

MINUTES OF WEDNESDAY, NOVEMBER 14, 1979 REGULAR 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 Wednesday, November 14, 1979, 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 8:55 P.M. by the President, John Wayne Fox, after both parties had met in caucus.

INVOCATION: None.

PLEDGE OF ALLEGIANCE TO THE FLAG: Led by the President of the Board Wayne Fox.

ROLL CALL: The Roll was called by CLERK ANNIE SUMMERVILLE. There were 36 present and 4 absent. The absent members were Reps. Darer, Hays, Ventura and Fiordelisi. (Bernier came in 9:20)

The CHAIR declared a QUORUM.

CHECK OF THE VOTING MACHINE: Found to be in good working order.

PAGES: Miss Leslie Caney  
Lee Caney  
Simon Fishman

MR. FOX: We are also happy to have with us members of the 7th and 8th Grade class of the Long Ridge School. They are members of a social studies class up there and are here with their Asst. Director Guy Bailey. This is in conjunction with a project involving social studies that they are working on.

MR. BOCCUZZI: POINT OF PERSONAL PRIVILEGE. I would just like to say to you as the Democratic Majority Leader of this Board, that the past two years that you have been Chairman, I believe that you have been fair and acted as a gentlemen at each and every meeting. The City will duly miss a man, John Wayne Fox. I hope in a few years maybe we'll see you back again, but at this time I just would like to say thank you for being President; the Democrats appreciate your efforts.

MR. FOX: Thank you, Mr. Boccuzzi. I could have used a few of you up in the 15th District last week.

MR. ZELINSKI: I just wanted to echo what Mr. Boccuzzi had said. It's certainly not an easy task for any one to run a meeting as large as ours we have 40 members here present, there is diversity of opinion and expressions of their thoughts, and as Mr. Boccuzzi so aptly put it, you have done a remarkably outstanding job and you have been fair and as Mr. Boccuzzi said, you will be missed.

MR. FOX: Thank you.

### STANDING COMMITTEE REPORTS

MR. BOCCUZZI MOVED to WAIVE the reading of the STEERING COMMITTEE Report. Seconded. Carried unanimously.

### STEERING COMMITTEE REPORT

The STEERING COMMITTEE met on Tuesday, October 30, 1979, in the Democratic Caucus Room in response to a Call for 7:00 P.M. The meeting was called to order at 7:20 P.M. when a Quorum convened.

#### MEMBERS OF STEERING PRESENT (14):

Wayne Fox, Chairman	John R. Zelinski
Annie M. Summerville, Clerk	David I. Blum
John J. Boccuzzi	Lathon Wider, Sr.
Handy Dixon (in at 8:05 pm)	Richard Ferrara
Sandra Goldstein	Mildred Ritchie
Michael P. Feighan	Dominick Guglielmo (in at 7:45 pm)

#### OTHERS PRESENT (6):

Everett Pollard
J. Chasek
Media
F. Corbo (in 8:05 pm)
P. Esposito (left soon)
Media

#### MEMBERS OF STEERING ABSENT(5):

Alfred Perillo  
Donald Sherer  
George Hays  
Ralph Loomis  
Marie Hawe

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#### (1) APPOINTMENTS

The name of Louis J. Casale for the Sewer Commission, having been held over for several months while he served on the Environmental Protection Board, was ORDERED OFF THE AGENDA.

#### (2) FISCAL MATTERS

The seventeen items appearing on the Tentative Steering Agenda were ORDERED ON THE AGENDA.

#### (3) LEGISLATIVE MATTERS

Of the eight items appearing on the Tentative Steering Agenda, three were ORDERED ON THE AGENDA, being tax abatement for Stamford Art Assn., ordinance re procedures of Fair Rent Commission, and helicopter landings control and regulation. Two items were ORDERED OFF THE AGENDA, being creation of a shellfish commission via ordinance, and tax exemption for the Girl Scouts.

STEERING COMMITTEE REPORT (continued)

(3) LEGISLATIVE MATTERS (continued)

Ordered moved to the Planning and Zoning Committee was the item of ordinances relating to land transaction between City and Knights of Columbus. Ordered moved to the Sewer Committee was the resolution authorizing condemnation for easement re property of Benjamin Jenkins. Ordered held was the ordinance for publication to control and regulate excavation, filling and grading.

(4) PERSONNEL MATTERS

Both items appearing on the Tentative Steering Agenda were ORDERED ON THE AGENDA.

(5) PLANNING AND ZONING MATTERS

All six matters appearing on the Tentative Steering Agenda were ORDERED ON THE AGENDA.

Also ORDERED ON THE AGENDA was the item moved from Legislative and Rules, being the land transaction between City and Knights of Columbus, with the L&R committee being the secondary committee.

(6) PUBLIC WORKS MATTERS

Both items appearing on the Tentative Steering Agenda were ORDERED ON THE AGENDA.

(7) HEALTH AND PROTECTION MATTERS

Both items appearing on the Tentative Steering Agenda were ORDERED ON THE AGENDA.

(8) PARKS AND RECREATION MATTERS

One item appearing on the Tentative Steering Agenda was ORDERED ON THE AGENDA, being approval of fee schedule for Kveskin Barn Theatre.

ORDERED OFF THE AGENDA were the items of Patriotic and Special Events Commission's request for Veterans' Day Parade, having arrived too late; also the Emmanuel Episcopal Church request for banner hanging on Hope Street.

ORDERED OFF THE AGENDA AND HELD was the proposed ordinance for publication concerning consolidated of the golf courses under one golf commission; or two separate commissions, but no authority status.

STEERING COMMITTEE REPORT (continued)(9) EDUCATION, WELFARE AND GOVERNMENT MATTERS

The one item appearing on the Tentative Steering Agenda was ORDERED ON THE AGENDA.

(10) SEWER MATTERS

One item on the Tentative Steering Agenda was ORDERED OFF THE AGENDA, being the proposed storm water sewer/Long Hill Drive and Clover Hill Drive.

One item on the Tentative Steering Agenda was ORDERED ON THE AGENDA, being resolution to authorize easement condemnation re Sylvia Kramer property. Also ORDERED ON THE AGENDA was the item from Legislative and Rules being the Jenkins easement condemnation matter.

(11) PUBLIC HOUSING AND COMMUNITY DEVELOPMENT MATTERS

The one item appearing on the Tentative Steering Agenda was ORDERED OFF THE AGENDA AND TO BE PUT ON DECEMBER AGENDA FOR THE NEXT BOARD, being "request for special investigating committee to look into Housing Authority, per City Rep. Wider's request." He made reference to Charter sections 204.2 and 206 with enabling resolutions.

(12) ENVIRONMENTAL PROTECTION MATTERS

Both items appearing on the Tentative Steering Agenda were ORDERED OFF THE AGENDA, being proposed ordinance concerning hydrological study of Rippowam River to Long Island Sound, and the request of Rep. DeLuca re environmental problems in Cold Spring Road-Rippowam River Area, also authority and powers of the Environmental Protection Board.

ORDERED ON THE AGENDA was an item of ordinance, for publication, controlling flood plains, wetlands, along the rivers in Stamford; with text to be gotten from Mr. Casale. (Note: Clerk of the Board Summerville requests that she be put on record as voting NO on this because the text is not available at the time of this meeting and that no committees should put things on without their being written.)

(13) TRANSPORTATION MATTERS

ORDERED OFF THE AGENDA were the two items appearing on the Tentative Steering Agenda, being ordinance restricting parking of commercial vehicles in residential streets, and resolution re Traffic Dept. being agency to control traffic.

ORDERED ON THE AGENDA was Edw. Connel's 7/24/79 letter re re-routing of buses; new bus routes, etc.

STEERING COMMITTEE REPORT (continued)(14) CHARTER REVISION MATTERS

ORDERED OFF THE AGENDA was the one item appearing on the Tentative Steering Agenda. This was the matter of re-codification of code of ordinances per summary of Barry Boodman and Ralph Loomis -- approx. 280 ordinances abolished or amended. Public Hearing held. Summary published.

(15) SPECIAL INVESTIGATING COMMITTEE RE SEWAGE TREATMENT PLANT, ETC.

The one item of a Final Report was ORDERED ON THE AGENDA.

ADJOURNMENT: There being no further business to come before the STEERING COMMITTEE, on MOTION duly made, seconded and carried, the meeting was ADJOURNED at 9:00 P.M.

JOHN WAYNE FOX, Chairman  
Steering Committee

HMM:MS

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APPOINTMENTS COMMITTEE - Handy Dixon      NO REPORT.

FISCAL COMMITTEE REPORT. - Sandra Goldstein

MRS. GOLDSTEIN: It's really hard to believe that the 15th Board is coming to an end and this is the last meeting already. I would like to take this opportunity to thank a truly outstanding Fiscal Committee. My true thanks to them for making the job of Chairman so much easier because of their dedication, their help, their penetrating questions. Thank you Mr. Rybnick, who is an outstanding Vice Chairman, Mr. Esposito, Mr. Flounders, Mrs. Hawe, Mr. Hays, Mr. Livingston, Mrs. Ritchie and Mr. Zelinski, and our un-official but always present member, Mr. Hogan.

MRS. GOLDSTEIN: Fiscal met on Thursday, November 8; present were Mr. Rybnick, Mrs. Ritchie, Mrs. Hawe, Mr. Flounders, Mr. Zelinski and myself. Non-committee members present were Mr. Hogan, Mrs. Parker, Ms. Summerville, Mr. DeLuca, Mr. Markiewicz, Mr. Wider, Mr. Corbo and Mr. Blum. On the Agenda for this evening we have \$487,294 in additional operating appropriation requests and \$27,416 in additional amendments to the Capital Project Budgets. Of the above amount \$431,881, now this is Items #3, 4, 5, 7, 10, 12, 13, 14, are grants, partial grants or revenue offset items and will have no effect on the local tax rate, so actually there is just a very small amount, some \$50,000 that will affect our tax rate for this current Fiscal year.

MRS. GOLDSTEIN said the following items are to go on the CONSENT AGENDA: Fiscal Items #2, 5, 6, 7, 8, 9, 10, 13, 16. In each case, where a secondary committee was involved, that committee concurred in putting the item on the Consent Agenda. Where there was no secondary committee report, the proper Motions were made to Suspend the Rules; they were Seconded and Carried.

(Item #4 also on the Consent Agenda - see next page)

FISCAL COMMITTEE (continued)

- (1) \$282,736.53 - FINANCE DEPARTMENT - 1979/80 CAPITAL PROJECTS CLOSE-OUT RECOMMENDATIONS - Letter from Finance Comm. Hoffman 9/4/79 as amended 9/10/79, recommending certain fiscal year 1978/79 Capital Projects Close-Outs/Amendments. Close-outs approved by Board of Finance 9/13/79.

MRS. GOLDSTEIN said Fiscal did not consider it because the Board of Representatives does not consider Capital Projects Close-outs that will not be transferred elsewhere. That's off.

- (3) \$ 39,924.41 - BOARD OF EDUCATION - BI-LINGUAL EDUCATION ACT - P. A. 77-588 ENTITLEMENT - Additional Appropriation to be reimbursed by State/Federal Grant. Bd. of Finance approved 10/11/79.

MRS. GOLDSTEIN: This is an Appropriation to fund the Bi-Lingual Education Act Entitlement from the State. This is a 100% State Grant and the monies will be used to teach non-English speaking pupils, and Fiscal voted 4 in favor and 1 against and I so MOVE.

MRS. HAWE: Education, Welfare and Government concurs.

MR. FOX: MOVED. SECONDED. CARRIED. (voice vote)

MRS. GOLDSTEIN: Mr. President, I'm sorry, did I put Item #5, for \$115,391 on the Consent Agenda?

MR. FOX: Yes.

MRS. GOLDSTEIN: OK, I don't have it there on my notes. Then the next item would be number 11.

MRS. HAWE: Mr. President, didn't we just do #4?

MR. FOX: #4, \$167,488 has been placed on the Consent Agenda.

MRS. HAWE: Can I just say something to Mrs. Goldstein. EWG voted, I made a mistake before, EWG voted 2 in favor and 1 oppose to that, I was the one opposing #4 and also in Fiscal and I didn't catch that.

MRS. GOLDSTEIN: Mrs. Hawe, I'm sorry, my apologies to you. I had you down as voting against Item #3 and that's why I didn't put Item #3 on Consent.

MRS. HAWE: No, I'm sorry, I didn't catch that before; it was #4.

FISCAL COMMITTEE (continued)

MR. FOX: #3 has been approved anyways, your're telligme #4 is not on Consent. Let's deal with #4 then.

MRS. GOLDSTEIN: OK, that's my error and I'm sorry for that.

- (4) \$167,488.00 - BOARD OF EDUCATION - "PROJECT BEST - FEDERAL PROJECT GRANT" Additional Appropriation to be reimbursed by Federal Project Grant. Bd. of Finance approved 10/11/79.

MRS. GOLDSTEIN: This is for Project Best. It's an appropriation to cover a 100% Grant from the State which will provide supplemental services to Children that have been displaced by the Westover Magnet Program. Fiscal voted 4 in favor with 1 oppose and I so MOVE.

MR. FOX: That went to EWG.

MRS. HAWE: EWG concurs with 2 in favor and 1 oppose.

MR. FOX: A motion has been made to approve Item #4. MOVED. SECONDED. CARRIED. (Mrs. McInerney, Mrs. Hawe voting No.) Mrs. Raymond, Mrs. Ritchie, Mrs. Maihock abstain) (voice vote) (rest yes votes)

- (11) \$3,500.00 - MAYOR'S OFFICE - HARTMAN THEATRE - Additional Appropriation for CULTURAL EVENTS - Code 730.3315 - per Mayor's request 9/5/79. (Previously approved by Bd. of Finance May, 1979 but rejected by Bd. of Reps.) Bd. of Finance approved 10/11/79.

MRS. GOLDSTEIN: This is an additional appropriation to support the Hartman Theatre with the same commitment which is a \$3,500. commitment that we give to other cultural activities in the City such as the Opera, the symphony Fiscal voted 4 in favor with 1 oppose and I so MOVE.

MR. FOX: That also went to Parks and Recreation.

MR. RYBNICK: Parks and Rec. concur.

MR. FOX: A motion has been made, this is Item #11, to approve \$3,500. Mayor's Office, the Hartman Theatre. MOVED. SECONDED. (Mrs. McInerney, M. Perillo, Pollard, Hawe voted No) MOTION IS STILL CARRIED.(voice vote) (rest yes votes)

FISCAL COMMITTEE (continued)

- (12) \$ 38,000.00 - COMMUNITY RETURN - 770.7552 MULTI-SERVICE CENTER - Additional Appropriation per Mayor's request 10/1/79 for second-year funding of a Connecticut Justice Commission Grant (90% Federal, 5% State, 5% Local; or \$34,200 + \$1,900 + \$1,900) (Executive Dir., Admin. Asst., and Statistical Clerk.) Bd. of Finance approved 10/11/79.

MRS. GOLDSTEIN: This is an additional appropriation for the second-year funding of a Connecticut Justice Grant. This will be used for Community Return for the Multi-Service Center for Ex-offenders and pre-trial rehabilitation in the Stamford area. The purpose of this agency is to coordinate the counseling alcohol treatment, drug and mental health problems and the job placement of the ex-offenders within the area provider agencies. The funding is 90% Federal, 10% State, and the local match is \$1,900. so that's really what the cost to the City would be. Fiscal voted 3 in favor, with 2 oppose and I so MOVE.

MR. FOX: That also went to Health & Protection.

MR. BLUM: Health & Protection was not present at the time. We did not have a quorum.

