTENTION, for approval and he so MOVED. SECONDED.

MR. FOX called for a vote and the MOTION CARRIED UNANIMOUSLY, with the following ABSTENTIONS: John Boccuzzi, Alfred Perillo, Mildred Perillo.

ZONING BOARD OF APPEALS

(4) WALTER KING (R)  
161 Old Logging Road

APPROVED UNANIMOUSLY  
3 Abstentions

Term Expires:  
Dec. 1, 1982

MR. DIXON said the next four names appearing on the agenda are being HELD IN COMMITTEE. The Committee took a vote to not interview these people for the simple reason that the Committee does not ever intend to rubber-stamp an appointment and it feels at a great disadvantage when they don't have resumes, which are needed to conduct a well-rounded investigation. These are needed prior to the night of the interview as sufficient information to base a sound decision cannot be made on information elicited by asking questions the night of the interview. The Committee decided that since they had previously requested the Mayor to submit resumes with all appointees' names, and that he had not done this as often as they have asked him to do this, they would not even interview the four remaining appointees, and will not do so until they have received the resumes requested. The following four names are, therefore, HELD IN COMMITTEE:

HUMAN RIGHTS COMMISSION

(5) MRS. FRANCES ADAMS (D)  
83 Courtland Hill St.

HELD IN COMMITTEE

Term Expires:  
Dec. 1, 1980

(6) MRS. HELEN ELLIS (R)  
75 Revonah Avenue

HELD IN COMMITTEE

Dec. 1, 1980

COMMISSION ON AGING

(7) MRS. MARY POLTRACK (R)  
3 Ponus Avenue

HELD IN COMMITTEE

Dec. 1, 1980

E. GAYNOR BRENNAN, SR., PUBLIC GOLF COMMISSION

(8) WILLIAM CARLUCCI (D)  
84 Rachelle Avenue

HELD IN COMMITTEE

Dec. 1, 1982

MR. FOX recognized MR. ZELINSKI for a MOTION to SUSPEND THE RULES.

PERSONNEL COMMITTEE - John Zelinski

MR. ZELINSKI asked for a Suspension of the Rules to hear his Committee report on Item 2 of their agenda dealing with the Stamford Municipal Nurses, the personnel issues; the reason for it being there are several nurses that are affected by this report, here this evening, and he would like to move it up on the Agenda.



MR. FOX said the Motion was MOVED, SECONDED, and CARRIED to Suspend the Rules.

PERSONNEL COMMITTEE

(2) STAMFORD MUNICIPAL NURSES PERSONNEL ISSUES. Continued from previous month.

MR. ZELINSKI said the Personnel Committee met May 24, 1978. Present were Reps. Charles Wilmot, David Blum, Robert DeLuca, Joseph Ventura, Jeanne-Lois Santy, and John Zelinski. The Committee met with #481 Private and Parochial School Nurses Union members, and John Santariga. Dr. Gofstein's secretary had advised he might not be able to attend. Mrs. Kristoff, Secy. of the Nurses Union brought the matter to the Personnel Committee stating they had been unsuccessful in their attempts to resolve several personnel issues. After hearing of these problems, the Committee voted unanimously, 6 in favor, to direct Personnel Director Sim Bernstein to investigate and initiate the necessary steps to (a) the first problem was that dealing with the point that there is a State Statute which states that these particular nurses, that is the #41 Private and Parochial School Nurses may have a pension plan which would be paid for entirely by the State as is their salary. At the present time they have none. That would be our first request. (b) there is a full-time, there was a full-time civil service position that of Supervisor in the Stamford Municipal Nurses. For what reason we do not know, that particular position which is a civil service position was abolished, and we would also request and direct Mr. Bernstein to investigate why this was abolished and to re-initiate that position as a full-time civil service position. (c) another point was the fact that there was a full-time civil service position, that of a nurse which at the present time which we were not made aware of, that the Health Director instead of filling it with a full-time position instead has decided to fill that full-time position with two part-time people. One works 2 days a week, and the other works 3 days a week. We would like to have an explanation of that. (d) and the fourth problem that was brought to our attention was the fact that back in January of this past year, there were 3 of these nurses who changed their particular position where they were, that is civil service, to the positions of #481 School, Private and Parochial School Nurses, which is not civil service and at that time they had their paychecks withheld for 3 weeks, that is, the weeks of January 12th, 19th, and 26th. And after considerable investigation on our part, we found unfortunately that it was a matter of the department head, that is the Health Director, not knowing what the procedure should be when someone is taken off of one position and brought onto another one, and we would direct the Personnel Director to instruct the department heads to make them aware of what the procedure is for transfers such as this so that hopefully in the future, people that are hardworking members of the community, they work for the City of Stamford, will not have their paychecks withheld. And I so MOVE, Mr. President. Thank you very much."

MR. FOX: Just for clarification, Mr. Zelinski, I assume that this is in the form of a Sense-of-the-Board Resolution that those items be investigated?

MR. ZELINSKI: "No, Mr. President, it is not. We are just asking Mr. Bernstein to investigate and initiate this. I don't think it calls for a resolution. Hopefully by, within one month, I hope that these steps would be taken and I really don't think at this point it would call for a resolution."

MR. FOX: I think, procedurally, we've got to put it in some form this body can adopt. Whether we call it a resolution or not, one way or another, will not give it any more weight or lack thereof.

MR. ZELINSKI: "So be it, then. I would MOVE then that our Board pass a resolution stating which I have just mentioned. Thank you."

MR. FOX: The only other thing that I would ask is that you set the resolution out in writing and give it to Mrs. McEvoy for formal preparation of it.

MR. ZELINSKI: "The only thing I'd like to add which I did forget and I would like to add is that I would like these steps completed by July 1, 1978."

MR. FOX: A Motion has been made by Mr. Zelinski for a SENSE-OF-THE-BOARD Resolution which he has just outlined. Is there a second? SECONDED.

MR. LIVINGSTON: "Through you, Mr. President, I would like to know, Mr. Zelinski, do the nurses have in their contract a grievance procedure and I believe he is talking about grievances. Oh, he mentioned so many things, it's kind of hard to tell what he's talking about."

MR. ZELINSKI: "Well, if you were paying attention, Mr. Livingston, you would have heard what I was talking about."

MR. LIVINGSTON: "I was paying attention and I did hear what you were talking about."

MR. FOX: We will proceed in an orderly manner, please. The question was whether or not the nurses involved had a grievance procedure. Can you answer that?

MR. ZELINSKI: "They do, and I would like to add that they, the nurses themselves, when they appeared before our Committee the very first time, which was back in March, had told us they had exhausted all the various avenues in which they could correct these problems. And, as a last resort, came before the Legislative Branch of this City to help correct these problems. And I certainly hope, tonight, that we'll be able to do something on their behalf. Thank you."

There was additional dialogue by Mr. Livingston and Mr. Zelinski.

Mr. Blum and Mrs. Santy spoke in favor of the nurses and the resolution.

MRS. GOLDSTEIN asked if the grievance procedures had been followed, and whether the nurses had gone to the Personnel Appeals Board. Mr. Zelinski replied that they had not. Mrs. Goldstein said there is a missing link. That it is the Personnel Commission, not the Personnel Director, who should be asked, if no satisfaction was derived from the Personnel Appeals Board. She did not like to pass a Sense-of-the-Board Resolution without having the resolution in front of the Board. She would vote to hold this, not kill it, until the proper grievance procedures were exhausted.

MR. LOOMIS said he felt this should be an "inquiry" rather than a resolution due to its nature and the circumstances.

MR. SIGNORE MOVED to Move the Question. Seconded. Carried.

MR. FOX said there was a Motion of Mr. Wilmot's to hold originally. That Mr. Livingston made a Motion to Hold the Resolution proposed by Mr. Zelinski and they would vote on that, it being MOVED and SECONDED. A MOTION was made for a ROLL CALL vote. There is a sufficient number desiring this. The Clerk will Call the Roll.

ROLL CALL VOTE TO RETURN TO COMMITTEE THE MATTER OF THE NURSES' GRIEVANCE MATTER;  
30 NO; 6 YES (Motion Lost):

AGAINST RETURNING TO COMMITTEE (30 NO):

Audrey Maihock	Donald Sherer	Charles Wilmot
Richard Ferrara	Fiorenzo Corbo	Mildred Ritchie
Marie Hawe	Everett Pollard	Mildred Perillo
Alfred Perillo	Ralph Loomis	Vere Wiesley
Robert DeLuca	Jeanne-Lois Santy	George Hays
Michael Feighan	Gerald Rybnick	Joseph Ventura
Diane Raymond	Barbara McInerney	David Blum
Henry Markiewicz	John Zelinski	S. A. Signore
Lathon Wider	John Boccuzzi	Margaret Price
John Robie	John Wayne Fox	Paul Esposito

IN FAVOR OF RETURNING TO COMMITTEE (6 YES):

Stanley Darer	Sandra Goldstein
Charles Festo	Michael Morgan
Handy Dixon	Jeremiah Livingston

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MRS. MCINERNEY asked that Mr. Zelinski change the wording to an inquiry and direct it, also, to the Personnel Commission instead of the Personnel Director. Moved and Seconded.

MR. ZELINSKI said he would accept the inclusion of the Personnel Commission but he would not want to delete the Personnel Director.

MRS. GOLDSTEIN asked what was supposed to be done by the date of July 1, 1978. She also wanted to know how this is worded in the resolution.

MR. ZELINSKI: "Well, inasmuch as the nurses have waited over a year for this, I think that it's about time that one month I think should be satisfactory in which time the Personnel Director and Personnel Commission can investigate and initiate the necessary steps to correct those four points which I mentioned in my resolution."

MRS. GOLDSTEIN said she understood what Mr. Zelinski was saying but that she felt she did not really get an answer to her question. She wanted to know how it reads in the resolution.

MR. ZELINSKI: "Right. Well, again, the initial part of it was to request and direct Sim Bernstein, the Personnel Director, and then it was amended by Rep. McInerney to include the Personnel Commission to investigate and initiate the necessary steps to, and those four points, which include the pensions for the 8 nurses, and those other three points, and to have this done by July 1, 1978, which I think a month is sufficient time. These nurses waited over a year to have this rectified. I don't want this dragged out! One month is enough time; that's it."

MRS. GOLDSTEIN said that as long as "correct" isn't in there, that's fine, because to correct it in a month might not be feasible. But to "initiate steps", maybe.

MR. FOX called for a vote on the Motion which had been Moved and Seconded. The MOTION is CARRIED. Mr. Livingston and Mr. Morgan will be recorded as ABSTAINING. Mr. Fox said they would return to the regular agenda and that Fiscal is next.



FISCAL COMMITTEE - Sandra Goldstein

MRS. GOLDSTEIN said that her Committee met on Wednesday, May 31, 1978. Present were Gerald Rybnick, Mildred Ritchie, Marie Hawe, Paul Esposito, Jeremiah Livingston, John Zelinski, and Sandra Goldstein. She said the vast majority of items on the agenda tonight are grants or resolutions for grants, most of which are 100% prepaid. Mrs. Goldstein said the following items are to be placed on the CONSENT AGENDA (after deleting those to which there were objections from the floor): #1, 4, 9, 10, 12, 13, 15, 17, 18, 19, 22, 23, 24, 25, 27, 28, 29, 30, 32, 33, 34, 36, 37, 38.

MR. FOX said that as Mrs. Goldstein proceeded to list the items for the CONSENT AGENDA, he would ask the applicable secondary committee if it were in agreement. Also, in those cases where such a report of the secondary committee is not available, a Motion to Suspend the Rules would be made and followed through. This was done, wherever necessary, on the Consent Agenda items.

MR. ZELINSKI requested #3 not be on the Consent Agenda as he wished to discuss it.

MR. SIGNORE requested #8 not be on the Consent Agenda.

MRS. McINERNEY requested that #14 not be on the Consent Agenda as she voted against the contract and would like to reserve the right to vote against the raise.

MRS. McINERNEY requested that #16 not be on the Consent Agenda.

MR. SIGNORE requested #26 not be on the Consent Agenda.

MR. WIDER requested #35 not be on the Consent Agenda.

MR. FOX then asked Mrs. Goldstein to return to the first portion of the Agenda to take up the first item which is not on the Consent Agenda, which is Item #2. He requested the members to please give Mrs. Goldstein their attention so the meeting could move right along, it now being 11 o'clock.

- (2) -\$35,000.00 - FINANCE DEPARTMENT - CODE 912.0000 - BOND EXPENSE.  
APPROVED UNAN.  
\$31,000.00

MRS. GOLDSTEIN said Fiscal cut \$4,000.00 as \$31,000.00 is the sum actually needed to pay the bond expenses, and that is the sum MOVED. SECONDED. CARRIED UNANIMOUSLY. Fiscal's vote was 6-0 in favor.

- (3) \$ 4,500.00 - POLICE DEPARTMENT - CODE 410.2201 NEW EQUIPMENT - 2 RADAR UNITS.

MRS. GOLDSTEIN said Fiscal voted 6-0 in favor, and she so MOVED. SECONDED.

MR. ZELINSKI: "Thank you very much, Mr. President. Pertaining to this item and as a member of the Fiscal Committee, I would just like to say that I have received numerous phone calls from constituents in my district, as well as hearing on the local radio program "On the Line", the experience of our citizens of Stamford, what they've had to experience dealing with these radar units. Specifically, I'm referring to when I asked Mr. Considine who was there, to speak on this item and he answered the way that I thought he would; and that was if the posted speed is 25 m.p.h., that means and it has been done that a police officer can give a ticket for speeding for someone going 26, 27, or 28 m.p.h. Now that is ridiculous in my way of thinking. The taxes in Stamford are high enough and certainly I believe in safety. I'm not encouraging speeding. There's a situation that arises where someone's going, say 50 miles, or 40 miles...Mr. President, I can't even hear myself! Could you.....?"