MR. FOX: I would then entertain a motion to waive the report from the secondary committee. MOVED. SECONDED. CARRIED. Is there a second to Mrs. Goldstein's motion to approve that \$38,000. Mr. Livingston you are seconding that? Its been MOVED. SECONDED. If there is no discussion I believe we can put it to a vote. The MOTION is CARRIED. (voice vote all yes votes)

- (14) \$25,000.00 - YOUTH SERVICE BUREAU - Code 729.7553 Service to Target Area Families - Fiscal year 79/80 - Additional Approp. per Mayor's request 10/2/79 - Board of Finance on 10/11/79 in approving, reduced to \$25,000 from the request of \$30,000; with \$20,000 to come from State of Conn. and \$5,000 being the City's share. Youth Service Bureau is a component of CTE. (1979-1980 budget approved for \$20,000)
- (\$20,000 is approved)

MRS. GOLDSTEIN: Item #14, is for \$25,000. for the Youth Service Bureau. This appropriation is specifically for the Planning and Coordinated Agency of that Bureau. Its an additional appropriation for the Administrative core. This core administered the emergency shelter program, the Bi-lingual Out-reached counseling program, the Service to Target Area Families and Project Support. In the Budget the Board of Representatives approved last May, \$20,000. was allocated for the program, the \$20,000. of the \$25,000. that we're talking about now is for the State match, which will just go into the general fund. The additional \$5,000. will be used to get another \$5,000 from the State. Fiscal voted 3 in favor, 3 oppose and I so MOVE.

FISCAL COMMITTEE (continued)

MR. FOX: That also went to Health & Protection. Your report is the same, Mr. Blum.

MR. BLUM: My report is the same but I intend to, at a later date, give a report as to why, what happen to Health & Protection.

MR. FOX: I would then entertain a motion to waive the report of the secondary committee. MOVED. SECONDED. CARRIED. (voice vote) Is there a second to Mrs. Goldstein's motion to approve that \$25,000 under Item #14. MOVED. SECONDED.

MRS. HAWE: I would like to make a MOTION, if I can, to AMEND this appropriation to reflect \$20,000 instead of \$25,000. I feel that we put \$20,000 in it at Budget time; this is what we wanted the City to give the Youth Service Bureau and not \$25,000. so I would like to amend this down to \$20,000. which would be the State match and eliminate the \$5,000 additional City fund that this would entail.

MR. FOX: Your motion then would be to amend Mrs. Goldstein's motion by asking approval of \$20,000. Is there a second to the motion. MOVED. AND SECONDED by several. There is some discussion to the motion to amend.

MRS. RITCHIE: I was the other on the Fiscal Committee who opposed it. My reason being that when we went through the ordeal, Fiscal, during Budget time along with the Board, I think we gave it lots of consideration at Budget time and it was decided \$20,000 then and I think we should stick by it; that's why I'm sticking to my previous vote.

MR. BLUM: I think Mrs. Ritchie has answered my question.

MR. LIVINGSTON: I'm not going to go along with the debate on this. And I have asked that my microphone to be fixed quite some time, almost two years. These services are needed and I would hope that this Board supports it.

MR. DeLUCA: I don't think anybody's disputing the fact that the services are needed; we just question the fact that at Budget time we approve for \$20,000, and coming in for \$20,000 more, there is no justification that says they really need the 45, 50 or even \$30,000. I think we have given them enough funds and by reducing this appropriation by \$5,000 I don't think will hurt them. I think we have shown good faith; we have approved of the program, but we want to put a limit to what we feel is justified and therefore I hope the Board tonight will approve Mrs. Hawe's recommendation to reduce this by \$5,000.

FISCAL COMMITTEE (continued)

MR. WIDER: I'm wondering what the people are using as a guide-line to determine what we should contribute in our part of the Youth Program. I sit here tonight and I have voted on a number of items that their products have proved to be much less than the Youth Program and here we come and talk about \$5,000, and when we will get a return of \$30,000 to take care of the planning program for our youth in Stamford. You know sometime it kind of bothers me when you talk about getting knocked over the head; I think you're asking for it because one of the things that we have to do is do some planning for our youths. I think we're being penny-wise and dollar-foolish, so I would hope that at least we could open our eyes and see what we are working on and not this, this cut things out because we can and I think that's what we're doing, I think you ought to really see what's happening to our kids, and I think we should vote for this \$25,000 and as far as I'm concerned that's more than we should be doing.

MR. FOX: I believe we can put that MOTION to a vote at this time, it will be a two-step process. The first motion is a motion to amend Mrs. Goldstein's motion which requested approval of \$25,000. The motion is to reduce the proposal from \$25, to \$20,. It's been MOVED. SECONDED. I would suggest that we vote by use of the machine; a yes vote is to approve the amendment. Is there anyone that has not voted? The MOTION is LOST, 17 Yes; 18 No; 2 abst. The Chair would make note that Mr. Bernier is here; there are now 36 members present. I believe we can move on to the main motion which is to approve \$25,000. under Item #14. A motion to approve that sum has been moved and seconded, all those in favor if you would indicate by saying aye, all those oppose, the Chair is in doubt; we will vote by use of the machine, a yes vote is to approve that funding. This is item #14.

MR. DeLUCA: Does this require 2/3?

MR. FOX: It's a partial grant, Mr. DeLuca; in my opinion it would come under 619. If it was a total grant similar to a 100% reimbursed Board of Education Grant which we frequently see, then it would be my opinion it would not need a 2/3 but only 21. This can have a potential effect on the tax rate because we are talking city money so it would be my opinion that it would require 2/3 vote. Is there anyone that has not voted?

MR. ESPOSITO: Mr. President, I'd like to change my vote to a No.

MR. FOX: The MOTION is LOST, including Mr. Esposito changing vote; Mr. Esposito will be recorded as voting No; the Motion is Lost, 20 Yes; 14 No; 2 abst. That have required 24 Yes votes so that motion is lost.

MR. ESPOSITO: Mr. President, I would like to make a motion that we reconsider that with the amendment.

FISCAL COMMITTEE (continued)

MR. FOX: He did vote with the prevailing side, the prevailing side being those that voted against the motion. A MOTION has been made to reconsider that appropriation. It's been MOVED. SECONDED.

MRS. HAWE: Is the reconsideration with my amendment?

MR. FOX: No, this is simply a motion to reconsider the appropriation.

MR. ESPOSITO: Mr. President, my intention is to reconsider with the amendment, yes.

MR. FOX: It is my opinion, Mr. Esposito, that you can make a motion to reconsider, assuming that motion is approved we are then reconsidering \$25,000. At that time I think it would be appropriate for someone to move to amend if they so desire, but the vote is simply to reconsider the appropriation for \$25,000 which was voted down. A Motion has been made to reconsider, it has been moved and seconded. I would suggest we vote by use of the machine, a Yes vote is to reconsider the appropriation request. Is there anyone that has not voted? The MOTION is CARRIED. 30 Yes; 6 No; 4 absent.

MR. FOX: Again the Motion that we are dealing with is the Motion to amend; it is not on the final approval or disapproval of that item. Now is there someone that wishes to be heard on the motion to amend.

MR. DeLUCA: Once again the fact that we're going to make a motion to amend, to bring it down to \$20,000. will this \$20,000 be all Grant money then, and therefore we will need a simple majority.

MR. FOX: Let's assume we approve \$20,000. I am not sure that is all Grant money and if it is then it would not affect the tax rate then it would be simply 21 votes.

MRS. GOLDSTEIN: I am entirely sure, Mr. President, the \$20,000 the State match for the money that has already been appropriated by the City in the Budget.

MR. FOX: In which case there will be no obligation by the City. Alright. I think we can then proceed to vote on the Motion to amend. That has been MOVED. SECONDED. CARRIED. (voice vote) We then have before us a MOTION to appropriate \$20,000 for the Stamford Youth Planning and Coordinating Agency. As I understand that, that is all Federal Grant money, it is no City money. Consequently it would not come under 619 of the Charter but rather it would require a majority vote of this full Board of minimum 21 votes. Is there

FISCAL COMMITTEE (continued)

MR. FOX: (continuing)...motion then to approve that \$20,000. Is there a second to that. MOVED. SECONDED. (Mrs. Raymond recorded as Abstaining) Mrs. McInerney voted No) The MOTION is CARRIED. Item #14, \$20,000. has been approved. (voice vote - rest yes votes)

- (15) \$ 12,588.00 - SALARY INCREASES FOR ELECTED AND APPOINTED OFFICIALS - To become effective December 1, 1979 for all, EXCEPT that Registrars of Voters' raises to be effective retroactive to July 1, 1979, per Mayor's request of August 24th and October 11, 1979. Bd. of Finance approved 10/11/79.  
(\$7,708 approved)

<u>Code -</u> <u>Salaries</u>		<u>Current</u> <u>Salary</u>	<u>proposed</u> <u>Salary</u>	<u>% In-</u> <u>crease</u>	<u>Annual</u> <u>Increase</u>	<u>Pro-Rata</u> <u>1979/80</u>
101.1110	Registrar of Voters	\$14,872	\$15,783	6%	\$ 911	\$ 911
101.1110	Registrar of Voters	14,872	15,783	6%	911	911
201.1110	Mayor	35,000	39,200	12%	4,200	2,423
201.1110	Executive Aide	17,500	19,600	12%	2,100	1,212
210.1110	Town & City Clerk	25,688	27,248	6%	1,560	900
230.1110	Corporation Counsel	30,000	33,600	12%	3,600	2,077
240.1110	Finance Commissioner	30,000	33,600	12%	3,600	2,077
301.1110	Public Works Comm.	30,000	33,600	12%	3,600	2,077
						<u>\$12,588</u>

AS APPROVED

Mayor	37,450	7%	2,450	\$1,413
Executive Aide	18,725	7%	1,225	707
Corporation Counsel	32,100	7%	2,100	1,212
Finance Commissioner	32,100	7%	2,100	1,212
Public Works Commissioner	32,100	7%	2,100	1,212
Registrar of Voters	15,783	6%	911	526
Registrar of Voters	15,783	6%	911	526
Town & City Clerk	27,248	6%	1,560	900
				<u>\$7,708</u>

MRS. GOLDSTEIN: The next item is Item #15, which is for \$12,588 and this is salaries for elected officials. It's an additional appropriation to implement new salary level beginning December 4, 1979 for elected and appointed officials. Fiscal voted to cut \$770. from the request which represents the retroactive increase for the Registrars. That brings the appropriation request to \$11,818. We voted 5-0 in favor and I so MOVE.

FISCAL COMMITTEE (continued)

MR. FOX: That also went to Personnel, Mr. Zelinski.

MR. ZELINSKI: No Report. We did not have a quorum, but I would MOVE that we waive the Committee report.

MR. FOX: MOVED. SECONDED. CARRIED. (voice vote). I would then inquire whether there was a second to Mrs. Goldstein's motion to approve the \$12,588.

MR. FOX: MOVED. SECONDED. There is some discussion on it, Mr. DeLuca.

MR. DELUCA: On this item, maybe I should address it to Mrs. Goldstein. Do we have to vote on the whole package or can we just vote on part of it.

MRS. GOLDSTEIN: Mr. DeLuca, we could make any kind of cut that this Board deems appropriate.

MR. DeLUCA: I was just wondering if it was like the MAA at one time where we had to vote on the whole package; then in this case we can cut if we want to.

MRS. GOLDSTEIN: We were voting on a philosophical pay plan in the MAA Salary Scale, and this is an appropriation, there are various line items. The Board may treat it any way that it sees fit. You may cut anything if you so desire.

MR. MacINNIS: I would like to make the following suggested changes. I would like to cut an additional \$4,110 from the Finance Committee's suggested \$11,818, making the final appropriation \$7,708. Cuts will be as follows: For the Mayor, proposed salary \$37,450., that would be a 7% increase, an annual increase of \$2,450 Pro-Rata, \$1,413. For the Executive Aide, proposed salary of \$18,725. a 7% increase, annual increase of \$1,225, Pro-Rata \$707. For the Corporation Counsel, proposed salary \$32,100. a 7% increase, annual increase of \$2,100. Pro-Rata \$1,212. Finance Commissioner, proposed salary \$32,100. 7% increase, annual increase \$2,100. Pro-Rata \$1,212. and the Public Works Commissioner, proposed salary \$32,100 7% increase, annual increase \$2,100. Pro-Rata \$1,212. If my arithmetic is correct, I think with those changes the appropriation would be an additional \$7,708.

MR. FOX: You want to amend the proposal of Mrs. Goldstein, is that correct, Mr. MacInnis, as you have outlined.

MR. MacINNIS: Yes.

MR. FOX: To approve \$7,708 as opposed to \$12,588. Is there a second to that motion to amend. MOVED. SECONDED. There is some discussion on the motion to amend.

FISCAL COMMITTEE (continued)

MR. ZELINSKI: I just have one question of the Chairperson of Fiscal. Pertaining to the Registrar of Voters, the cut was \$770; was that \$385 for each Registrar? Is that where the total of \$770 came from.

MRS. GOLDSTEIN: The total of \$770 is the Mayor's figure for the retroactive increase for both officials.

MR. ZELINSKI: So each one would be \$385 subtracted from the original \$911.

MRS. GOLDSTEIN: Yes, however, that would have no... according to Mr. MacInnis' motion that \$770, as I understand it, will still be part of the pay package.

MR. MacINNIS: That is not my intent. I'm amending the Finance's Board's suggested appropriation of \$11,818. which includes the \$770 cut.

MRS. GOLDSTEIN: Do you mean the Finance Committee or the Finance Board. The Finance Board voted on ....

MR. MacINNIS: The Finance Committee.

MRS. GOLDSTEIN: OK, you're amending the \$11,818 which includes the subtraction of \$770 for the Registrars.

MR. MacINNIS: That's correct.

MR. BERNIER: In commenting on this amendment I would like to make a further amendment so perhaps it might be worthwhile, I support the amendment as far as it goes, I think it needs to go a little further. Perhaps I can wait until this amendment is disposed with before I make a further amendment.

MR. FOX: I think it would be easier if we voted on that amendment first; then if you wish to make an additional amendment you would be free to do that.

MR. BERNIER: Put me back on your list then.

MR. FOX: Mr. Blum, and we're keeping in mind that we're talking about Mr. MacInnis' proposed amendment in which we have yet to vote on.

MR. BLUM: Yes, we're speaking on Mr. MacInnis' proposed amendment which includes the reduction of the retroactivity of the Registrars and the Town Clerk, which I believe would be apropos to talk about. I'd like to talk about it in

FISCAL COMMITTEE (continued)

MR. BLUM: (continuing)...the sense that I feel that the Registrar of Voters and the Town & City Clerk should not even be considered as a part of the package for the simple reason that they were part of the package of the MAA clause which gave them the retroactivity. How we can really cut out retroactivity when they were part of the merit plan with the MAA, is beyond me and I am therefore against the cutting out of the \$700.

MR. LOOMIS: Through you I would like to question Mr. MacInnis, the author of this amendment as to his rationale concerning these specific cuts he's suggesting to us.

MR. MacINNIS: Would you like me to respond, Mr. President? I'd be delighted to; in fact I'm glad he asked the question. Mr. Loomis, the rationale is as follows, there is nothing magical about 12% nor 7 in fact; unlike I think reported in the paper by the taxpayers association, the 12% increase does not violate the salary restrictions imposed by the President, suggested by the President because it over a two-year period, however, I think the change is more symbolic than the substance because we are in the time as you well know pernicious inflation in this country and I think it's time for the leaders of our community, the Mayor and his department heads to take the firm step here to show that this City, this Town, this Nation is at last finally ready, willing and able to fight inflation, and I think that the place to start is here.

MR. ZELINSKI: I was going to make another amendment but I will pass til later, thank you.

MR. FOX: I believe, Mr. Bernier, you want to wait until we vote on this. I believe we are prepared to vote on Mr. MacInnis' proposed amendment which is to approve \$7,708. We are voting simply on whether or not to amend it; we're not voting on whether or not we're going to approve it. The MOTION has been made and seconded to amend the appropriation, I would suggest that we vote by use of the machine, a yes vote is to approve Mr. MacInnis' amendment. Is there anyone that has not voted? The MOTION is CARRIED; 21 Yes; 15 No. What we now have before us is an appropriation for \$7,708, which includes the deduction from the Registrar of Voters of \$770, and includes the other adjustments for the Mayor, Executive Aide, Corporation Counsel, Finance Commissioner and Public Works Commissioner as outlined by Mr. MacInnis. Right now we have open for debate whether or not we will approve \$7,708. I know that there are some like Mr. Bernier, I believe Mr. Zelinski, who wish to be heard on other proposed amendments.

MR. LOOMIS: I just wanted to strongly oppose Mr. MacInnis' amended proposal here which is before us. It seems incredible to me after this administration has...

MR. ZELINSKI: POINT OF ORDER. Didn't we already vote on this. We have already voted on the amendment and it passed.

FISCAL COMMITTEE (continued)

MR. FOX: What we have before us is the issue of \$7,708. Mr. Loomis is free to oppose that appropriation; we have yet to vote on the appropriation, on the \$7,708.

MR. LOOMIS: My intention is to speak against what we amended here and if it's defeated then we can vote on the proposal as Mrs. Goldstein has presented it to us. In any event just let me set forth...

MR. FOX: Mr. Loomis, you are free to speak on whether or not you feel we should approve \$7,708, or not, you are free, that is what is on the floor now, the proposal has been amended.

MR. LOOMIS: Mr. Fox, presumably if this motion is defeated then we could return to the original allocation that is before us or any other allocation for that matter, is that correct?

MR. FOX: No, I don't believe that is correct; in other words we have before us \$7,708. If that is voted down then the appropriation request is lost, there we would then be able to deal with a motion to reconsider if someone wanted to make that, but if that goes down then it goes down as much as the \$12,000. may have gone down if we voted against that.

MR. LOOMIS: Well presumably one could reconsider.....

MR. FOX: That would be a possibility.

MR. LOOMIS: In any event with that in mind I would speak against what is before us because first of all I believe we should go back, reconsider the original amount, perhaps this is an awkward procedure but I think we can do that and the reasons are simply that this city has just given an overwhelming mandate for the administration which is now in power.....this is to the point.....

MR. BOCCUZZI: POINT OF PERSONAL PRIVILEGE ..... no it's not, Mr. Chairman.

MR. FOX: Mr. Boccuzzi, you can speak if it's a point of Personal Privilege .

MR. BOCCUZZI: I think we're voting for an office, not a man; I don't want to hear anything about mandates.

MR. LOOMIS: I'll speak to mandates and I'll speak to it right now.

MR. BOCCUZZI: Mr. Chairman, I would like to have you make the ruling if he could speak to a mandate or whether we are speaking to an office.

MR. LOOMIS: If I might continue maybe....

MR. FOX: Mr. Loomis, let me say this. I would allow you to continue briefly; I think the point that Mr. Boccuzzi has made is one that is well taken

FISCAL COMMITTEE (continued)

MR. FOX: (continuing) that we are not dealing with individuals, we are dealing with offices, but as a courtesy I would allow you to continue for a short period of time.

MR. LOOMIS: I'm not really speaking to one man, rather I'm speaking to the conduct of this administration which includes many, many people and I think that we can all agree and if we allow those votes that were cast last Tuesday to influence our judgement here, we can all agree that that was a rather overwhelming vote for the conduct of an administration which includes....

MR. BOCCUZZI: The man is speaking to personnel not to the office.

MR. FOX: I think we can move on; Mr. Bernier, you were next and you have been waiting for some time.

MR. BERNIER: I probably would <sup>have</sup> generated more controversy if I had come before Mr. Loomis. However, what I would like to do at this time since the amendment has been approved is to further amend the approved amendment to the motion that we do have and that is in the case of the Public Works Commissioner to cut that from 7% to 6% so that the figure would be \$31,800. My rationale is as follows: in as much as we are talking to a particular function, I think that a number of people in this community, both Boards, the Finance Board and the Board of Representatives has shown its disdain for the conduct of this office for the non-responsiveness for a number of occasions to the will of the Board...

MR. FOX: Just wait a second, Mrs. Ritchie, you have requested a point of personal privilege; if it is a point of personal privilege I'll let you proceed with it.

MRS. RITCHIE: Here again I feel that he is indicating one person in particular and I don't think that that's right.

MR. FOX: Well alright I would have to agree with that; I think that is a point well-taken; as with Mr. Loomis, we are dealing with positions and we are not dealing with individuals. Mr. Bernier, you are free to make a motion, which you have done, to cut the appropriation by another \$300, from \$32,100 to \$31,800, which I believe was the figure you have given us.

MR. BERNIER: That is correct, Mr. President, and if you allow me to continue, I'll endeavor to say I wasn't specifically picking on one individual, I'm talking about the conduct of the department as a whole which is supervised by the Commissioner of Public Works, and that's all I'm saying, that's my rationale

FISCAL COMMITTEE (continued)

MR. FOX: Let us do this, Mr. Bernier. Your motion is to reduce the appropriation by another \$300, which would bring it down to \$7,408. if my arithmetic is correct I would inquire as to whether or not there is a second to that motion; if there is, we can proceed to discuss it, if this group wishes to do that. Is there a second to the motion made by Mr. Bernier. There is no second. We can then move on; we have a long list of people that wish to speak here, I will go in accordance with the list we have, Mr. Blum, I believe you were next.

MR. BLUM: I would like to make an amendment to this motion, to strike separately that the Registrars of Voters and the Town & City Clerk be made a separate, separated from the others in-as-much as they are looking for retroactivity as per the pay plan of the MAA, which they came under. They came under this particular merit pay plan and that's where the retroactivity comes from. I don't think that this Board can actually take away retroactivity when these particular Town & City Clerk, the Registrars of Voters, and the Registrars of Voters came under these particular items, so therefore I'm asking that these three be kept separate and apart and we vote them for the retroactivity.

MR. FOX: Mrs. Goldstein, I do not believe he can do that at this point; if you would correct me, or verify me, if you could. As I understand what you want to do, Mr. Blum, you want to delete the sums applicable to those three offices entirely.

MR. BLUM: I think we should be voting for them separately and the other, the Mayor, the Executive Aide, Corporation Counsel, Finance Commissioner, Public Works Commissioner also separately, because they came under different plans.

MRS. GOLDSTEIN: Actually all of these officials should be coming under elected and appointed officials. As I understand it, this Board just approved an amendment by Mr. MacInnis which deleted the retroactivity and several thousand dollars worth of salary increases to five officials, so that when Mr. MacInnis gave his figure of \$7,708, he took that from the \$11,818 that Fiscal presented, Fiscal presented a figure that has cut out the \$770 and therefore this Board cannot vote ever to re-instate dollars; the only option open to us, if people feel that things have been cut incorrectly, would be to reconsider the entire proposal, but we cannot vote to reinstate any money.

MR. FOX: That would be my interpretation, Mrs. Goldstein.

MR. BLUM: If I was on the prevailing side, can I at this time ask for a reconsideration.

MR. FOX: I would have to check to see if you were on the prevailing side, Mr. Blum. You are talking now with respect to the motion made by Mr. MacInnis, is that correct? Mrs. McEvoy, if you could tell me. Mr. Blum, you were on the prevailing side with respect to Mr. MacInnis' motion. You are now making a motion to reconsider that vote.

FISCAL COMMITTEE (continued)

MR. BLUM: I want to make a motion to reconsider.

MR. FOX: A motion has been made to reconsider; this is the vote on Mr. MacInnis' amendment which was approved. A check of the voting machine indicates that Mr. Blum was in fact on the prevailing side. First of all, we will have to see if there is a second to that motion. The Motion has been made and seconded to reconsider. I believe we can put that to a vote. I would suggest we vote by use of the machine. A yes vote is to reconsider Mr. MacInnis' amendment. Is there anyone that has not voted? Yes, Mrs. Raymond you would like to change your vote? If you would clear that, Helen; Yes, Mr. Rybnick, if you would vote again Mr. Rybnick; Mr. Livingston, if you would vote again, Mr. Livingston; Mrs. Maihock, you want to change your vote, now I know why they call these groups lame ducks. Is there anyone that has not voted? The MOTION is CARRIED: 17 YES; 16 NO. What we now have on the floor and what we are reconsidering is Mr. MacInnis' proposed amendment for \$7,708. That has been MOVED and SECONDED. We can now vote on that or deal with it in another fashion if we so desire.

MRS. GOLDSTEIN: I would like to speak against Mr. MacInnis' amendment for several reasons. The first is this. Three years ago this Board worked very hard to present, help formulate a pay plan for managers. This pay plan was considered very fair by this Board, to wit the Board passed it, and passed it with a very, very large majority. Now the very managers of the the managers, the people who run the city, the executive positions must be, must earn more than those people who they are managing. Right now the Public Works Commissioner earned less then the Asst. Public Works Commissioner, I'm singling out positions, forget the personalities, I don't care, I am really talking positions. This is true of the Corporation Counsel and the Deputy Corporation Counsel. We must maintain some differential between those types of positions. That's the first reason I'm against Mr. MacInnis' amendment. The second reason and I feel just as significant as this, I believe every elected and appointed official in the city should be treated the same when it comes to giving raises. Now for some reason and I don't know why Mr. MacInnis chose to exclude from his cuts the 3½% and I'm not judging the 3½% now, that might be an amicable raise, but if it's an amicable raise for five of the people on the list who are elected and appointed, then it should true for the three people who he excluded and those three people in my opinion should be treated the same and should be part of a 3½% per-year increase. The three that I am talking about are the three that he left out, the two Registrars of Voters and the Town & City Clerk.

FISCAL COMMITTEE (continued)

MR. LOOMIS: I'd just like to remind the Board if they don't know this, in Waterbury the Mayor would be earning \$45,000. this year; in Bridgeport the Mayor will be earning \$42,000. so again I could go down specific figure for all these positions, I don't think we want to go through that, but I would only say this that in most of them you'll find that people in other cities are earning the same if we do make these adjustments tonight as proposed or they're making more and I think also you should consider the fact that managers who are managing a multi-million dollar business who are dealing with other people in corporations who are earning sometimes ten, twelve times that amount should be compensated for the kinds of responsibilities that we're asking them to shoulder and there very tough responsibilities and very tough problems they're facing and by nickel and diming this account as Mr. MacInnis who has taken on, or of some personnel director here tonight is attempting to do, I don't think is good management; I don't think its make good sense and I'm rather disappointed in Mr MacInnis because his judgement; in most issues in the past two years have been much sounder his motion here tonight would lead us to believe.

MR. ZELINSKI: I would, through you, ask Mr. Loomis where he got his information pertaining to the salaries of the other mayors, please.

MR. LOOMIS: I received that information from the Connecticut Public Expenditure Council.

MR. ZELINSKI: Well, there seems to be a difference here because I received from the Connecticut Conference of Municipalities the following information which deals very differently with the information you received. Number one, the Mayor of Waterbury at the present time receives \$30,999. and accordingly he is not up for any raise in the near future. The Mayor of New Haven makes \$35,000 and he is not in for any raise; the only one who makes more than the Mayor of the City of Stamford is the Mayor of Bridgeport which is \$42,000.

MR. LOOMIS: Mr. President, if I could correct those figures. First of all, in New Haven there is a paid manager; he's not called the city manager, but he gets about \$40,000, to in effect run the city; secondly in Waterbury the people the city council approved a \$45,000, it has to go in effect because there is a mandate that the chief elected official in that city gets more money than the Superintendent gets \$42,000; and Mr. Zelinski is dead wrong its \$45,000. and I don't think we should accept these figures which are incorrect.

MR. ZELINSKI: Approved. I would also makes further cuts to keep in line with the information I received today not only on the Mayor's office but the Executive Aide, The City & Town Clerk, The Commissioner of Finance, Corporation Counsel and Public Works Commissioner with the exception of the City and Town Clerk, which I would be prepared not to make any cuts because

FISCAL COMMITTEE (continued)

MR. ZELINSKI: (continuing) ...based on the information I received today which is correct, it is not out of line, the request for an additional \$1,212, which would bring the salary from \$17,500 to \$19,600. which would be in line. The rest are way out of line as far as what the other people make in equivalent positions in the other cities. Now let me remind you at the present time Stamford is the 5th largest city in the State; Bridgeport is first, Hartford is second, New Haven third, and Waterbury is fourth. I feel if we are going to be voting we should vote on a comparison to what the other cities pay their elected officials and appointed officials, and I feel this is only fair so I am definitely in favor of Mr. MacInnis' motion and as I said if approved I will be making a further motion to make the further cuts.

MR. FLOUNDERS: I don't think we're here tonight to deal in a basic evaluation of the worth of the jobs that are here for consideration. We're talking this evening about established basis, salary basis which for one reason or another have in the past been set. We're talking about increments, incremental increases. The incremental increases which have been recommended by the Personnel Commission are based on comparable increases for the MAA and MEA jobs and this works out to 6% a year. Roughly half are actually less than half the rate of inflation, and if indeed we're not talking about personalities and if indeed we're talking about jobs and the incremental amounts that those jobs, regardless of the people who occupy them, deserve, I don't think that its out of line to think in terms of an incremental rate which is equivalent to less than half the rate of inflation.

MRS. RITCHIE: I'd like to speak against the motion and support everything that Sandy Goldstein has said. I feel the caliber of the men needed to fill these positions and the responsibilities that go along with these positions certainly deserve this amount of money and much more.

MR. BOCCUZZI: I'd like to go on record as supporting Mr. MacInnis and also supporting the remarks by Mrs. Goldstein where you have to treat everybody the same. I'd like to just say one thing, I have heard what people have said where the Mayors of New Haven, Bridgeport and whatnot have received and they all receive more than our etc. I also listen to the radio and read the paper where all these cities here are crying to the Governor and to the President for subsidies because they can't make ends meet; well maybe if they didn't take such a big pay, they'll help it out a little bit. My own feeling is that sooner or later this city is going to have to do away with the percentage raise. I think what's happening, a 6% raise at \$30,000. which comes to \$1,800. and a 6% raise at \$10,000, which comes to \$600, is entirely unfair. I think sooner or later this city is going to have to go to across the board increase for everybody from top to bottom, but that's just food for thought for Mr. Barrett, but I would like to go on record in support of Mr. MacInnis and I would also like to bring the other three into it so that this way we can't say that we were partial to anyone.

FISCAL COMMITTEE (continued)

MRS. PARKER: To start with, I have to totally agree with Mr. Flounders on job increments, but going further than that, I think we must give pay raises to those people who are going to be leading our city. We also must have, if you will, for the job specification the kind of money that will attract the caliber person to be a viable candidate in the future. You are not going to get an executive to give up his X number of dollars a year to run for some of the top positions in your city if he cannot, and I do not look down upon any income level because we can always look higher, but any executive with the know-how, the back ground and the ability to run as large a company and I relate to the City of Stamford as an extraordinarily large company with an extraordinarily large budget, we must have the kind of person who will say yes, I can manage at least to give up my job at perhaps a higher level of salary and do a job (thank you Mr. Blum) ...we have two different sets of figures from two of our members, I really don't care what the city of Waterbury pays their mayor; I don't care what the City of New Haven pays their mayor; I am talking for the City of Stamford. I have been a resident of Stamford for almost 30 years. I have seen this City grow and it is no longer a momma and poppa operation, and as such you have got to get a caliber of executive who will run this city as a proper business enterprise.