FISCAL (continued)

MR. FOX called for attention.

MR. ZELINSKI (continuing): "I appreciate it. As I was stating, I can see a case where someone is speeding..."

MR. HAYS: Point of Order. He is not debating the subject before us. He is debating a matter of safety, not a matter of finance.

MR. ZELINSKI: "I'm giving my reasons why I'm going to vote against this item, Mr. Hays. As I was saying, someone who is going at a high rate of speed such as 40, or even 35 miles an hour, I can see that. But I don't believe that someone who is going 1, or 2, or maybe 3 miles over the limit should be harrassed at this point and I will not vote for any more radar units until this situation can be rectified. I don't know how it will be but I would vote against this and I would also ask my fellow representatives to do so also."

MR. SHERER: I suppose that if I can clarify Rep. Zelinski's trying to say, maybe, that what I get out of this is crime is O.K. if you're not really committing a crime. Does that mean that you can hold up a liquor store with a plastic gun and not a metal gun? I mean, it doesn't make sense. Speeding, the law says speeding is 25 ...it's not speeding, it's fair to drive at the posted speed and if 25 is the speed limit, then 26 is a violation. I don't see what we're arguing about.

MR. SIGNORE: I really don't want to get into this discussion. I've got my own ideas on it. I've heard enough about speeding. I'm more interested in other crime prevention other than speeding. I think vandalism, burglaries and molesting people on the streets are more serious than trying to stop anybody that's going down the street one mile over the limit.

MR. WIDER: I, too, at this point join Mr. Signore and Mr. Zelinski also. I think there's a little misuse of this radar. I have seen some funny things happen. It makes you feel like a squirrel. If you know anything about squirrel hunting, you know they wait until the squirrel comes out and then you shoot it. And I've seen cars hiding down on Shippan Avenue and I just don't like this. I'm for more safe driving as much as anyone in the City, but I do feel that for the prices that we are paying for the various things, when it comes to hide-holes, we are not rabbits and we're not squirrels. For someone to be out there with a gun trying to shoot us down, now I just don't like this. I'm sorry, but I think it's bad, a very bad feeling to have to drive a car and feel that someone out there will shoot you down. I would go along with spending no more money for radar equipment.

MRS. McINERNEY: I wasn't going to talk on this subject, but when people talk about other crimes which are injurious, I can't think of any thing more horrible than living on a road like High Ridge Road and watching cars pass at 80 miles an hour with young children standing at a bus stop, completely non-cognizant of the fact that they are going to kill somebody someday, and I certainly would support buying two more, and not just these two, and I wholeheartedly endorse it.

MR. ESPOSITO: I was at the meeting when Mr. Zelinski asked that question of Lt. Considine. Although I understand Mr. Zelinski's frustrations, I wondered, did he really expect Lt. Considine to say no, we don't enforce the posted limits? That we give you a 5-mile or 10-mile an hour leeway? At a public meeting with the press there? I sincerely doubt that the Lt., if the Police Dept. in itself does give a discretionary leeway, would make that discretion public. Therefore, I think we are shooting at paper tigers. We don't really know the answer to the question, and I would support the purchase of these two radar units.

14. MINUTES OF MONDAY, JUNE 5, 1978 REGULAR MEETING

FISCAL (continued)

MR. BOCCUZZI: Well, I'd like to speak in support of the radar units. The funny thing about them is, you know, Mr. Zelinski mentioned the radio station. If he listens to the radio station, the cops are fool enough to tell you where they're going to be. So you know if you get caught...too bad!

MR. FOX: Motion has been made to MOVE THE QUESTION. SECONDED. CARRIED. We will now vote on the main motion for \$4,500.00 for the Police Department. MOTION is CARRIED. Against the motion are Mr. Zelinski, Mr. Wider, Mr. Signore, Mrs. Santy, Mr. Wilmot, Mr. Darer.

- (5) ~~-\$50,000.00~~ - PUBLIC WORKS DEPARTMENT - BUREAU OF HIGHWAYS - CODE 323.0000 -  
APPROVED REPAIRS -  
\$37,000.00 The 6 specific items approved as listed on agenda = \$27,283.30  
\*Plus approx. \$8,000.00<sup>+</sup> for April, May & June 9,716.70  
\$37,000.00  
(\*This item reduced by Fiscal from \$22,716.70 to \$9,716.70.)

MRS. GOLDSTEIN said Fiscal cut this item to \$37,000.00, reducing it by \$13,000.00 and voted 6-0 in favor and she so MOVED. SECONDED.

MR. FOX called for a vote to Suspend the Rules as no report from Public Works. MOVED. SECONDED. CARRIED. Mr. Perillo was on vacation and returned last Tuesday.

MR. WILMOT MOVED to send this item BACK TO COMMITTEE as he felt this department should be watch-dogged and determined whether it and other bureaus fit into the over-all recommendations of the Williams Report. He said reports should be made if machines are breaking down, or motors being burnt out. If so, is it because of abuse by drivers or simply because equipment is old and breaking down. Or hasn't it been properly maintained.

MR. FOX said the Motion to Return to Committee was SECONDED. The vote is LOST with 15 YES, 20 NO.

The vote on the Main Motion for \$37,000.00 is CARRIED with 29 YES, 6 NO, 1 ABSTENTION being Mr. Wilmot.

- (6) ~~-\$3,400.00~~ - PURCHASING DEPARTMENT - 3 sub-accounts of Code 243. First item  
APPROVED reduced from \$2,500.00 to \$1,700.00 by Fiscal.  
\$ 2,600.00

MRS. GOLDSTEIN said Fiscal voted 6-0 in favor of this item, also to reduce the first item by \$800.00, and she so MOVED. SECONDED.

MR. FOX called for a vote on the Main Motion for \$2,600.00, and it was APPROVED.

- (7) ~~-\$30,000.00~~ - PUBLIC WORKS DEPARTMENT - BUREAU OF SANITATION - CONVENTIONAL  
APPROVED INCINERATOR - Code 343.0103 - Over-Time.  
\$25,000.00.

MRS. GOLDSTEIN said her committee voted 6-0 in favor, and also reduced the item by \$5,000.00, and she so MOVED. SECONDED.

MR. FOX called for a vote on a Motion to Suspend the Rules as no secondary committee report. Seconded. Carried with Mr. Wilmot voting NO. A vote on the Main Motion for \$25,000.00, CARRIED UNANIMOUSLY.

- (8) \$21,600.00 - BOARD OF EDUCATION - Grant for enlargement of Bilingual Special Education Program.