MR. WIDER: I sit here very patiently and listen to people argue about giving my tax dollars away, I'm an A Dist. tax payer. It kind of bother me when I hear people want to make things fatter, the fat fatter, and the poor poorer. We have people right now who are going to have problems in 1979 paying their tax after they pay the oil bill, because they make less than \$10,000. a year and we're talking in terms of going from \$30,000 to \$35,000, \$30, to \$33, to \$34,000 and some of these people are barely eating but they are looking to pay the tax, OK, so keep on giving the money away and have absolutely no guide-lines, we are doing something that I question is wide open there is no guide-line on how much we can give the Mayor or anyone else a raise in this city. We can give them a 100% if we want to or we can give them 5% if we want to and I think this is wrong, I think we should have some guide-lines. I'm afraid like Cleveland Ohio and Cincinnati, that we are pricing ourselves right out of the market and we may have to close down, but the fact is I would like to see Mr. MacInnis' amendment supported until such time we can run into a new Board and get a committee to set up some kind of guide-lines and come up with a realistic increase for our elected officials if by chance they deserve any if they do not deserve it and I'm afraid if it has problems then I don't think we should deal with it.

MR. FOX: There are some people that have been heard for the first time, we will now go back to them if they wish to make any additional comments.

FISCAL COMMITTEE (continued)

MR. MacINNIS: Well, my friend Mr. Loomis is not here for rebuttal. I do appreciate his remarks about my keen judgement in the past, I would like to say this for Mr. Loomis' touching stand seems to be lacking that that was exemplary in the past. I, in no way made any body believe I was a personnel man, my thrust was that this was an inflationary period, it's a national problem, a deep problem and I'm saying that this is one way in one place to start to lick it, it had nothing to do with trying to be a personnel man.

MR. BLUM: My only reason for having this reconsideration was to separate three offices, namely, Registrars of Voters and the Town & City Clerk, taken from this particular, someone says it can't be done, well we see that these three offices have already.....

MR. FOX: Mr. Blum let me just interrupt you for a second. What we have before us now is a motion to amend. It is possible to amend an amendment, but I think the first thing that we would have to do would be to vote on Mr. MacInnis proposal; if you then want to amend his amendment you would be entitled to do that within certain area, I'm still not clear as to what you mean by dropping certain people, if you mean by amending that figure to a lower figure then you would be entitled to make that motion, but I think the first thing we should do is to vote on the motion which is on the floor which is to amend the proposal of the Fiscal Committee.

MR. BLUM: Really you don't understand what I'm trying, the reason why we see an increase of 6% for the Registrars of Voters and a 6% for the City & Town Clerk, is we're saying last year they already received 6%, how did they receive 6%, under a different pay plan. Now we're taking them and putting them and lapping them with other officials, and we're trying to vote out the retroactivity which was a part and parcel of the MAA Merit System Plan. By doing that you're taking their money away that they were entitled to in July, as other people under the MAA Plan, that's why I ask for reconsideration.

MR. FOX: I think what we will do is deal with Mr. MacInnis' motion which is now before the Board again, this is an amendment to the original proposal of the Fiscal Committee. It is to amend the original proposal to read an appropriation of \$7,708. I would ask that any member of the Board that is not now on the floor that wishes to vote on this should take his or her seat. A yes vote is to approve Mr. MacInnis' proposal, a yes vote is to amend the appropriation to the point to where it would read \$7,708. This was previously stated for the record and outlined by Mr. MacInnis. It affects the amount that would be paid to the Mayor, his Executive Aide, Corporation Counsel, Finance Commissioner and Public Works Commissioner.

MR. ESPOSITO: POINT OF INFORMATION. If we approve this, can then Mr. Blum add on the other monies he wants to add on. Is that your intention, Mr. Blum?

FISCAL COMMITTEE (continued)

MR. FOX: He cannot add anything to what we have here. He cannot separate what we have here. We have an appropriation, we can amend that sum but we cannot add to it and we cannot separate it.

MR. BLUM: I'd like to clarify something to you. What we're saying to these three officials that you're in a sense not entitled to a raise from July 1, to December 1. That's what we'll be voting upon because of the deletion of that money to make that, in other words they went from \$12,588 to \$11,818 they deleted the retroactivity, and we're saying to these three officials, you're not entitled to any raise as other people, and I didn't put them on there, they were put on there by the Personnel Commission, the MAA Merit System Plan included the Registrars of Voters, and the Town and City Clerk. Now we're turning around and we're saying they're not entitled to a raise like others were given July 1, 1979.

(Note: The tape broke here and had to be sent out for splicing. Some dialogue was lost at this point.)

MR. FOX: \$11,818. That includes the deletion of \$770. as proposed by the Fiscal Committee, we can vote that up or down. Once that is done, if Mr. Blum then wants to make a motion to amend an amendment which would be to add back that \$770. I think you would be free to do that, Mr. Blum; if that's what you were asking. Let me clarify it. What we have before us, what came down to us from the Board of Finance was \$12,588. We have an appropriation suggestion coming out from the Fiscal Committee of \$11,818. We have a proposed amendment from Mr. MacInnis which we have voted on and now reconsidered and which is now before us which would reduce it to \$7,708. that has not been voted on. I would suggest we vote on his proposed amendment first.

MR. BOCCUZZI: Mr. President and Sandy check me out on this one. If we approve \$7,708.

MR. FOX: We are approving the proposed amendment, we would then have to have a second vote on whether we approve the funding or not.

MR. BOCCUZZI: Alright, that's the figure, now if that is approved, Mr. Blum can no longer say he wants to add any money,

MR. FOX: If that is approved, that is correct.

MR. BOCCUZZI: I am assuming what Mr. Blum wants to do is take those three names out and not have them be penalized by taking away what he calls their retroactive pay which includes the amount of \$770. is that right Dave?

MR. BLUM: Yes, we have already taken that away.

MR. BOCCUZZI: Well, that's what I'm saying. Now if we approve the figure that Mr. MacInnis has, I don't think Mr. Blum has the right then to come back and increase the appropriation. I think he would have to ask Mr. MacInnis if he could amend his motion to include \$770 and make it \$770 more.

MR. FOX: Yes, that would be correct.

FISCAL COMMITTEE (continued)

MR. RYBNICK: (Mr. Rybnick's remarks in-audible, not speaking into microphone)

MR. FOX: We have before us Mr. MacInnis' motion which is to amend the proposal of the Fiscal Committee to read \$7,708. It's been MOVED AND SECONDED. I would suggest we vote on that by use of the machine. A yes vote is to approve the proposed amendment; alright, let me clear the machine again. We will now vote by use of the machine, a yes vote is to approve the amendment proposed by Mr. MacInnis to make that amount read \$7,708. Is there anyone that has not voted. The MOTION is CARRIED, 17 yes; 16 no. We now have before us and which is now up for a vote, is approval or dis-approval of \$7,708 under that line item.

MR. ZELINSKI: I would like to make a motion that we make an additional cut of \$5,444. which represents cuts in all the items with the exception of the Registrars of Voters, and the Mayor's Executive Aide. As I stated earlier based on the statistics, I already gave you the Mayor's salaries, let me just take a quick moment to give you the other....

MR. FOX: Can I just have your figure again.

MR. ZELINSKI: I'm sorry, \$5,444; that's an additional cut which would leave a balance of \$2,264, which would be for the Registrars of voters and the Mayor's Executive Aide.

MR. FOX: Those three offices. Let me see, first of all, if we have a second to that proposed amendment. There is no second. We then go back to the figure of \$7,708, and we can now put that to a vote if there are no other motions to be made.

MR. BOCCUZZI: In order not to get into a conflict after this vote, I would ask would this be the place for Mr. Blum to put back that \$770, if he so desires.

MR. FOX: If Mr. Blum so desires to put back the \$770, as Mr. Rybnick so correctly indicated, we can deal with \$12,558, and we can come anywhere below that; we cannot add to that but we could amend it below that. I would point out to you that we have had a motion to amend which has been approved, and we cannot move to amend an amendment. Mr. Blum's amendment would be proper but no amendment after that would be proper.

MR. ZELINSKI: With all due respect, Mr. President, right now after we made Mr. MacInnis' motion as carried, would it be correct now that we have on the floor \$7,708; that is the only figure we can vote on at the present time, we cannot add anything, we can only either vote to accept that or reduce it.

MR. FOX: We have on the floor, Mr. Zelinski, \$7,708. We can amend his amendment up to \$12,588. which is what came down to us from the Board of Finance. We cannot go beyond that. If Mr. Blum now wishes to add in \$770, he is free to do that, but there will be no amendment appropriate beyond that.

FISCAL COMMITTEE (continued)

MR. ZELINSKI: With all due respect, I don't believe that is correct, because we made a motion to make the cut, right now we're dealing with one figure \$7,708. if Mr. Blum should make a motion, which I think he going to be, to increase the amount that we took out already which was included in Mr. MacInnis' motion, we're going backward, I really don't think we can....can you double check that, Mr. President.

MR. FOX: We had a motion to amend, which we approved. We can amend an amendment alright; we cannot go the third step to amend an amended amendment, OK. Let me just finish, Mr. Zelinski. An amendment to an amendment cannot be amended, alright, now what that means is Mr. Blum is now free, if he so desires, to amend the \$7,708. anywhere up to \$12,588. he can add to it, he can reduce it but we can't affect that figure that came down to us from the Board of Finance. If he wants to make a motion to amend it, to add back \$770, and it is my ruling he is free to do that.

MR. ZELINSKI: I agree with your technicality of the amendment and not amending and so forth, but as far as the figures as I understand it, if we have a figure of \$7,708. we have voted, the majority of the Board members now voted to make the cut of the difference between the \$7,000 and \$12, and now it would be my interpretation that we only can make any more cuts, we cannot add on which we would be doing.

MR. FOX: If we now made, took a vote, Mr. Zelinski, and approved \$7,708 under that line item, then that is all we could do, we could not amend that any further. I think you got to keep in mind, at least this is the way that I interpret it, that what we have....we have not approved \$7,708, the only thing we have done is amend a motion made by Mrs. Goldstein.

MR. BLUM: I feel that now is the time that I would like restoration of the \$700. what ever that figure, to be added to the \$7,000, some odd dollars.

MR. FOX: Is there a second to that motion. It's been MOVED. SECONDED.

MRS. GOLDSTEIN: Quite frankly, you know its very hard and one must separate personalities from positions here, and I do not understand quite frankly why we have singled out two positions, the Registrar position and the Town Clerk's position and not cut them to the same level that the other elected officials are cut to and then, to boot, treat them differently in terms of retroactivity. Fiscal looked into retroactivity for the elected officials, both the Town Clerk and Registrar was tacked on to a MAA Pay Plan; however, they are not part of the MAA group they are part of an elected group. If they are going to be considered as MAA in terms of their increases then we shouldn't be considering them now period; they should be considered when the MAA comes back for their increases. If we're considering them they should be treated like everyone else, they proudly run under the Democratic and Republican lines, they are elected officials and I quite frankly believe they should be treated as such and given the same types of raises. I am not for restoring the retroactivity because they received a raise last year and that raise is part of their salary, that's why they're down for 6% and the others were down to 12% previously to the amendment because they have already received a raise.

FISCAL COMMITTEE (continued)

MRS. GOLDSTEIN: No, it's going to be an amendment to the Capital Project Budget not the Operating Budget but it will not be bonded, it will be taxed, so its just opposite from what Mr Loboza said.

MR. FOX: I believe we can put this to a vote. This is what would be item #18, \$25,000. for the Fire Department; its an amendment to the Capital Projects Budget The MOTION is CARRIED. (voice voice)

(19) \$7,000.00 - FIRE DEPARTMENT - AMEND THE 1979/80 CAPITAL PROJECTS BUDGET by adding a project entitled "VEHICLE REPLACEMENT #450-814" PURCHASE OF DEPUTY CHIEF AUTOMOBILE - per Mayor's request 10/26/79. Planning Board approved 10/30/79. Bd. of Finance approved 11/8/79. To be bonded.

MRS. GOLDSTEIN: I'd like to Suspend the Rules to consider \$7,000.00 for the Fire Department.

MR. FOX: MOVED. SECONDED. CARRIED. (voice vote)

MRS. GOLDSTEIN: Do we have to waive the secondary committee?

MR. FOX: We should. MOVED. SECONDED. CARRIED. (voice vote)

MRS. GOLDSTEIN: This is an amendment to the 79/80 Capital Projects Budget to replace the Deputy Chief car which was demolished in a collision on Sept. 3rd. We received \$1,873 from insurance which has been deposited into the general funds, the Fire Department will purchase a Chevy Malibu, Fiscal voted 5-0 and I so MOVE.

MR. FOX: MOVED. SECONDED. CARRIED. (voice vote) Mrs. Goldstein we can then vote on the Items which are on the Consent Agenda which I believe are as follows: That would be Item #2, 5, 6, 7, 8, 9, 10, 13, 16. is that correct? Is there a motion to approved those items.

MRS. GOLDSTEIN: I SO MOVE.

MR. FOX: MOVED. SECONDED. CARRIED. (voice vote)

MRS. McINERNEY: Mr. President please record my vote on #2 as No; I just don't want to delay the meeting any longer.

MR. FOX: That will be so noted. I believe we can move on to L&R.

LEGISLATIVE AND RULES COMMITTEE - Michael P. Feighan

MR. FEIGHAN: First all I would like to thank the members of the Legislative and Rules Committee for their hard work over the past two years; Reps. Darer, Parker, Markiewicz, Baxter, Raymond, Bernier, McInerney and Sherer.

The Legislative and Rules Committee met on Thursday, November 8; present at the committee meeting were REps. Darer, Parker, Markiewicz, Sherer and Feighan.

LEGISLATIVE AND RULES COMMITTEE (continued)

- (1) FOR FINAL ADOPTION - PROPOSED ORDINANCE SUPPLEMENTAL FOR TAX ABATEMENT FOR STAMFORD ART ASSN. - property at 39 Franklin Ave.; purchsed from St. Andrews Parish. Approved for publication. Held in Committee 10/3/79.

MR. FEIGHAN: Item #1 for final adoption has been published. The Committee voted unanimously 5 in favor, and I would move that it goes on the CONSENT AGENDA.

- (2) FOR FINAL ADOPTION - AMEND CODE SEC. 10.78 "PROCEDURES" - from Fair Rent Commission Dir. D. Crouse 4/19/79. City Rep. D. Blum submitted. Approved for Publication.

MR. FEIGHAN: Item #2 for Final adoption from the Fair Rent Commission. This has been published; again it was approved unanimously 5 in favor and I would that it goes on the CONSENT AGENDA.

- (3) FOR FINAL ADOPTION - PROPOSED ORDINANCE SUPPLEMENTAL FOR THE CONTROL AND REGULATION OF HELICOPTER LANDINGS IN THE CITY. Submitted by M.P. Feighan, 9/17/79. Approved for publication.

MR. FEIGHAN: Item #3 for final adoption, Helicopter regulations, has been published, again the Committee voted unanimously 5 in favor and I would move that it goes on the CONSENT AGENDA.