MRS. GOLDSTEIN said this is an additional appropriation for enlargement of the Bilingual special education program to include bi-lingual handicapped students. Fiscal voted 6-0 in favor and she so MOVED. SECONDED.

MR. SIGNORE said he'd been looking at the bi-lingual program in general for some time now, that it has been an experimental program, and he feels that a child dealing with two languages in school is at a disadvantage. That in New York City, they're finding this has caused a child problems learning how to read, write and do their arithmetic. He would like to see the program modified to some extent, or eliminated. He realizes it is Federally-mandated but somewhere along the line, it just cannot be carried on and on when Federal or State funding stops and the taxpayer is being hit heavily on items like this. That it is very, very unfair.

MRS. MAHOCK asked to what extent the program would be enlarged. That she felt our local bi-lingual program should not concentrate on a foreign language at the expense of English in our schools. She said she recently saw a TV program about this and it was of concern to many people. She said a study released by the U.S. Office of Education in Washington on Monday, said "Students in bi-lingual programs perform no better than their counterparts in traditional programs." The study said the Federal bi-lingual programs may hurt students more than they help them.

MRS. GOLDSTEIN said the State and Federal laws require not only a bi-lingual program but mandate an active seeking out of students who do not speak English as a first language, but speak another language as their first language. And educate them in their own language. She said by denying this request, the Board of Education would have to take money out of their own operating budget rather than making use of the Federal monies that are available.

MRS. RAYMOND: This may be a question that Mrs. Goldstein can't answer, but what if the Board of Representatives, by not approving the seeking of this money, or the Board of Education, they defy, in other words, the law of the State and the Federal Government, to dictate in their own particular local schools what will be taught, how it will be taught, etc., do you happen to know what the ramifications of something like that might be?

MRS. GOLDSTEIN said that we will be denied Federal monies not only for this grant but for any Federal grant.

MRS. PERILLO said that was the best news she's heard, that we will not get any more Federal money. That we could control our schools and see that our children do get an education if we stop taking Federal and State grants and Federal and State controls. She intends to vote against this appropriation.

MR. ESPOSITO said we should not jeopardize all of our grant money, which run probably in the millions, as this would put the tax load on the Stamford taxpayers and he would ask Board members to seriously weigh their decision before they vote this particular item down.

MR. POLLARD wanted to know what is now being spent for the 15 bi-lingual, handicapped children in the program, what additional would be added by virtue of this \$21,600.00 grant.

MR. ESPOSITO and MRS. RITCHIE said that the money will be spent for teachers to identify such students; also there will be re-evaluation of 31 more students; correlation of a new curriculum; work with parents.



FISCAL (continued)

MR. DARER: I wonder if it would be out-of-order for me at this time to ask Mrs. Goldstein if she could, by the next meeting, obtain for the members of this Board, a summation of those programs that involved one-time grants that affect the taxpayers of this City once those grants expire and what effect that is having on our mill rate in continuing appropriations that this Board has to pass on, that are not under our control. I'd like to make a motion to that effect, that we obtain this information. Seconded by Mr. Signore.

MR. MORGAN said this information should be obtained from the Grants Officer, Susan Brewster. He would not support the resolution, but would support the intent.

MR. FOX said there always was a motion on the floor, and that Mr. Darer's would have to be gotten back to later, after that was dealt with. Also there were other speakers waiting.

MR. WIDER said it was not easy to get a grant, that the need for it had to be proven and we had done this. And he urged voting for this grant.

MR. LIVINGSTON MOVED THE QUESTION. SECONDED.

MR. FOX called for a vote on this motion and it CARRIED. He then called for a vote on the Main Motion for \$21,600.00 for Item #8. MOVED. SECONDED. The MOTION is LOST by a vote of 21 YES, 10 NO. It needed 24 votes, or 2/3 of those present and voting. We have 36 people present. (Note: See Page 24 for a Reconsider vote on Item #8, which LOST again by the same vote.)

MR. MORGAN said he suggests the absence of a Quorum and asked for a Roll Call.

MRS. RAYMOND, the CLERK called the Roll.

MR. FOX said there are 35 present and 5 absent at this time. The absent members are Mr. Tiani, Mr. Baxter, Mr. Schlechtweg, Mr. Carlucci, and Mr. Robie. It is now 11:50 P.M.

MR. FOX said we would now go back to MR. DARER'S Motion.

MR. DARER: I move that we obtain for this Board from whatever source that be required, and I suggest this be handled through Fiscal, a list or summation of those one-time grants that have been, that are currently enforced rather than those that have been done in the past. Or maybe even those that have been done in the past that have represented a continuing program and a continuing expenditure out of the funds, out of the taxpayers' funds. Is that clear? Am I making it clear, do you think?

MR. FOX said it was clear to him. Also that the Motion had been previously Seconded by Mr. Signore.

MRS. McINERNEY asked does this also mean that Mr. Darer wants to hold those other items on the agenda that are involved with grants.

MR. FOX said that was not the Motion. The Motion is to acquire additional information. He also asked Mr. Darer to put his motion in writing for the Admin. Asst., and that as Mr. Darer suggested, it come through the President of this Board to the Grants Officer or Manager.



FISCAL (continued)

MR. MORGAN said that since Mr. Darer is taking the trouble to write it up for Mrs. McEvoy, we could save everybody a lot of work if Mr. Darer just wrote it up and sent it to Miss Brewster and got the information directly that way.

MR. FOX called for a vote on the Motion to amend made by Mr. Signore to have it go through the President of the Board. CARRIED with Mr. Morgan and Mrs. Raymond voting NO.

MR. FOX called for a vote on the Main Motion which is Mr. Darer's Motion now amended. CARRIED, with Mr. Morgan and Mrs. Raymond voting AGAINST.

- (11) \$ 4,500.00 - BOARD OF RECREATION - ETHEL KWESKIN THEATRE - SELF-SUSTAINING PROGRAMS - CODE 661.1400.

MRS. GOLDSTEIN said that due to a disagreement between the Board of Finance and the Superintendent of Recreation, the production that this money would have paid for, will not go on. Therefore, Fiscal voted 6-0 in favor of DENYING the request tonight and she so MOVED.

MR. FOX said then the Motion is to DENY that funding.

MR. HAYS said they were advised the matter was withdrawn so PARKS & RECREATION COMMITTEE did not take any action on it.

MR. FOX called for a vote on the Motion to reject the funding. Seconded. CARRIED with all Yes votes and one NO, being Mrs. Perillo. #11 for \$4,500.00 is DENIED.

- (14) \$96,796.00 - BOARD OF EDUCATION - 1977-78 Labor contract between Local #1083, AFL-CIO and Council 4, CUSTODIANS AND MECHANICS and the Board of Education, salary increases for first year of contract.

MRS. GOLDSTEIN said Fiscal voted to approve 6-0 and she so MOVED. SECONDED.

MR. ZELINSKI said PERSONNEL concurred, 5 in favor and 1 Abstention.

MRS. MCINERNEY: I will again re-state the reason I asked this to come off the Consent Agenda, and that is I voted against the union contract for the Custodians and I also wanted to reserve the right to vote against the funds. It's as simple as that.

MRS. MAIHOCK said she would also wish to vote NO on that.

MR. BOCCUZZI said he would vote in favor of this expenditure, but that he read in the ADVOCATE a couple of weeks ago where the Board of Education spent some monies on a roof and intercom and desks and what-have-you. I think if they had held that expenditure up, they could have paid for this contract out of their last year's funds and give the taxpayers a break.

MR. FOX called for a vote on #14 and the MOTION was CARRIED, with Mrs. Maihock and Mrs. McInerney voting NO, and Mr. Zelinski asked to be recorded as ABSTAINING.

- (16) REQUEST FOR RESOLUTION TO AUTHORIZE FILING OF GRANT APPLICATION WITH U.S. DEPARTMENT OF TRANSPORTATION, URBAN MASS TRANSPORTATION ADMINISTRATION - \$74,000.00, 100% reimbursable grant for 3 new vehicles for Comm. on Aging.

FISCAL (continued)

MRS. GOLDSTEIN said Fiscal voted 6-0 in favor and she so MOVED. SECONDED.

MRS. RITCHIE said EDUCATION, WELFARE & GOVERNMENT concurs.

MRS. MAIHOCK asked was the North Stamford area included in this. She said that previously they have not had the services of the Dial-A-Ride and have a need for those services, and she was interested to know if they were included this time.

MRS. GOLDSTEIN said she did not know per se if North Stamford was included. She does know the purchase of these vehicles would permit Dial-A-Ride to extend its coverage by 100%. She said they did not ask whether North Stamford, or Shippan, or various other areas of the City will be included. It is supposed to be for the entire City.

MRS. MCINERNEY said she felt as Mrs. Maihock does; and she is going to vote against this item, not because she doesn't agree in principle. However, she thinks the City as a whole has elderly people in the outlying areas who are just as isolated who need to get to the doctors just as much as any other elderly in the City.

MR. SIGNORE said he would like to make a Motion to Hold in Committee until Mrs. Goldstein can determine just who will be served by these vehicles, and what in general is their policy. MOVED and SECONDED.

MRS. GOLDSTEIN replied that it was supposed to cover the whole City and she was unaware that North Stamford was not covered, but the representation to Fiscal is that Dial-A-Ride covers the whole City.

MR. WIDER said he was against holding it in committee because if the whole City is not covered, then something is wrong, but that it could be checked.

MR. FOX reminded the members that the item is a request for a resolution to authorize filing of a grant application. No more than that.

MR. FOX said the Motion we are dealing with is to Return to Committee on which there is no discussion.

MR. ZELINSKI said he would just like to state he would not like to see this go back to committee, and would rather see an amendment or some Sense-of-the-Board whereby all the areas of the City are covered rather than none.

MR. BLUM said he would vote NO on this. He said the Commission on Aging is a City-wide agency. That on Dial-A-Ride you have to call and make an appointment and then they pick you up, but this service is not available on five minutes' notice. It is done throughout the City for all senior citizens and handicapped.

MRS. RITCHIE said this would increase the facilities 100% and they will have 5 drivers, and that if they are not now covering the entire City, they certainly would be able to with new drivers and new vehicles. She urged support of this.

MR. BOCCUZZI said do we have the 5 drivers on hand or do they have to be hired?

MR. FOX said we were getting very far afield. That we are not approving funding, only the authorization to file a grant application. He called for a vote on the Motion to Return to Committee. It was LOST by a vote of 6 YES, 25 NO. Mr. Fox then called for a vote on the MAIN MOTION for the resolution and it was APPROVED with 27 YES; 4 NO; 1 ABSTENTION (Mrs. Maihock). (See Resolution No. 1160 covering Item #16, following conclusion of Minutes and Agenda & al)

FISCAL (continued)

MRS. GOLDSTEIN said she would write a letter, as Chairman of Fiscal, to the Commission on Aging enumerating Mrs. Maihock's and Mrs. McInerney's complaints, and tell them that it certainly is the feeling of this Board that the entire City be covered through Dial-A-Ride.

- (20) REQUEST FOR TAX ABATEMENT STATUS REPORT ON SHIPPAN ELDERLY HOUSING PROJECT  
from Sandra Goldstein, her letter of 5/18/78.

MRS. GOLDSTEIN: Fiscal met in relation to this last Wednesday night and we had the Tax Abatement Committee, consisting of Mr. Murray, Mr. Hoffman and Mr. Hyland, as well as Susan Brewster and Mr. Carroll who is the attorney for Forest City Dillon, Inc., who is the developer. Just as a little back-up on the entire project, on Nov. 14, 1977 the Board of Representatives gave final approval to the Tax Abatement Ordinance No. 363. It was anticipated at that time that Forest City Dillon Horowitz would take title to the property forthwith. And that the CHFA mortgage commitments and the HUD commitments would be imminent. However, after we passed the ordinance, problems in acquiring the property arose, and therefore both the CHFA and the HUD commitments are still being negotiated by Forest City Dillon.

On May 16, 1978 Forest City Dillon did take title to the property, despite the fact that Baker-Firestone Inc. contends that it had the right to the property predicated on a prior agreement signed with the Ford Leasing Company. This is really a very, very intricate series of events. Currently, Forest City Dillon has a lawsuit filed in Superior Court seeking clear title to the property. Because of the above problems, neither the Mayor, on behalf of the City, nor Forest City Dillon executed the Tax Abatement Agreement that we passed last November. Therefore the time constraints as outlined in the Resolution have not yet begun. The only time constraint that is still active requires project completion on or before April 1, 1979. Forest City Dillon has indicated that it can still meet this completion date because of the modular construction that they use.

Now, in the interim, since we met with the Tax Abatement Committee, I understand that Forest City Dillon did actually apply for a building permit with the City. Now the Tax Abatement Committee, consisting of Commissioner Hoffman, Mr. Hyland, and Corporation Counsel Murray will be meeting this month in a series of meetings to try to revise the Abatement Agreement, if necessary. And they will have the results of this, hopefully, by June 23rd. Any amendment that they think will be necessary in that Agreement will come before Steering and through the proper committees for use to act upon, and will also go to Forest City Dillon. And that's where it stands. And if anybody has any further questions, I'd be happy to try to answer them.

MR. FOX said we could move on to Item #21.

- (21) REQUEST FOR RESOLUTION RE A COST-SHARING AGREEMENT BETWEEN CITY AND STATE FOR A TRAFFIC-SIGNAL REVISION AT INTERSECTION OF ROUTE #137 (HIGH RIDGE ROAD) AT SQUARE ACRE DRIVE.