MR. FOX: I would then entertain a motion, Mr. Feighan, to have those items approve

MR. FEIGHAN: I SO MOVE.

MR. FOX: MOVED. SECONDED. CARRIED. (voice vote)

MR. FOX: Let me deal with one other item at this point. I believe this would be the appropriate time, I suppose we could deal with it now or under communicati from other Boards and Individuals, but since it does come under L&R let me just deal with it at this time. As you recall at our last meeting, that would have been in October, this Board approved an Ordinance granting tax relief for the elderly. This item was approved by this Board, was signed and sent on to the Mayor, it was then Vetoed by the Mayor in a letter to me dated November 1, 1979. The only reason that I bring it up is that as I understand Section 204.1A of the Charter, action by Mayor, passage over Mayor's Veto, that Section provides that if the Mayor disapproved the Ordinance, the Mayor shall endorse disapproval thereon and return it to the Clerk, and the Clerk shall promptly deliver the same with the Mayor's reason for disapproval to the President of the Board, which has been done, copies of that letter have been sent to all of the members of this body, the President of this Board shall in turn submit the same to the Board at its next regular meeting; the Board at that meeting or any meeting

FISCAL COMMITTEE (continued)

MR. BLUM: I would like to answer that. Their raises were received with the MAA. We on this Board, 15th Board or 14th Board, never removed the Registrars or the Town Clerk from that MAA Plan, what we did do, we did remove the Mayor, the Executive Aide, the Corporation Counsel, Finance Commissioner and the Public Works Commissioners, those were removed and I remember when we did vote upon it, and the records will show that, that they were knocked down, but never did they knock down or delete the Registrar of Voters or the Town Clerk from the MAA Plan; it is not ours to do, it's there and I think we have to follow those guide-lines. They in turn if we do not give them their retroactivity because they get paid from July when the Fiscal year starts to July, we're saying by not giving them the retroactivity, you're not entitled to a raise from July to December and that's why, I'm not talking for personalities I'm talking a point of view if we, this Board, would have knocked those three items out then we wouldn't be talking here today.

MRS. McINERNEY: I'd like to MOVE THE QUESTION.

MR. FOX: I don't believe you need to, I believe there are no others wishing to speak on this issue. I believe we can now put it to a vote. We are voting on Mr. Blum's proposed amendment which would add back from the proposal of Mrs. Goldstein. Mrs. Goldstein has cut \$770, her committee did. Mr. Blum's proposal would add that \$770 back under the Registrar of Voters. Mr. Blum's proposal would give us a total appropriation of \$8,478. It would incorporate Mr. MacInnis' proposal together with adding back the \$770. I would suggest we vote by.....

MRS. GOLDSTEIN: Mr. President, I just have a correction to make. There is no money included for retroactive increase for the Town Clerk.

MR. FOX: What Mr. Blum is dealing with, Mrs. Goldstein, is \$770 that your committee cut for the Registrars. He is suggesting that we put that back in, that is the substance of his proposed amendment. I would suggest that we vote by use of the machine, a yes vote is to approve Mr. Blum's proposed amendment, a yes vote is to approve Mr. Blum's proposed amendment, is there anyone that has not voted. The MOTION is LOST. 10 yes; 23 no; 2 abstain.

FISCAL COMMITTEE (continued)

MR. FOX: The main motion is on \$7,708. MOVED. SECONDED. This is the proposal of Mr McInnis' which amendment has been approved. I would suggest that we vote by use of the machine. A yes vote is to approve that \$7,708. Is there anyone that has not voted? The MOTION is CARRIED; 27 Yes; 8 No; 1 abstain.

(17) OCTOBER 30, 1979 REQUEST FROM DEPUTY POLICE CHIEF CONSIDINE requesting approval to purchase Chevrolet Malibu or equal four-door sedans; Police Fleet Supvr. Peterson's letter 10/29/79 advising cannot get delivery of compact vehicles for 5 to 6 months and some dealers will not even accept orders. Intermediate size available and E.P.A rating shows only difference of one gallon per mile. (This is for the \$49,500 appropriated in 79/80 Capital Projects Budget for unmarked police units.)

MRS. GOLDSTEIN: Mr. President Item #17 would be the next item not on the Consent Agenda and that's because the request was withdrawn by Deputy Chief Considine. Mr President, I have two items that I would like to bring up under Suspension of the Rules. Everyone should have in the packet before them tonight two items from the Fire Department that Fiscal would request be considered under Suspension of the Rules.

(18) \$25,000.00 - FIRE DEPARTMENT - AMEND THE 1979/1980 CAPITAL PROJECTS BUDGET by adding a project entitled "VEHICLE REPLACEMENT #450-814" - PURCHASE OF AMBULANCE - per Mayor's request 10/26/79. Planning Board approved 10/30/79, Bd. of Finance approved 11/8/79. To be bonded.

MRS. GOLDSTEIN: The first item, there is a separate Suspension of the Rules agenda that's in the manila envelope that's on your desk. I like to MOVE to Suspend the Rules to consider \$25,000 for the Fire Department.

MR. FOX: MOVED. SECONDED. The Motion is to Suspend the Rules to take up an item not on the Agenda. All those in favor say aye; opposed. The Motion is Carried. (voice vote)

MRS. GOLDSTEIN: This is an amendment to the 79/80 Capital Budget to replace the emergency ambulance which was not scheduled for replacement until Fiscal 1980/81. However due to a 10% increase in usage in the last five years and also an engine that was diagnosed unworthy of being fixed, Fiscal voted 5-0 in favor of replacing the ambulance this year and I so MOVE.

MR. FOX: I would first entertain a motion to waive a report from the secondary committee. MOVED. SECONDED. CARRIED. Is there a second to Mrs Goldstein's motion to approve that funding. MOVED. SECONDED.

MR. DeLUCA: Just one question on that, I'm a little confused. During our caucus Mr. Loboza said this is to be considered part of the Operating Budget and yet I see it's to be bonded.

LEGISLATIVE & RULES COMMITTEE (continued)

MR. FOX: (continuing)...held within 40 days thereafter, by a 2/3 vote of the entire membership pass the Ordinance over the Mayor's veto and the Ordinance shall thereupon become effective without further action by the Mayor. As I read the Charter I feel I have an obligation to present this to this body even though it is not something which is before the Steering Committee, which has been presented to the Steering Committee; I think the provision of the Charter would supercede that; I am simply presenting it to you at this time in light of the fact that this is the last meeting of the 15th Board.

MRS. SANTY: Mr. President, on November 8th, I attended a meeting with Michael Sherman and Alice Perry from the Corporation Counsel's Office, Margaret Nolan and Len Vignola from the Board of Finance and Josh Lang who is Chairman of the original Elderly Tax Relief Committee in 1977. I was called to this meeting and I was very happy to go because you know that the Elderly Relief Package is very close to me. Mr. Sherman at that time explained why the Mayor's veto over our Ordinance that we passed last month should stand. One of the reasons mainly is he is assured of a Tax payers suit. After a lengthy discussion I would go along with this decision. We had many opinions at that meeting but we all arrived at an amicable agreement. The Mayor, who by the way had recommended a relief package without a lien originally, that was not his idea, will activate the original committee and send it on to the Board of Finance who will in that category appoint another committee. Both Committees now will include some of the old members and some of the new members, and since we will be having a new Board of Finance we will get some all new thoughts here. All of us present agreed that we should have a ruling within 30 to 60 days and then of course it will be in our hands and I'm sure that our new L&R committee of our next Board will make a recommendation as speedily as possible. I just want to note here that everyone present agreed that Stamford should grant its elderly home owners a tax relief program and they all want it resolved within a few weeks. Mr. Lang was particularly frustrated because he said they have been waiting two years and all present agreed with that and they are frustrated by the many delays, but I left that meeting assured that the Mayor is taking the leadership position, everyone to work together, quickly, expeditiously and I know within the next couple of months that a package will be coming to us and I hope that everyone is in agreement with it, and as I said it was a good meeting and I'm glad I attended and I know that everyone in this city is concerned about our elderly.

MR. FOX: There is no action that is necessary by this Board, there being no motion I think we can move on to the next committee which would be Personnel.

PERSONNEL COMMITTEE - John R. Zelinski NO REPORT.

MR. ZELINSKI: I have no report but I at this time would like to sincerely thank the members of Personnel Committee who have attended my meetings over the last two years, Reps. Blum, M. Perillo, Parker, DeLuca, Ventura and Santy.

PLANNING AND ZONING - Dominick Guglielmo

- (1) ACCEPTANCE OF "PONY TRAIL ROAD" AS CITY STREET - from Rowan Construction Corp., 71 Gurley Rd., Stamford, also Atty. Shiffman. Held 8/20 & 10/3/79.

MR. GUGLIELMO: I would like to take this opportunity to thank my committee members, Reps. Stork, MacInnis and Baxter for the hard work and diligence in helping create the progress of the Planning and Zoning Committee. We were able to get through a great deal of work and I thank them for their efforts.

Planning & Zoning met Thursday, November 8, at 8:00 P.M. In attendance were Reps. MacInnis, Stork and Guglielmo. Atty. Ryan and City Controller Buchanan also attended our meeting. Item #1 is being HELD.

- (2) FOR FINAL ADOPTION - PROPOSED ORDINANCE SUPPLEMENTAL TO CHANGE NAME OF WALNUT ST. TO NEW NAME "WALTER WHEELER DRIVE". Approved for publication.

MR. GUGLIELMO: Item #2 is a proposed Ordinance Supplemental to change the name of Walnut Street to Walter Wheeler Drive. It was approved 3-0 and I so MOVE, for final adoption.

MR. FOX: MOVED. SECONDED. CARRIED. (Mrs. Santy, Mr. Stork, Mrs. McInerney and Mr. Guglielmo will be recorded as no votes - voice vote).

- (3) DISCONTINUANCE OF CROSBY STREET - Board of Finance approved 9/13/79; their resolution containing stipulations that discontinuance is subject to easements, utilities' right of accessibility, no construction of any improvements, no long-term storage of materials, etc. Full resolution is forthcoming. City Rep. Wider requested public hearing.

MR. GUGLIELMO: Item #3 is for publication of a proposed ordinance to discontinue Crosby Street. It was approved 3-0 and I so MOVE.

MR. FOX: MOVED. SECONDED. CARRIED, for Publication. (voice vote).

MR. BLUM: POINT OF PERSONAL PRIVILEGE. By Publication does that mean that can go over to the next Board?

MR. FOX: Not as I understand it Mr. Blum. That will be an issue for the next Board to face, but I do not believe that it can.

MR. GUGLIELMO: I proceeded on the premise that would be reasonable course of action.

MR. FOX: Again I think that it is, well the Motion has been made and its been passed, now I think that will something for the next Board to face. As I read the Charter, as I read the State Statutes I do not feel that Ordinances as such if it is published during the life or one Board passes on to the next Board, someone else may have a different opinion but as a matter of fact the motion has been made, its been ordered published and that's what will be done.

PLANNING & ZONING (continued)

- (4) APPROVAL REQUESTED FOR SALE OF CITY-OWNED PROPERTY TO THOMAS J. McDONALD, SAMUEL W. SCALZI, THE ESTATE OF JOHN SCALZI, AND THE ESTATE OF LEONARD SCALZI - TWO PARCELS, per Mayor's letter 8/9/79 and Corp. Counsel's 7/27. Bd. of Finance approved 9/13/79. Held in Committee.

MR. GUGLIELMO: Item #4 is being HELD.

- (5) PROPOSED RESOLUTION CONCERNING THE ABANDONMENT OF PLEASANT STREET - Part of Mayor's letter 8/9/79 re property to be sold to Scalzi et al - see Item #4 above. Held in Committee

MR. GUGLIELMO: Item #5 is being HELD.

- (6) MEMO OF 10/29/79 FROM FIN. COMM. O. A. HOFFMAN REQUESTING THAT ACCEPTANCE OF WINSTED STREET BE PLACED ON AGENDA under Chapter 64 process. His report will be available within a few days.

MR. GUGLIELMO: Item #6 is a resolution concerning assessments embodied in Commissioner Hoffman's report dated October 31, 1979, to bring Winsted Street and a portion of Outlook Street and West Ave. to city accepted standards. Planning and Zoning voted 3-0 in favor and I so MOVE.

MR. FOX: MOVED. SECONDED. CARRIED. (voice vote)

- (7) FOR PUBLICATION - PROPOSED ORDINANCE. RE LAND TRANSACTION BETWEEN CITY OF STAMFORD AND KNIGHTS OF COLUMBUS per Mayor's letter 10/19/79.

MR. GUGLIELMO: Item #7 is being HELD.

MR. FOX: I believe you have an item you want to take up under Suspension of the Rules.

MR. GUGLIELMO: That's correct. I'd like to MOVE to Suspend the Rules to accept Apple Valley Road as a City Street.

MR. FOX: There is a motion to Suspend the Rules to take up an item not on the agenda, is there a second. MOVED and SECONDED, CARRIED. (voice vote).

- (8) ACCEPTANCE OF APPLE VALLEY ROAD AS A CITY STREET.

MR. GUGLIELMO: The main motion is to accept Apple Valley Road as a city street.

MR. FOX: Is there a second. MOVED. SECONDED. There is some discussion, Mr. Wider

MR. WIDER: I don't seem to remember any rationale on that street; could Mr. Guglielmo kind of fill us in on that street a little bit.

(Skipped a number - 34)

PLANNING AND ZONING (continued)

MR. GUGLIELMO: Yes, in fact I was up there today with the City Engineer to review it, it met all our criteria and that is the reason why I presented it tonight on the floor.

MR. BLUM: I'd like to know where this particular street is on the City map.

MR. GUGLIELMO: I believe it's off Mayapple Road.

MR. FOX: We can then put the main motion to a vote, its been MOVED. SECONDED. the MOTION IS CARRIED. (voice vote)

(9) ACCEPTANCE OF DeNICOLA PLACE AS A CITY STREET.

MR. GUGLIELMO: I would MOVE to SUSPEND the RULES to consider the acceptance of DeNicola Place as a City Street.

MR. FOX: You want to Suspend the Rules to take up an item not on the agenda, is there a second to that. MOVE. SECONDED. CARRIED. (voice vote)

MR. GUGLIELMO: I would MOVE to accept DeNicola Place as a City Street.

MR. FOX: MOVED. SECONDED. CARRIED. (voice vote)

PUBLIC WORKS COMMITTEE - Alfred Perillo(1) FOR PUBLICATION - PROPOSED AMENDMENT TO ORD.#314 CONCERNING PRIVATE REFUSE COLLECTION PRACTICES WITHIN THE CITY. Submitted by City Rep. McInerney 8/22/79.

MR. PERILLO: Item #1, proposed amendment to Ord. #314 concerning private refuse collection. This does not rightfully belong to Public Works Committtee, we are not responsible for Ordinance or to amend Ordinance, therefore it belongs to L&R.

MR. FOX: #1 is off.

(2) TRANSFER OF JURISDICTION OF MARTHA HOYT SCHOOL FROM BOARD OF EDUCATION TO PUBLIC WORKS DEPARTMENT.

MR. PERILLO: Transfer of Martha Hoyt School from Bd. of Education to Public Works. I got a letter today from the Commissioner of Public Works that recommend not transferring Hoyt School to Public Works until the usage for the building has been determined, also operating costs determined and funded. Public Works concurs to HOLD this item.

PLANNING AND ZONING (continued)

MR. GUGLIELMO: Yes, in fact I was up there today with the City Engineer to review it, it met all our criteria and that is the reason why I presented it tonight on the floor.

MR. BLUM: I'd like to know where this particular street is on the City map.

MR. GUGLIELMO: I believe its off Mayapple Road.

MR. FOX: We can then put the main motion to a vote, its been MOVED. SECONDED. the MOTION IS CARRIED. (voice vote)

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MR. FOX: You want to Suspend the Rules to take up an item not on the agenda, is there a second to that. MOVE. SECONDED. CARRIED. (voice vote)

MR. GUGLIELMO: I would MOVE to accept DeNicola Place as a City Street.

MR. FOX: MOVED. SECONDED. CARRIED. (voice vote)

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MINUTES OF NOVEMBER 14, 1979 REGULAR MEETINGHEALTH AND PROTECTION COMMITTEE - David I. Blum

MR. BLUM: I have two items on the agenda. At this time I would like to thank those who served with me on the Health & Protection committee, namely, my Vice Chairman Mr. Ferrara, Diane Raymond, Mrs. Summerville and Mr. DeLuca, who attended faithfully and tried to perform their duties for the last two years.

- (1) FOR FINAL ADOPTION - PROPOSED ORDINANCE FOR PIGEON CONTROL. Approved for publication. Public Hearing held. Submitted by Rep. Blum.

MR. BLUM: I have this evening, finally, I'm trying again, once again, this 15th Board of Representatives will be asked to adopt and vote on a Pigeon Control Ordinance. I have researched this matter of the nuisance public health hazards that we have here in the City of Stamford. The first letter of complaint to the Health Department dates back to 1963. Evidently nothing of any great calamity happened until 1975. Dr. Gofstein swore out an arrest warrant as per State Statutes 19-13 B2. In 1976 a Mr. Liechstein who ran in the 10th District for Representative tried to get a warrant for arrest as per State Statutes 19-13 B2 which was thrown out by the prosecutors office for insufficient evidence and the complaints kept coming in. Petitions, letters from not only about Scalzi Park, section such as Ridgeway, Lockwood Ave., Strawberry Hill, Glenbrook Road, Selleck Street, Tresser Blvd., Elm Street, Maple Ave., and Clinton Ave....

MR. BERNIER:..... Mr. President, POINT OF ORDER. Do we have a motion on the floor or we're just talking.

MR. BLUM: I intend to propose the Ordinance.

MR. FOX: I think that's a point well-taken that I have overlooked. Thank you. Mr. Bernier. Mr. Blum we should make a motion for Final Adoption to see if there is a second to that.

MR. BLUM: I would like to make a motion for Final Adoption of the Proposed Ordinance on Control of Pigeons.

MR. FOX: Its been MOVED. SECONDED. Is there any discussion on it, if not I believe we can put it to a vote. Yes, Mrs. Ritchie.

MRS. RITCHIE: Yes I'd like to speak against this Ordinance, particularly Section I feel that Dr. Gofstein already has the authority to trap these pigeons, so-called pigeons or wild birds and therefore under that, Connecticut State Statutes Section 26-92 Wild Birds and Other Game Birds are protected and no person shall catch, kill, or attempt to catch, kill, purchase, sell, offer or expose for sale, any living, dead, wild bird other than a game bird, so therefore I feel that Section B is not necessary in this Ordinance, I would like to amend that Ordinance to delete Section B.

HEALTH & PROTECTION COMMITTEE ( continued)

MR. FOX: A motion has been made to amend the Proposed Ordinance by deleting Section B. It has been MOVED and SECONDED. Is there some discussion on the Proposed Amendment.

MR. DeLUCA: On the Proposed Amendment, would we have to make a motion to waive publication first, because otherwise, if we make an amendment do we have to go back to square one.

MR. FOX: Only if there was a substantive change in the Proposed Ordinance. I don't believe we would in this case, Mr. DeLuca.

MR. ZELINSKI: Yes, I wanted to speak on, are we speaking on the amendment or the main motion now.

MR. FOX: We are speaking on the amendment, we have not voted on the amendment.

MR. ZELINSKI: OK, well, let me speak on that then. First of all, let me say that I'm in favor of the whole Ordinance as it stands now. Unfortunately this item goes back to actually May of 1978. This is when I, at that time had proposed an ordinance and we came very close to passage. I think at that time as I recall if memory serves me right, that the Ordinance lost for final publication by one vote and at that time and I still have in my possession a petition signed by 150 people who are residents of my district who live on various streets in the district, Morgan Street, Bedford Street, Woodside Village and so forth, Third Street and the problem is not only the droppings of the pigeons but it's the strange noise that emanate from them at the wee hours of the morning which is of great inconvenience to the people who live in the high rise apartment in my district and else where in the city as far as waking them up and causing them a great deal of grievence. It also affects people who are elderly who live in Eagle Towers which is also in my district. I feel that if we can do anything, that is this board can do anything to assist the people in my district as in elsewhere in the city that it would be a welcome thing to the residents; as far as the amendment, I still think we should leave it intact as it is. As regards to Section 19.79 of the General Statutes of the State of Connecticut it is too general and we need a specific ordinance dealing with the pigeon problem and how to control them. If only one person or child and I repeat, one person or child becomes sick as a result of the pigeons it is one too many. We must provide a cure before the problem become acute. Let me say I am not against birds but concerned about the health problem and noises of the pigeons and I would please ask my fellow colleagues to listen to the 150 people who signed the petitions pertaining to passing this Ordinance that would be of some benefit to them.

MRS. SANTY: I think everyone here is concerned about those 150 people and I think the problem, and this keeps coming up every few months is stopping the woman from feeding the pigeons. This is the substance of this petition. Also we all have in our possession or we should have a September 27 ruling from Corporation Counsel to Mr. Blum that stated that this Ordinance is unnecessary and as he states: I've been working with the Board of Representatives concentrating heavily upon eliminating Ordinances deemed unnecessary at this time and this is one time we have a ruling from Mr. Sherman that says this is

HEALTH & PROTECTION (continued)

MRS. SANTY: (continuing)...completely unnecessary, he included why it is unnecessary, that the Director of Health already has that authority, also on record here there are 500 signatures, we have become very emotional with this, to save the pigeons. I understand the people, the 150 people and I really sympathize with them but we're going to have an emotional issue here, save the pigeons, kill the pigeons and so forth. I think the whole substance is if we could stop the mass feeding. I go by Scalzi Park almost every day, today she wasn't there, there was a mass of Sea Gulls there, swarming around, and I sympathize, what are we going to do with the Sea Gulls, how are we going to trap them, we can't they are protected under the Wild Life protection. I agree with Mrs. Ritchie, I think the substance here is to stop the mass feeding, and I'll go along with the first part of the Ordinance but certainly not the second part that Dr. Gofstein has been trying for years, and I don't know why he wants the authority to trap and to destroy. Also at the Public Hearing, I wasn't here because I had a similar meeting, but I spoke to Mr Eddy from the Connecticut Humane Society, they are not in agreement with Dr. Gofstein at all, and he keeps quoting in our Ordinance some method that deems responsible by the Connecticut Humane Society, what is that, they aren't even in agreement by it, so I just want to go on record as approving the first part of the Ordinance but I would stop at B- 1, 2, and 3.

MR. DeLUCA: I have to sit here and chuckle at some of the comments by lovely Representative Santy has made regarding the Corporation Counsel. The Corporation Counsel has emphasized the fact that he has worked with our committee to delete unnecessary Ordinances. He states that we have State Statutes, that give Dr. Gofstein the power that he needs but on the other hand when it came to the Environmental Protection Board regarding the condominium construction we have Ordinance #286 State Statutes 25-84 which states that no building can be done there. These two Ordinances in the State Statutes gives the EPB the power to regulate but yet the Corporation Counsel says no it does not, and therefore we have to create more Ordinances to give them the power they already have, but yet when it comes to the pigeons he says the State Statutes give Dr. Gofstein the power. I'm confused, what gives what the power. There is a problem there, I have been in the area, the constituents cannot enjoy their facilities, it's not only in the 14th District or the 10th District it's also in the 4th District. Rather than belabor this here all night I would be in favor of the proposed amendment for the sake of giving the people some protection, maybe the trapping is not the sole problem but I think as Rep. Santy says, but I would go along with just the approval of part A and eliminating part B. Let's not get hung up on Ordinances about what the Corporation Counsel says because there are some doubts there.

MR. WIDER: I just do not want you people in the 10th District and 11th, 9th, District to say I'm the only one who has pigeon trouble. We have pigeon trouble and Sea Gull problems in the South End all the time and when we talk about eliminating pigeons I've got news for you, you're fighting a losing battle, and you may as well forget it. We do not have the necessary manpower to police the pigeons in the City of Stamford when we have so many filthily that need to be policed, I think the good Doctor should get out there, and I told him the other night, to put some waste paper baskets in the places where they're needed.

HEALTH & PROTECTION (continued)

MR. LOOMIS: By DeLuca's logic, he said on the one hand that we have many ordinances on the books which are not enforced and then he said on the other hand that we should go ahead and pass an ordinance that presumably won't be enforced as the others are, so I'm not sure that the passage of this Ordinance is the solution to our problem; all too often we think well, people are complaining about this problem in this area of this city so we'll pass an ordinance and that will solve the problem. I think Mr. DeLuca knows very well it's not a solution; what we should do indeed is use the statutory language we now have on the books, see how it works and test it. To my knowledge after all these years of talking, nobody has tried to enforce that State Statute, I think it's about time they do and then if it fails to re-dress and correct the problem, we can then return and perhaps enact new legislation which at that time might be needed, but I don't think it's needed now.

MR. DeLUCA: In answer to Mr. Loomis.....

MR. FOX: Well, wait a minute, we'll reach you when we get to you, you have already spoken once and we'll go in accordance .....

MR. DeLUCA: Yes, but he made a remark about something I did not say.

MR. FOX: Then you will have the opportunity to.....

MR. DeLUCA: POINT OF PERSONAL PRIVILEGE.

MR. FOX: If it's a point of personal privilege.

MR. DeLUCA: I did not say that every Ordinance is un-enforcable, I did not say this Ordinance wouldn't be enforced; I would hope that if it was passed it would be enforced, not like some of the other Ordinances we already have on the books. Let's make the quotes the way they're supposed to be; let's not interject anything Mr. Loomis, please in the future.

MRS. PARKER: I would just like to start by saying in prior years as a spectator and I'm speaking about the rest of the City as they are watching this Board tonight because it will be in the news papers tomorrow. I think we should just bear in mind how many times this particular Ordinance or Ordinance of like kind come up and we have had headlines about pigeon population, etc. I think at this point, I think perhaps if we could reach some middle ground, and I have to agree with Rep. Santy, that I think the good middle ground would be to take the part of the Ordinance which forbids feeding the pigeons, that will satisfy the people who are against killing and trapping pigeons. If we do not feed them and there is a law against feeding them, the pigeon population will naturally die out and I think this will take care of all of the emotionalism and I have to applaud Rep. Santy for her suggestion and I would hope that the rest of the Board will once and for all vote for that part of the legislation and be done with it once and for all.

HEALTH & PROTECTION COMMITTEE (continued)

MR. BLUM: I stand on a POINT OF PERSONAL PRIVILEGE.

MR. FOX: What is your point of personal privilege, Mr. Blum.

MR. BLUM: I think as the Chairman of.....I have a right, many have said and talked about Ordinances and talked about letters to me as the Chairman of the Health & Protection Committee, you've gone by me, I like to correct, I have done a lot of research on this and I like to correct.....

MR. FOX: Mr. Blum, you are on the list and you will be called on when you are reached, you have already spoken once, you are not now dealing with a point of personal privilege, we will get to you when we reach you. Next to speak is Ms. Summerille.

MS. SUMMERVILLE: I support what Mr. DeLuca said. I did sit in on the Public Hearing and I'm sorry that there were not more Representatives here to hear the homeowners who brought us pictures, especially from Mr. Esposito's district where the pigeons had destroy the roofs on their home. I went to Scalzi Park myself last Thursday, and I was there at 4:00 and the Bird feeder, who we so call, was not there but the pigeons were there, and I wouldn't lie to you on this Board, the kids had to stop playing ball on the ball field to allow them to congregate. Now that's just how bad it is and I think the Ordinance is trying to control massive feeding, not 15 birds in the park, not the ones that you see, people go out to feed the birds on the window sill, that's not what we're talking about. Dr. Gofstein said he needs something to try to get some control and I support the Ordinance and I hope that the rest of the Board would. You have to see it for yourself.

MR. FOX: Mr. Esposito, I would ask that you keep in mind that we are dealing with Mrs. Ritchie's proposed amendment which has not been voted on yet.

MR. ESPOSITO: I would like to speak in support of the amendment. I never really felt strongly about trapping pigeons one way or the other; my concern is with the Health Director's need to have a law which he can enforce. I take great exception to the statements made here tonight that the law is unnecessary. Regardless of what the Corporation Counsel says, all we have gotten from him is an opinion, the Corporation Counsel is not the enforcer of the law, Dr. Gofstein is the enforcer of the law, we may agree or disagree with him, the fact is he says he hasn't got a statute which he can enforce, therefore regardless of what the Corporation Counsel says, we need the Statute. The fact that the problem goes way beyond Scalzi Park, the fact that Mr. Wider indicated it's a problem in his area, it's a problem in my area, indicates it's a definite need we have. Because the statutes could not be enforced in all places equally by Dr. Gofstein there is no reason to throw out the Statute. We could start going through the entire Code of Ordinances and evaluate on the basis if they can be enforced 100% of the time, that's not the purpose of the law, the purpose of the law with the Ordinance is when a problem occurs that is significant, those enforcing agents have the power to deal with it. Dr. Gofstein has no intention to go out and get everyone who feeds three pigeons, but when an extraordinary situation occurs he wants an Ordinance to give him the power to deal with it, that's all we're seeking to do here tonight. We don't want to harm or trap pigeons, we want to do away with the nuisance, the nuisance feeding of pigeons.

HEALTH & PROTECTION COMMITTEE (continued)

MR. ESPOSITO: (continuing).....where it becomes a problem to property owners, where it destroys property and create a possible health hazard.

MRS. RAYMOND: MOVE THE QUESTION.

MR. FOX: A motion has been made to move the question. MOVED. SECONDED. CARRIED. (voice vote) The motion is Mrs. Ritchie's proposed amendment which has been moved and seconded. Mrs. Ritchie's proposed amendment deletes all of paragraph B, is that correct, Mrs. Ritchie?

MRS. RITCHIE: Yes.

MR. FOX: That would be paragraph 1, 2 and 3, of the version that I have.

MRS. RITCHIE: Yes, right.

MR. FOX: A motion has been made to approve that amendment. It has been MOVED AND SECONDED. I would suggest that we vote by use of the machine. A yes vote is to approve that amendment. A yes vote is to approve the amendment which deletes all of paragraph B. Is there anyone that has not voted. The MOTION IS CARRIED. 26 yes; 6 no; 4 abstentions. We then have before us the MAIN MOTION which is to approve the Ordinance with paragraph B having been deleted. It would be my opinion that it would not need additional publication and that we can proceed to a vote on the main motion which would be to approve the Ordinance with paragraph B deleted. I believe a motion has been made to that effect by Mr. Blum.....let me go back on that..... is there a motion to approve the amendment as amended....to approve the Ordinance as amended. Is there a second to that....MOVE. SECONDED. If there is no discussion, we can put it to a vote....Mrs. Baxter.

MRS. BAXTER: I'd like to know how I'm going to be able to recognize a Columbia Livia species pigeon.....ask who.....or whether its going to be antwerp pigeon or a homing pigeon. The wording of the Ordinance is extremely vague. Dr. Gofstein already has the power to abate a public nuisance under State Statutes I don't see any necessity to approve this Ordinance, I mean he already has the power.