MRS. GOLDSTEIN said this is just to authorize the Mayor to enter into the Agreement. That we have already passed this \$2,500.00 in Capital funds necessary for this project. Fiscal voted to have one change which is that the Mayor will sign the Agreement, not Mr. Winkel, and upon a vote of 6-0 in favor, she so MOVED. SECONDED. MR. FOX called for a vote, and the MOTION CARRIED UNANIMOUSLY. (See Resolution #1164)



FISCAL (continued)

- (26) \$47,000.00 - BOARD OF EDUCATION - CODE 873.0000 - to continue Bi-Lingual Program for period May 1, 1978 through June 30, 1978. Grant.

MRS. GOLDSTEIN said Fiscal voted 6-0 in favor and she so MOVED. SECONDED.

MR. SIGNORE said he was opposed to this item the same as he was on Item #8 previously, and for the same reasons.

Upon Motion by Mr. Darer to Move the Question, and Seconding, and UNANIMOUS APPROVAL, Mr. FOX then called for a vote on the Main Motion, #26 for \$47,000.00. Item #26 was DENIED by a vote of 22 YES, 9 NO. (Note: At a later vote to Reconsider, this was approved with 2 NO, balance YES. No votes were D. Raymond and M. Perillo. See Page 25 for the Reconsider vote which CARRIED.)

- (31) \$30,667.00 - "LAND ACQUISITION"- for purchase of property at 80-92 Richmond Hill Avenue by Housing Site Development Agency.

MRS. GOLDSTEIN said this is an additional appropriation for acquisition of a seven-unit row house and adjacent lot at 80-92 Richmond Hill Avenue. The funds will not come out of the Capital Non-Recurring Account as originally stated, but will come out of OPERATING FUNDS. Fiscal voted 6-0 in favor and she so MOVED. SECONDED.

MR. WIDER said his Committee met on May 31st at 6:30 p.m. and voted 3-0 in favor. Present were Stanley Darer, John Schlechtweg and Lathon Wider. They concur.

MR. FOX said before a vote is taken, he would like the Roll called to determine how many members are still present.

MRS. DIANE RAYMOND, the Clerk, called the Roll. There were 32 present and 8 absent. The 8 Absent members were Reps. Tiani, Sherer, Baxter, Price, Schlechtweg, Robie, Livingston, and Carlucci. It was 12:15 A.M.

MR. ESPOSITO said as he recalled when the vote was taken for item #26, there were only 33 members present. What would we need for a 2/3 vote on that?

MR. FOX said Item #31 is APPROVED with 2 Abstentions, Mrs. Perillo and Mrs. Maihock.

MR. FOX replied that at the time #26 vote was taken, as far as he was concerned, there were 35 present. He said we would proceed to Item #35.

- (35) \$17,677.85 - POLICE DEPARTMENT - Code 433.0000 - CRIME REDUCTION. Grant - partial refund. Disallowed by State Accounts Examiners.

MRS. GOLDSTEIN said Fiscal voted 6-0 in favor and she so MOVED. SECONDED.

MR. FOX said a Suspension of Rules is necessary as no secondary committee report. Motion Made, Seconded, and CARRIED.

MR. FOX called for a vote on the Main Motion for \$17,677.85 and it was APPROVED with a vote of 26 YES, 4 NO.

MR. MORGAN asked how many votes were needed for that.

MR. FOX SAID you need a minimum of 21. He then said they would revert to the first section of the Fiscal Agenda and call for a vote on the CONSENT AGENDA items which are Fiscal Items #1, 4, 9, 10, 12, 13, 15, 17, 18, 19, 22, 23, 24, 25, 27, 28, 29, 30, 32, 33, 34, 36, 37, and 38. MRS. GOLDSTEIN MOVED. SECONDED. MOTION is CARRIED, with Mrs. Perillo making some notations as follows in terms of Abstentions and No votes.



FISCAL (continued)

MRS. PERILLO said she votes NO on Items 10, 14, 22, 23, 24, 25, 27, 28. And ABSTAINING on Items 18, 29.

MR. DARER MOVED to RECONSIDER Item #8 and Item #26.

MR. FOX said that the Motion to Reconsider must be made by someone on the Prevailing Side, which Mr. Darer apparently was not in light of his position on the questions involved.

MR. LOOMIS said he was out of the room when the first vote was taken and he was recorded as an Abstention. He didn't vote either way, so is he in a position to bring this to a vote?

MR. FOX said no, that is not the Prevailing Side.

MR. WILMOT called for a Point of Order. He asked if, on the CONSENT AGENDA, does an individual member have the possibility of saying whether they Abstained or vote for each individual item on the CONSENT AGENDA, as Mrs. Perillo did.

MR. FOX said he had no problem with that, if someone wants to have their vote recorded. Mrs. Perillo did not object when the opportunity arose to any of those items being put on the CONSENT AGENDA which is the way the procedure is set out. He said he did not think her voting NO is in conflict with the over-all vote on the items on the CONSENT AGENDA. He didn't see any conflict there.

MRS. PERILLO: Can I explain why I did it? Rather than take each thing off the CONSENT AGENDA, to save time, that's why I asked you if I could vote at the end. Otherwise, if it's wrong, then I'm going to not go with the CONSENT AGENDA.

MR. FOX said that Mrs. Perillo's vote will be so recorded.

MR. BLUM said he was going to ask the same question as Mr. Wilmot. How can you break the Consent Agenda? We have the opportunity in caucus to state if we don't want a particular thing to go on the Consent Agenda; if you're going to vote against it, so therefore you don't want that item to go on the Consent Agenda.

MR. FOX said we have seen that happen, possibly 4 or 5 times. Mr. Signore comes to mind with 2 or 3 times, and Mrs. McInerney with at least one item. If you don't see it on the Consent Agenda as we go down the line, you simply state that and it is off, as has happened this evening to, I would say, 4 or 5 items at least. I believe Mrs. Goldstein now wants to take up certain items under SUSPENSION OF THE RULES. The hour is now very late and after this is taken care of, we will want to consider, unfortunately, the possibility that we would go to a second meeting. I think this breaks our streak as far as this Board is concerned.

MRS. MAIHOCK said that in view of the fact there is a possibility that the City would have to fund these Bi-Lingual Programs, she would RECONSIDER on that basis. She said she voted NO on #8 and ABSTAINED on #26.

MR. FOX said she could then make a MOTION to RECONSIDER Item #8.

MRS. MAIHOCK MOVED to RECONSIDER Fiscal Item #8 for \$21,600.00; that however, her opinion is still the same on the subject!

FISCAL (continued)

MR. FOX said to Mrs. Maihock, then, that she was making a Motion to Reconsider the vote of this Body on Item #8, and that item which was LOST, Mrs. Maihock voted NO on, was that correct?

MRS. MAIHOCK said that was correct.

MR. FOX asked if there were a SECOND to the Motion to Reconsider, stating that he did not believe that the SECOND had to be a party on the Prevailing Side.

MR. BOCCUZZI: Mr. Chairman, the Second has to be...but I think the Motion should have been made directly after the vote. I don't think you can go two-thirds of the way down the Agenda and go back.

MR. FOX said he would double-check. He said the Motion is appropriate as long as it is made at the same meeting, and also that the Motion itself can be made only by one who is on the Prevailing Side. The Second can be made by anyone. A MOTION TO RECONSIDER has been made and SECONDED.

MRS. GOLDSTEIN asked exactly how many people are here.

MR. BOCCUZZI, having the floor first, asked did we need two-thirds of those present, or when the original vote was taken? Because, look at what happened. You could wait until the end of the meeting, when a few people go home, and you could change the whole Agenda.

MR. FOX said the Motion requires a majority vote of those present and voting at the time the Motion is made. The MOTION TO RECONSIDER requires a majority vote. The Motion to approve the funding, if in fact we vote to Reconsider, requires a two-thirds' vote of those present now.

MR. BOCCUZZI: A good method of beating the Agenda.

MRS. PERILLO: I really don't go for this, Mr. President. This reminds me of the Budget hearing. It was all cut and dried. Now we spent many hours here tonight and are arguing about that and discussing it. Mrs. Maihock said she doesn't believe in it, but she'll change her vote. Somebody gave her some "snow job".

MR. FOX: Well, Mrs. Maihock has the right to make a Motion to Reconsider. The Motion has been made. It has been Seconded. The MOTION TO RECONSIDER item #8 is CARRIED, 17 YES, 14 NO.

We will proceed to the MOTION at hand which is Item #8, \$21,600.00, for the BOARD OF EDUCATION.

MR. HAYS asked how many people were present.

MR. FOX asked Clerk Raymond to Call the Roll. There are 32 present and 8 absent. The absent members are: Representatives Tiani, Baxter, Livingston, Schlechtweg, Price and Carlucci and Robie and Sherer. It is 12:40 A.M.

FISCAL (continued)

MR. DARER: I think it's immensely important for us to approve these two items, otherwise the City which must, under mandated programs, pay for these items out of taxpayers' monies. I think, as I said before, we will attempt through the Motion that I made before to obtain for the Board by next month, the information on all pending and one-time grants and how that will affect us. And I think, really, a study of that will enable us to act more responsibly in the future in connection with all grants.

But in connection with these two items tonight, I think it's imperative that we vote for it because otherwise the taxpayers will be forced to fund this out of our own taxpayers' money, the citizens' fund, and I think it's just a shame to throw the money away.

MR. SIGNORE: There have been statements made that we'll be throwing away money; I'm willing to bet that the Board of Education has sufficient funds in their budget to cover this, plus other programs.

MR. ZELINSKI: Let me just say this is a very, very difficult question and the only thing that comes to my mind is (a) the funds, both this item #8 and item #26, if this were to pass, would, if we defeat this would come out of the present Board of Education's budget which fiscal year ends June 30th of this year. It does not affect the new year starting. Also what comes to my mind is an article in the local paper which mentions very clearly and specifically that the Board of Education had several thousand dollars of surplus funds and they were going about on how they would hurry up and spend these funds prior to June 30th. As far as costing the taxpayers money, let us not forget for one minute that State money also comes out of our pockets as well as sales tax for gasoline, and other items we buy, drivers licenses, car registrations and these other items. So we are also paying for any State aid we get. So even though it's a very difficult decision to make, based on what I just said, I'm going to vote against this.

MR. DIXON: The State and Federal governments combined are very much involved in the education of our children. Now, whether or not it's a State grant or Federal grant, we are still talking about tax dollars. But if there was any chance to recover the amount equally by getting a return, or a reduction, in the taxes we paid, by rejecting these grants, then I perhaps would be in favor of going back. But that is not the case. We are going to pay that tax and if by rejecting this appropriation on receiving this grant, then we are going to pay taxes again, so I would have to consider that double taxation. Now the mere fact that we're getting the grant, to me, I would have to consider that a return on our taxes and I think we should take advantage of that and accept the return that the State and Federal governments offer.

MRS. GOLDSTEIN: Mr. Dixon is so right. It is a return on our tax dollars and quite right, too, was Mr. Signore in saying that the Board of Education will pay for it anyway, because the Board of Education will. This way, we are getting reimbursed from the State dollars which if we don't accept, it goes to a different community.

MR. PERILLO: Yes, I couldn't agree more with what Mr. Dixon and Mrs. Goldstein said. But, by the same token, this is a one-shot deal. Next year, the Board of Education will put it in their Operating Budget and they won't come in for \$38 Million. They'll come in for \$42 Million. So what are we paying them? We're just giving them money on money.



FISCAL (continued)

MR. HAYS: I think the issue is very simple. The program is going to continue. It's mandated and we're not going to stop the program, and it's going to be paid for. It's just simply that we want to take the grant dollars to pay for it and we're going to stomach the cost ourselves. That's all there is to it.

MRS. RAYMOND: The reasons I am going to vote against this is because I think there's a very good principle involved here. There is a good question in my mind whether a program like this is worth funding on a Federal, State or local level. And the people, the educators that I have spoken to, and professionals in the educational field, disagree. The majority, though, say that it is not a good program, and since I do rely somewhat on their professional judgment, and also looking at it from a layman's point of view, I am not going to continue the funding, mandated or not. I will rebel on that level on something that is not worthwhile to the children. Thank you.

MRS. MAIHOCK: Yes, I wish to assure Mrs. Perillo that I have not changed my concern about enlarging the Bi-Lingual Program. However, I do not want the taxpayers to be penalized either. I hope we can work to control and put limits to our bi-lingual programs and I think we should all work towards that end.

MR. BLUM: Yes, I would like to repeat myself in a sense that everyone has repeated themselves this evening. I feel this is a mandated program, good or bad, and it should be paid through the State or Federal governments. I think the time is now upon us because of this Horton-Meskill case that came before the Supreme Court. And yes, the Board of Education and the Connecticut State Commission on Education is looking very, very much in all these programs. If we're State-controlled, if the Board of Education is a State-mandated item that says every child is guaranteed a good education, then I think that it's time for our legislators to look very hard, very hard, at this so it doesn't affect the property owners and their tax, and maybe tomorrow we might get a good shot from California.

MR. FOX: A Motion has been made to MOVE THE QUESTION. SECONDED. CARRIED. We will now vote on the Motion for Item #8, \$21,600.00, Board of Education. The MOTION is LOST with 21 YES votes and 10 NO votes. 22 votes were needed for passage. (Note: the first vote on item 8 appears on page 16.)

MR. POLLARD: Having been on the Prevailing Side on Item #26, may I make a Motion for Reconsideration of that item?