MR. BLUM: I would like to read as I read before, it was stated that Michael Sherman, Corporation Counsel, made an opinion and this is the last letter, there were a lot of letters that came between Michael Sherman and David Blum; Supplementing my letter to you of yesterday and our conversation of September 27, if Dr. Gofstein feels he doesn't have sufficient power under 16-79 of the Connecticut General Statutes to properly control the situation, I have no objection to a validly enacted pigeon control ordinance. That's as far as I'm going to go. Here's the letter.

MR. SHERER: MOVE THE QUESTION.

MR. FOX: I don't believe that's necessary, there is no one else who wishes to speak. I think we can proceed to a vote on the main motion which is to approve the Ordinance as amended.

HEALTH & PROTECTION COMMITTEE (continued)

MR. FOX: (continuing).....I would suggest that we vote by use of the machine, a yes vote is to approve the Ordinance. Is there anyone that has not voted. The MOTION IS CARRIED. 23 yes; 11 no; 2 abstentions.

- (2) CITY REP. RICHARD FERRARA'S LETTER 7/9/79 REQUESTING ORDINANCE TO RESTORE AUXILIARY POLICE TO ACTIVE PATROL WITH PROPER INSURANCE AND OTHER COVERAGE.  
Held 8/6 and 8/20. Rep. Blum will prepare resolution.

MR. BLUM: With regard to the second item on the agenda, right now we have with our Research personnel, Judy Chasek, who is now researching the powers of the Auxiliary Police and she has numerous letters being sent to her from various cities over the State. She will need a little more time to re-evaluate this, all these letters and so on, and I'm asking, I'd like to propose a resolution to this Board in regard to taking this information over to the next Board and I would like to read this resolution.....

MRS. McINERNEY: Mr. President, doesn't that have to be in writing?

MR. BLUM: By the way this resolution was accepted by my committee 4-0, to be read.

MR. FOX: Mr. Blum, let me ask you this, do you have your resolution in writing?

MR. BLUM: Yes I do. Well, it was given to me, I'm sorry I should have had it Xeroxed which I failed to do.

MR. SHERER: I'd like to have a POINT OF PERSONAL PRIVILEGE. I think it's understood that there are very important items that fail to get accomplished as each Board at the expiration of its term comes to pass and those items that are very important should be brought up by new members of the Board or members of the Board who are carrying over. I think it would be really superfluous everytime an item isn't completed to have to make a resolution telling a subsequent Board to continue. I recognize I may be speaking on the merits but I think we're wasting a lot of time.

MR. FOX: Mr. Blum, I was just wondering if you cannot accomplish the same thing by simply submitting that documentation to the new Board, which you would be free to do.

MR. BLUM: I would like to answer that. I read in the minutes of October 3, 1979 page 19, a Mr. DeLuca presented to the Board of October 3rd. a resolution a resolution.....a Sense of the Board Resolution.....

MR. FOX: Let me just interrupt you for a minute. If you would like to make the Resolution I feel that it is sufficiently related to item #2 that you can go ahead and make it. Read your resolution and we will vote on it.

HEALTH & PROTECTION COMMITTEE (continued)

MR. BLUM: Whereas, the question of powers of the Civil Preparedness Auxiliary Police has come before the 15th Board of Representatives, and Whereas, the matter has been under study by the Health and Protection Committee, and Whereas, the study has not yet been completed, Therefore, be it resolved that the 15th Board of Representatives recommends that the Health and Protection Committee of the 16th Board of Representatives continue the study.

MR. FOX: A motion has been made to approve the Resolution, is there a second to that. MOVED. SECONDED. I would suggest we vote by use of the machine, a yes vote is to approve the Resolution. Is there anyone that has not voted. The MOTION is CARRIED. 13 yes; 12 no; 11 abstentions. I believe that concludes your report, Mr. Blum. We can then move on to Parks and Recreation, Mr. Rybnick.

PARKS AND RECREATION - Gerald Rybnick

- (1) APPROVAL OF FEES FOR ETHEL KWESKIN BARN THEATRE - Submitted by Supt. of Recreation Bruno Giordano 10/19/79. Present rates are \$3.50 and \$4.00 for Fridays and Saturdays. New rates to be \$4.00 and \$5.00.

MR. RYBNICK: Approval of fees for Ethel Kweskin Barn Theatre. submitted by Supt. Bruno Giordano. The present rates are \$3.50 and \$4.00 for Fridays and Saturdays. They're asking for new rates to be \$4.00 and \$5.00 and I so MOVE.

MR. FOX: MOVED. SECONDED. There is some discussion, Mrs. Maihock.

MRS. MAIHOCK: I would just like to say if I may that the Ethel Kweskin Barn Theatre was originally introduced to enable many of our young people to learn acting and to perform in a theatre and I would hope that we could keep rates as advantageous as possible so that as many people as possible could participate in this.

MR. FOX: I believe we could now proceed to a vote, all those in favor if you indicate by saying aye....all those opposed...can I see a show of hands of the no's....Mrs. Maihock, Mr. Boccuzzi....well let's vote by use of the machine so that we have a record of it. A yes vote is to approve the new fees, this is Item #1, Parks & Rec., a yes vote is to approve the new fees. The MOTION is CARRIED. 23 yes; 8 no; 5 abstentions. Mr. Rybnick, I believe you have a couple of items to take up under Suspension of the Rules.

- (2) SALVATION ARMY KETTLES ON STREETS STARTING 11/19.

MR. RYBNICK: Asking for Suspension of the Rules to bring before you a request from the Salvation Army for permission to put their kettles on the street beginning with the 19th of November and I so MOVE.

MR. FOX: Is there a second to Suspend the Rules. MOVE. SECONDED. CARRIED. (voice vote)

MR. FOX: The main motion, Mr. Rybnick, is to approve that request.

MR. RYBNICK: I so MOVE.

MR. FOX: MOVED. SECONDED. CARRIED. (voice vote)

PARKS AND RECREATION COMMITTEE (continued)

- (3) EMMANUEL EPISCOPAL CHURCH - Banner to hang across from Springdale Fire Dept. on Hope St. starting 11/15.

MR. RYBNICK: I'm asking for Suspension of The Rules to bring before you a request from the Emmanuel Episcopal Church for hanging a banner across Hope Street starting November 15.

MR. FOX: MOVED. SECONDED. CARRIED. (voice vote)

MR. RYBNICK: I so MOVE.

MR. FOX: Is there a second of the main motion to approve the request. MOVED. SECONDED. The MOTION is CARRIED. (voice vote)

EDUCATION, WELFARE AND GOVERNMENT COMMITTEE - Marie Hawe

- (1) PROPOSED RESOLUTION RECOGNIZING STAMFORD AREA CETA ADMINISTRATION AS INSTRUMENTALITY CREATED BY CONSORTIUM OF STAMFORD, GREENWICH AND DARIEN TO ADMINISTER FUNDS RECEIVED UNDER CETA OF 1973, as amended. Per Mayor's letter 9/13/79. Held 10/3/79.

MRS. HAWE: We have one item on the agenda. This is the Resolution which we pass every year which recognizes the Stamford Area CETA Administration as the agency eligible to administer funds received under the Comprehensive Employment Training Act of 1973. As mentioned in the Mayor's letter of Sept. 13, which we all received, this Resolution clarifies the fact that CETA is the only agency which hires and pays CETA employees no matter where the CETA worker is placed. The new CETA regulations for the Department of Labor wanted this clarified in this year's resolution. EWG voted 3 in favor of this Resolution and none oppose and I so MOVE.

MR. FOX: MOVED. SECONDED. We can put that to a vote. All those in favor say aye...opposed...the MOTION IS CARRIED. (voice vote). I believe that completes your report.

SEWER COMMITTEE - John J. Boccuzzi

- (1) PROPOSED RESOLUTION TO AUTHORIZE CONDEMNATION OF EASEMENT THROUGH PROPERTY OF SYLVIA T. KRAMER OF 31 ROLLING WOOD DRIVE.

HELD IN COMMITTEE.

- (2) PROPOSED RESOLUTION AUTHORIZING CONDEMNATION OF EASEMENT ACROSS, THROUGH AND UNDER PROPERTY OF BENJAMIN JENKINS IN CONNECTION WITH EXTENSION OF SANITARY SEWERS SOUTH OF PARKWAY PROJECT #16-1.

HELD IN COMMITTEE.

MR. BOCCUZZI: The Sewer Committee doesn't have a report due to the fact that both requests before being approved, there has to be a Public Hearing as per Ordinance #362 which was approved by the last Board. The Public Hearing will be on the 19th of November, so that will have to go to the next Board.

PUBLIC HOUSING & COMMUNITY DEVELOPMENT COMMITTEE - Jathon Wider, Sr.

MR. WIDER: I didn't have any items on my agenda but I would like to make one observation. On Saturday, the 17th, beginning at 10:00, at Cloonan Middle School, the Family Committee from President Carter's office will be holding a hearing in Stamford, and they will be welcoming all the input they can get concerning the problems of housing and the effect that housing has on the family in the City of Stamford, and I would appreciate as many people that can to please come and have the input while they are in Stamford.

URBAN RENEWAL COMMITTEE - Ralph Loomis      NO REPORTENVIRONMENTAL PROTECTION COMMITTEE - Mildred Ritchie

- (1) FOR PUBLICATION - ORDINANCE CONTROLLING FLOOD PLAINS, WETLANDS ALONG THE RIVERS IN STAMFORD. Mr. Casale to supply text.

MRS. RITCHIE: Since I was blessed with the Chairmanship of this committee five months ago, we have been quite busy and I would like to thank my committee Dom Guglielmo and Lorraine Parker for working hard by my side. Now under Suspension of the Rules I would like to waive publication of the Ordinance that I'm going to present to you. My report is the Environmental Protection Committee met with the Environmental Protection Board on Thursday, November 1st., at which time the floodplain regulations for the City of Stamford were presented and reviewed. As my committee did not have a quorum at that meeting I scheduled another meeting for Thursday, November 8th. As a result of this meeting Dom Guglielmo and myself decided to present the Ordinance that is before you tonight. As the regulations are 23 pages long, the EPB would like to more closely review them and adjust them to suit our city, so therefore the 90 day limit which is indicated in the Ordinance is the reason why I submit them to you with this clause Now I would like to read the Ordinance; is that necessary, Sir?

MR. FOX: I believe that has been submitted to us in writing to us.

MRS. RITCHIE: Yes, it has.

MR. FOX: The motion that I believe you want to make...do you want to waive publication first?

MRS. RITCHIE: Yes, I would.

MR. FOX: I think we should deal with that first. There is a provision which allows under the Charter, does require 27 votes. Your motion is to waive publication of that Ordinance. Is there a second to the motion to waive publication. MOVED. SECONDED. I believe we can put that to a vote. I would suggest that we vote by use of the machine, because of the fact that we do need a hard 27 votes. We do have 35 people present at this time.

ENVIRONMENTAL PROTECTION (continued)

MR. FOX: A yes vote is to approve a waiver of publication. Is there anyone that has not voted.

MR. FLOUNDERS: Let the record show that I've abstained from voting.

MR. FOX: The MOTION is CARRIED. 33 YES: 0 NO: 3 abstain. The record will reflect that Mr. Flounders has abstained. The motion to waive publication has been APPROVED, we can then proceed to final adoption of that Ordinance.

MRS. RITCHIE: I hereby MOVE that we adopt this Ordinance.

MR. FOX: Is there a second to that. There is some discussion on it.

MR. DeLUCA: At this time I would like to make a motion to amend the Ordinance before us tonight to include one short paragraph or one short sentence, at the end of it. The amendment I would like to see in this Ordinance would be; no construction or land authorization shall be allowed in the special flood hazard areas as shown in the maps that lie within 250 feet of the banks, river or stream. I like to make this amendment because the inclusion of this particular sentence would provide the protection for all people in the flood plain areas

MR. FOX: Would you be kind enough to read that proposed amendment again, Mr. DeLuca.

MR. DeLUCA: No construction or land authorization shall be allowed in the special flood hazard areas as shown in the map that lie within 250 ft. of the banks, rivers or stream.

MR. FOX: May I ask where you are proposing that go on the Ordinance?

MR. DeLUCA: Right at the end of the Ordinance, incorporated in the now, therefore be it ordained.

MR. FOX: Is there a second to that proposed amendment. MOVED. SECONDED.

MR. SHERER: I just have to pose a question because I'm not really able to give an answer at this point but I'm wondering what is going to happen to individuals who have land that they purchased, or perhaps demolished or are preparing to go in for building permits and they're within the 250 ft. mark, and this would in a way take their property rights away from them, so to speak, and I'm just curious as to what provisions we would have for grandfather clause, do we have any, should we amend further to allow anyone who owns property there right now, not to be suppressed by this, I think we have a problem, we could be subject to a law suit here if someone wants to claim a due process violation, the way the proposal was given by Mildred Ritchie, I think it was fairly, it was opened in a sense that at least there could be regulations propagated within 90 days, there could be hearings to get those regulations, but I think this one little sentence really does enough to preclude some activity there, that I think it's a dangerous step we're doing and I'm a little apprehensive about going that route.

ENVIRONMENTAL PROTECTION COMMITTEE (continued)

MRS. MAIHOCK: I would agree with Mr. Sherer and I do think, I would like to recommend that Mr. DeLuca's provision be investigated by the Corporation Counsel, I know he doesn't like me to say that, but I do think it does need further investigation before we do vote on anything of that nature.

MR. WIDER: I'm a little bit concern with the Ordinance, with that kind of an amendment being put without having been a part of the investigation of the Ordinance itself. If this was going to be attached to it, I think it should have been a part of and not added to it here because I think we're playing on dangerous place.

MRS. RITCHIE: The EPB plans to walk every street that is so indicated as a flood plain on the HUD maps and they will adjust it to whatever the area calls for, it may go back as far as 1,000 ft. or 1,500 in some instances, so therefore I do not want to jeopardize this Ordinance by the amendment. I am very much in favor of it, I think it would help a lot of people but I think it's the job of EPB and the next Board to take these regulations apart.

MR. SHERER: POINT OF ORDER. We waived publication, which is a very serious step to make and we waive publication with what we had in front of us and now that there is an amendment to that after we waive publication, I think that's violative of parliamentary procedures.

MR. FOX: I think if the amendment is approved we would have to vote on waiving publication with the proposed amendment because there is a substantive change

MR. BLUM: I think where there is no language apart of that that would control where and how far into the plains, wet plains, then the language...the Ordinance would not be very strong in language. When you don't have language there, you might as well have nothing because a lawyer picked it apart, you got to have the language, if you don't have words, then you can go either way.

MRS. PARKER: I think the intent of this Ordinance is to put the Environmental Protection Board on notice that they do indeed have clout because what we have been hearing is that we don't really have any clout even though there are State Statutes and they mandated us to prepare an Ordinance that would be a City Ordinance and then they can no longer come back as they did with the last flood plains problem and say we do not have a City Ordinance.

ENVIRONMENTAL PROTECTION COMMITTEE (continued)

MRS. McINERNEY: An Ordinance such as this to inform a Board of the powers which they have mandated by State Statutes, however, if this is the only way we can get them to act as responsible members of the Environmental Protection Board then I would support it the way it is and I do think that the amendment at this particular point in time might jeopardize what we're trying to do and I would vote against it.