MR. FOX: You may. You voted NO on that item, is that correct, Mr. Pollard? Your MOTION is to RECONSIDER Fiscal Item #26. It's been MOVED and SECONDED. The MOTION TO RECONSIDER is CARRIED with a vote of 24 YES, 8 NO. We will now take up the main Motion, Item #26 under Fiscal, for \$47,000.00. Discussion?

MR. DIXON: I would just like to say, very simply and briefly, that this \$47,000.00 we have already paid that in taxes. Now what we're running the risk of is having to pay the same amount again in taxes, so I would have to call that double taxation, if we do. Now this \$47,000.00 is being offered back to the City and I hope that we will take advantage of it.

MR. ZELINSKI: Again, this is a difficult question and after conferring with my colleague, Mr. Esposito, I changed my mind on the other one, I voted yes, and I will also vote yes on this.



FISCAL (continued)

MR. BOCCUZZI: Well, I like the other grant. This is different because \$37,000.00 of this \$47,000.00 does not go to the Board of Education. Only \$10,000.00 goes. I'm not in love with the Board of Education but that \$37,000.00 back...yes, Mrs. Goldstein, you know it. \$37,000.00 is taxpayers' money and goes to the General Fund, so I would advise that this Board approve #26.

MR. SIGNORE: I just want to qualify a point here. We talk about Federal grants. You know, the more Federal grants that are issued, whether they come to Stamford or where they go, the more taxes you pay, whatever kind of taxes you think you're paying; you still raise the Federal budget and that has to be covered by Federal taxes so don't ever lose sight of that. It doesn't just stop at one point.

MR. WIDER MOVED THE QUESTION. SECONDED. CARRIED.

MR. FOX said the Motion now on the floor is Item #26, \$47,000.00 Board of Education. The MOTION is CARRIED with 2 NO votes, Mrs. Perillo and Mrs. Raymond, the rest YES votes. (Note: Item #26 first voted on at Page #20.)

MR. MORGAN: Given the late hour, I wonder if it might not be appropriate to make a MOTION to ADJOURN the meeting to Wednesday, June 7, 1978 at 7:30 o'clock.

MR. RYBNICK: I agree with Mr. Morgan, but I would like to ask one question, or revert to the PARKS AND RECREATION for a parking sticker. It's so much needed before next week and if we can just get that one item off tonight before we close, I would much appreciate it.

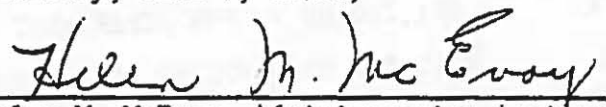
MR. BOCCUZZI: I would like to ask Mr. Morgan to at least consider Mr. Rybnick's request, just on that one item. I don't think it would take us long to beat that ordinance.

MR. FOX: The item on the floor is not debatable. A MOTION has been made to ADJOURN to a specific date, which makes it a Privileged Item. We will then proceed to a vote on that. The MOTION is to ADJOURN to Wednesday, June 7, 1978 at 7:30 p.m. The MOTION is CARRIED, 17 YES, 14 NO. We will recess until Wednesday, this Wednesday, June 7, 1978 at 7:30 P.M.

ADJOURNMENT: The meeting, upon Motion duly made, Seconded, and Carried, was adjourned at 1:05 A.M. (Adjourned to Wednesday, June 7, 1978.)

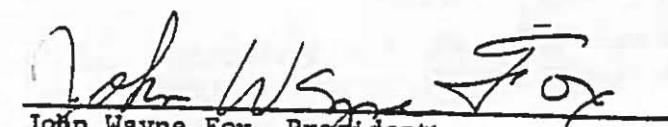
HMM:MS  
ENCS.

By:

  
Helen M. McEvoy, Administrative Assistant

APPROVED:

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

  
John Wayne Fox, President  
15th Board of Representatives

JUNE 5, 1978 - 15th BOARD OF REPRESENTATIVES MEETING - CONSENT AGENDA

At a Regular Meeting of the 15th Board of Representatives held on Monday, June 5, 1978, the following items were MOVED by FISCAL CHAIRPERSON SANDRA GOLDSTEIN to the CONSENT AGENDA and one vote was cast for APPROVAL of all such items by UNANIMOUS Vote of those present and voting, with the exception of Mrs. Perillo's votes on certain items which are enumerated on Page 21, first paragraph.

Item No. FISCAL COMMITTEE (See Agenda of 6/5/78 attached, for detail)

1. \$17,500.00 - PUBLIC WORKS COMMITTEE - Code 350.0103.
4. \$11,280.00 - POLICE DEPT. - COMMUNICATIONS - Code 490.0501.
9. \$21,079.00 - POLICE DEPT.
10. \$ 750.00 - PARK DEPT., TERRY CONNERS SKATING RINK - Code 720,0501.
12. \$ 390.42 - POLICE DEPT., Code 410.0101.
13. \$ 752.23 - COMMISSION ON AGING - Code 114.0101.
15. RESOLUTION NO. 1159 TRANSFERRING \$37,648.02 CAPITAL PROJECTS BUDGET.
17. RESOLUTION NO. 1161 TO FILE FOR TAX ABATEMENT PAYMENT OF \$23,384.00.
18. RESOLUTION NO. 1162 TO FILE FOR \$61,333.00 GRANT (HOUSING SITE DEV.)
19. RESOLUTION NO. 1163 TO FILE FOR \$111,888.00 GRANT.
22. \$ 1,996.16 - BOARD OF EDUCATION - Code 878.
23. \$ 4,763.50 - BOARD OF EDUCATION - Code 878.
24. \$ 4,320.00 - BOARD OF EDUCATION - Code 878.
25. \$ 1,407.05 - BOARD OF EDUCATION - Code 858.
27. \$ 900.00 - BOARD OF EDUCATION - Code 878.
28. \$ 4,851.68 - BOARD OF EDUCATION - Code 878.
29. \$ 900.00 - MAYOR'S OFFICE - Code 201.0305.
30. RESOLUTION NO. 1165 AMEND CAPITAL PROJECT BUDGET - Transfer of \$25.00.
32. RESOLUTION NO. 1166 AMEND CAPITAL PROJECT BUDGET, \$7,177.93.
33. \$41,200.00 - FIRE DEPARTMENT - Code 451.1505.
34. \$210,000.00 - POLICE DEPARTMENT - Code 410.0101.
36. \$ 747.25 - STAMFORD EMERGENCY SERVICES - Code 480.1701.
37. \$ 2,500.00 - PERSONNEL DEPARTMENT - Code 270.
38. \$ 2,500.00 - BOARD OF RECREATION - Code 650.1701.

NOTE: In any case where telephone items were involved, John Schlechtweg and Margaret Price are to be recorded as ABSTAINING, neither voting nor participating in any way.

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HMM: MS