MR. DeLUCA: The consensus seems to be that the feeling should be to retract the amendment. The only reason why I did propose the amendment to begin with, is to prevent a rash of people from going into the area requesting building permits and putting up condominiums or apartments within 10 ft. of the banks and the EPB can say, we did regulate, we didn't let them put it right on top of the bank, we gave them 10 ft. lead-way and this kind of lead-way just wouldn't suffice or add protection for the people and on the grounds..I think I'd like to let it go as it is and take my chances that it will pass.

MR. RYBNICK: I think if we accept Mrs. Ritchie's Ordinance tonight and then if Mr. DeLuca has study this problem, he can come into the Board and amend it at any time.

MR. FOX: Mr. DeLuca has made a motion to amend the Ordinance which he has outlined for us, it has been MOVED. SECONDED. I would suggest we put that to a vote by use of the machine....No, he did not withdraw it.....we are voting on Mr. DeLuca's proposed amendment, a yes vote is to approve his amendment, is there anyone that has not voted?

MR. FLOUNDERS: Let the record show that I abstain.

MR. FOX: In light of the fact we are dealing with the machine, that will be so reflected. Is there anyone that has not voted? The MOTION is LOST.  
9 Yes; 20 No; 7 abstain. I believe we can now proceed to the main motion which is to approve that Ordinance as proposed by Mrs. Ritchie. Publication has been waived I believe we can go to the main motion which is to approve the Ordinance, I would suggest again that we vote by use of the machine. A yes vote is to approve the Ordinance, is there anyone that has not voted? The MOTION is CARRIED  
31 Yes; 0 No; 5 abstain. I believe that completes your report.

MRS. RITCHIE: That completes my report and I'd like to thank this 15th Board for supporting me as my last responsibility with this Board. Thank you.

HOUSE COMMITTEE - Audrey Maihock

MRS. MAIHOCK: On behalf of our 15th Board, I would like to express the Board's appreciation to John Strat's department for providing our meeting room with improvement such as air-conditioning and the plastic strips on our voting board which has given us greater visibility to ensure our notes where votes were correctly recorded. In addition to thanking our President, Mr. John Wayne Fox for his fine performance, we also especially want to thank our Clerks of the Board, Diane Raymond and Ann Summerville and we are likewise indebted to our Board researcher Judy Chasek, and our Board Secretaries, Helen McEvoy and Carmella Terenzio for their important contribution to the 15th Board.

HOUSE COMMITTEE (continued)

MRS. MAIHOCK: (continuing)...I would appreciate receiving the parking gate cards from all those who are completing their terms of office at the close of this meeting. Thank you.

MR. FOX: You really know your times up when they ask for your card. Mrs. Maihock, the House Committee has never been a committee that's gotten much publicity on the front page of the Advocate, but you have been as conscientious with that committee as any other member of this Board and I thank you for that.

DRUG AND ALCOHOL ABUSE - Jeremiah Livingston

MR. LIVINGSTON: The Committee has no report but I would like to thank Mr. Markiewicz, he and I, we worked for the past two years, I, as Chairman, and he as the only member we had and we met and on all items that were placed in committee, and Henry, I want you to know I'm going to miss you.

TRANSPORTATION COMMITTEE - Paul A. Esposito

- (1) SUGGESTIONS FOR NEW BUS ROUTES AND RE-ROUTING OF PRESENT BUS ROUTES from Edw. Connell 7/24/79 letter - submitted by Rep. Corbo.

MR. ESPOSITO: We are going to HOLD that item, no report.

CHARTER REVISION COMMITTEE - Ralph Loomis

- (1) ACCEPTANCE OF CODE OF ORDINANCES AS REVISED EXCEPT those Mr. Loomis mentioned on floor as being excepted.

MR. LOOMIS: I like to make a motion to Suspend the Rules, I have one motion to bring up and it relates to something we approved a month ago, we approved for publication deletions of Ordinances that we have reviewed for some 4 or 5 months. I might say that we consulted every department head regarding these deletions that we're talking about and we find that with the Health Commission there are some problems with some of the deletions so we are not moving on those, we are going to hold those tonight but I would like to bring up all the other deletions where there was no controversy and where there was general agreement that they should be removed from the Code.

MR. FOX: A motion then is made to Suspend the Rules to take up an item not on the agenda. It's been moved...is there a second to that...MOVED. SECONDED. I am not entirely sure how many members we have present at this time, I'm going to ask the Clerk to call the roll because that will affect the vote on the motion to suspend the rules. The Clerk will call the Roll please..... (Clerk Summerille called the Roll) There are 34 members present. The motion has been made to Suspend the Rules to take up an item not on the agenda as outlined by Mr. Loomis.

CHARTER REVISION COMMITTEE (continued)

MR. BLUM: I'd like to speak against bring' that under Suspension of the Rules for the purpose of the fact, the Public Hearing that took place on October 23, .....

MR. FOX: Mr. Blum, a motion to Suspend the Rules is not debatable. I believe we can proceed to a vote. I suggest we vote by use of the machine. A yes vote is to Suspend the Rules to take up the item as out-lined by Mr. Loomis. The MOTION is CARRIED. 27 Yes; 7 No; 2 abstain.

MR. LOOMIS: I don't want to go over in detail all these changes, they're quite voluminous, they have been on file for about 3 months now. Just briefly at your request, about a year ago our sub-committee with the Corporation Counsel's office took on the tedious task of going Ordinance to Ordinance through the entire Code weeding out those that are either covered by State Statutes that are no longer relevant to the 20th Century or that are simply obsolete language. We did this task, we contacted on two occasions every single department head affected by these changes and we received the concurrence of them all with the exception of Dr. Gofstein who infact I think disagreed with every single deletion. In deference to Dr. Gofstein we have taken his recommendations to heart and we have not deleted any of those affecting the Health Commission; we hope to sit down with him and go through each one and decide whether or not we should delete, however, all the rest, every body agrees it shoud be removed, the Police Chief and right on down the line. Now we did approve last month for publication deletion of all these Ordinances. Mr. President, I have noted those that should not be deleted under the Health Commission, should I read these, or should I hand them over to you, what would be the best way.....

MR. FOX: The Ordinances to be deleted, the changes to be made, that has been published.

MR. LOOMIS: That's right.

MR. FOX: What I would like you to state for the record so that we have it in the tape are those that we are now going to approve. You don't have to read them in toto, but if you would list the numbers on them... the Ordinance number, I would appreciate that.

MR. LOOMIS: Mrs. McEvoy did publish an entire list of all those changes and so it has been published as you said. Those that we are not going to vote upon tonight are as follows: Section 3-1, 3-2, 3-3, 3-4, 3-5, 3-6, 3-8, 3-9, 8-30, 8-32, thru 8-40, 8-41, 8-43, 8-44, 8-46, 9-4, 9-6, 9-7, 9-8, 9-11, 9-12, 9-13, 9-17, .....

MR. FOX: If you could just slow down a little, start with the nines again.

MR. LOOMIS: Airight, I'm sorry....9-4, 9-6, 9-7, 9-8, 9-11, 9-12, 9-13, 9-17, 9-65 thru 9-72, 13-135 thru 13-138, 14-1, 14-23, 18-11, 18-14, 18-16, 18-17, and the last ones we won't delete are 21-20 thru 21-27, and I repeat again, these will not be deleted and we will look them over carefully and act upon them later.

CHARTER REVISION (continued)

MR. FOX: The ones that you have just mentioned and listed,.....could you just give me the twenty-ones' again.

MR. LOOMIS: 21-20 thru 21-27.

MR. FOX: The ones that you have just mentioned are the ones that are not being deleted.

MR. LOOMIS: Correct, and the balance will be, and as I said again the balance is certainly non-controversial, we kind of think that those that were not deleted were non-controversial but as I say Dr. Gofstein doesn't agree with our judgement.

MR. FOX: If you would be good enough to provide that documentation that you have in front of you for Mrs. McEvoy so she can copy that so that there is no question as to what action is taken this evening.

MR. LOOMIS: I will.

MR. FOX: The motion then is to approve the recommendation and the deletion of Ordinances as you have proposed and your committee has proposed. Is there a second to that. MOVED. SECONDED. There is some discussion.....Mr. Wider.

MR. WIDER: I happen to have attended the Public Hearing on the Ordinances, and I was really completely dis-appointed. It was a real cut-throat Public Hearing between two professionals that really upset me. It upset me to think that we can sit here and go through all of those Ordinances in 2 or 3 minutes, and we expect the public to understand what we're doing. Now, no one is going to sit here and tell me that all the work has gone into those Ordinances and they are no good, no one is going to tell me that, there was a reason for them, and there are still reasons for some of them. I'm not satisfied that enough work has been done on them, I don't think the public knows enough about them, because there are many questions being raised in the community about their worth, and although I appreciate all the work that Mr. Loomis done, I think they did a long and hard job, but they still haven't been enough work on them to please me that the public is aware enough and I would ask this Board, they are our laws, not someone else's, they are ours, the Boards before us passed them, let's don't destroy them without due process and consideration.

MR. BLUM: I too attended the Public Hearing, it was a shambles, but I have here before me why....at one time we had before us, I believe Mr. Esposito wants to have something to do with snow emergency, well, 20-40 thru 20-44 Traffic, Snow Emergency. Now we're going to do away with this..... spillage...we had here an Ordinance that you must cover a truck when they're taking this debris from the URC and different places, you must cover the truck....that comes under spillage from vehicles, overloading, sand, stone, gravel, dirt and similar substances. Moving of timber, machinery and other heavy objects through the streets....you know I wouldn't want to see an overloaded truck coming through our residential neighborhoods and destroying some of our....we want to put up signs No Thru Traffic for trucks, yet these are some of the languages, yet I didn't hear them there, if we're having a public hearing I would assume that you would talk on each one of these Ordinances as to why

CHARTER REVISION (continued)

MR. BLUM: (continuing).....they must be deleted. We had today passed, I've read a letter to you from Coporation Counsel, in regard of a conversation between Dr. Gofstein in regard to the Pigeon Ordinance, we had here the EPB Board wants stronger language, a local Ordinance. We've had language come from Michael Sherman, our Corporation Counsel, saying they are in the process of doing away with some of these Ordinances then we shouldn't be making new Ordinances. I say there was a lot of work, as Mr. Wider had talked up, in other Boards of Representatives, Mr. Rybnick, who is our senior citizen who has been through many of these Boards, Mr. Boccuzzi knows of many of these Ordinances which have been passed and all of a sudden now we should do away with them. I want to know more of what we're doing away with, I am not going to vote upon where we're talking about snow emergency, about vehicles, about traffic, I want to know more about it and I don't believe that State Statutes controls every avenue of a municipal government, we have a certain amount of home rule.

MR. SHERER: MOVE THE QUESTION.

MR. FOX: A motion has been made to move the question, MOVED. SECONDED.

MR. LOOMIS: Excuse me, Mr. Fox, I neglected to mention 4 others that I wish not to be deleted, and again I think they're alright but just to err on the side of caution I will add 4 others to the list not to be deleted, so if I can just read those four; 14-9, 18-13, 18-22, 8-51 thru 8-61, and again I'll give these all to Mrs. McEvoy.

MR. FOX: And you will get together with Mrs. McEvoy on that.

MR. LOOMIS: yes, right.

MR. FOX: A motion has been made to move the question, it's been MOVED. SECONDED. CARRIED. The Main Motion then is the one made by Mr. Loomis which has been MOVED. SECONDED, and it is to delete certain Ordinances as he has outlined. I would suggest that we vote by use of the machine, a yes vote is to delete the Ordinances. A yes vote is to approve the recommendation of Mr. Loomis. I would say we need the majority of those present and voting. Is there any one that has not voted? The MOTION is CARRIED. 25 Yes; 8 No; 2 abstain. I believe that completes your report, Mr. Loomis.

MR. BLUM: POINT OF PERSONAL PRIVILEGE. I'd like to say now again we have taken some of our powers of laws and Charter Revision away from...we even took the powers of the Board of Representatives away, also, by Charter Revision questions, they voted 5 times yes.

MR. FOX: I think we can move on.

SPECIAL INVESTIGATING COMMITTEE - Michael P. Feighan  
SEWAGE TREATMENT PLANT, ETC.

MR. FEIGHAN: The Special Investigating Committee in reference to the Sewage Treatment Plant met on October 30, and again this evening and a copy of the

SPECIAL INVESTIGATING COMMITTEE (continued)

MR. FEIGHAN: (continuing) .....final report that we are recommending is in the possession of all the Board members tonight so I will not read that, I will just report that the 5-member committee has unanimously recommended this be our final report.

MR. FOX: Is there a second to that motion. MOVED. SECONDED. I believe we could put it to a vote. The MOTION is CARRIED. (voice vote)

COMMUNICATIONS FROM THE MAYOR - NONEPETITIONS - NONEACCEPTANCE OF THE MINUTES

October 3, 1979 Regular Board Meeting.

MR. FOX: I believe there is a motion to amend those minutes.

MRS. MAIHOCK: I would like to see the minutes of machine voting for the September 5, 1979 Board Meeting which was appended in error be corrected so that the new minutes for October 3, 1979 were included.

MR. FOX: That has already been taken care of Mrs. Maihock, so I think we can move to your next motion.

MRS. MAIHOCK: The other one is the abbreviated manner in which Ordinance #402 and #403 Supplemental are listed in the October 3, 1979 Minutes does not lend itself to clarity. It should be typed as was submitted given the Ordinances as they now are stated and then the deletions following.

MR. FOX: Mrs. Maihock, I'm informed, I don't have those minutes in front of me, but what you are asking for is as I understand it is to have the full proposed amendment included in the minutes, is that correct? That we can do. Is there a second to that motion....MOVED. SECONDED. CARRIED.(voice vote)

MR. BLUM: Before we adjourn this meeting I would like to put into the record a commendation for a man, a private citizen, who went out of his way.....

MR. FOX: Mr. Blum, we haven't voted on the minutes yet, if we could vote on the minutes, please.

MR. BOCCUZZI: I MOVE we accept the Minutes of October 3, 1979.

MR. FOX: MOVED. SECONDED. CARRIED. (voice vote)

MR. BLUM: I would like to commend a man, private citizen, who took it upon himself to print and distribute the 5 Stamford Charter Revision questions, paid for it out of his own pocket, asked for donations to help defray the expense, bought an hour of time on the radio station so as the public could be informed on how to vote on the 5 Stamford Charter Revision questions.

MINUTES OF NOVEMBER 14, 1979 REGULAR MEETING

MR. BLUM: (continuing).....I think a public citizen of this stature deserved a vote of thanks something that should have been done by our Town Clerk's Office, but at least some people knew by listening and by reading what they were going to vote upon on the 5 Charter Revision questions. His name is Bernard Cohen .

MR. FOX: You were making a motion .....for what Mr. Blum.

MR. BLUM: To commend this man informing the public of Stamford in regard to the 5 Charter Revision questions.

MR. FOX: Is there a second to that. MOVED. SECONDED. CARRIED. (voice vote)

RESOLUTIONS: - NONE

COMMUNICATIONS FROM OTHER BOARDS AND INDIVIDUALS - NONE

MOMENTS OF SILENCE - NONE

OLD BUSINESS - NONE

NEW BUSINESS - NONE

ADJOURNMENT:

There being no further business before the Board, upon MOTION duly MOVED, SECONDED, AND CARRIED, the meeting adjourned at 12:08 A. M.

By:

*Helen M. McEvoy*  
 Helen M. McEvoy, Administrative Asst.  
 (and Recording Secretary)  
 Board of Representatives

APPROVED:

*John Wayne Fox*  
 John Wayne Fox, President  
 15th Board of Representatives

Note: The above meeting was broadcast in its entirety by Radio WSTC and WYRS.