

MINUTES OF SPECIAL MEETING

SATURDAY, MAY 30, 1981

16th BOARD OF REPRESENTATIVES

Stamford, Connecticut

A SPECIAL MEETING of the 16th Board of Representatives of the City of Stamford, Connecticut, was held on SATURDAY, MAY 30, 1981, pursuant to a "CALL" issued by PRESIDENT SANDRA GOLDSTEIN, under the provisions of Section 202 of the Stamford Charter.

The meeting was held in the Legislative Chambers of the Board of Representatives, second floor, Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut.

The meeting was called to order at 5:10 P.M.

PLEDGE OF ALLEGIANCE TO THE FLAG: Led by Mrs. Goldstein, the President.

ROLL CALL: The CLERK, ANNIE M. SUMMERVILLE, called the ROLL, there being 29 present and 11 absent. The absent members were: Representatives Betty Conti, Stanley Darer, Patrick Joyce, Paul Esposito, Jeanne-Lois Santy, Ralph Loomis, John J. Boccuzzi, Fiorenzo Corbo, Richard Fasanelli, Mildred Perillo, and Vincent DeNicola.

PAGE: Mr. Chuck Bowlby, nephew of Rep. Doris Bowlby. He is a second grader attending Cranberry School.

CHECK OF THE VOTING MACHINE: There was some difficulty with voting position #1, and the President announced that since she did not foresee many votes this evening, the voting this evening will be done by Roll Call, or a Show of Hands, as she doesn't wish to spend time either in fixing the machine or correcting the machine this evening, therefore, all votes will be other than machine votes.

THE PRESIDENT: "Prior to reading the CALL of the meeting, I have a few words. I would like to state in relation to the constitutional issue that prevailed, and what has occurred since Thursday night. Just prior to relating that, I want to say that in the years I have served the Board, this is my most satisfying day; to see the members of this Board here on a Saturday, to do their duty as duly elected officials, is gratifying.

"Also to know that those people who could not attend all took the time and effort to call and explain why they could not attend, was also absolutely a beautiful kind of thing, not to mention the public participation throughout this whole process.

THE PRESIDENT (continuing) - "I'd like to tell you, as I have already stated, what has transpired since Thursday. Immediately after I stepped down from the Chair Thursday night, Mr. Donahue, Mrs. Hawe, and Ed Frattaroli, and myself drafted a letter that we sent to Arthur Powers, who is the head of the Department of Transportation. We apprised him of the interference that had occurred in the legislative process, and we requested that he delay any ruling until this Board had the opportunity to do its duty in relation to that ordinance, whether it be to vote in favor of it, or against it; but just to do what it had to do and exercise its just function. This letter was hand-delivered the following morning early, by Walter Barrett of the Stamford Police Department. He went to Wethersfield and hand-delivered it to Art Powers, and then proceeded to Hartford to deliver a copy to the Governor.

"Late that Thursday night, Corporation Counsel Cookney and Assistant Corporation Counsel Ed Frattaroli met way into the wee hours of the morning, writing a brief as they promised to me and to the community, which was typed early in the morning by the staff.

"Mr. Cookney requested that I accompany him to court the next day, and Mr. Donahue and Mrs. Hawe accompanied me. We spent from 10:30 A.M. on Friday until 2:10 P.M. at court, trying to resolve the issue. Corporation Counsel met in chambers with the judge for several hours I believe. Thereafter, the judge called for an immediate hearing on the matter, and summoned the applicant attorney to court also. The President was called to the witness stand and was questioned at great length by Attorney Sandak and Corporation Counsel and the Judge, regarding the reasons for calling a Special Meeting, and whether such action was discriminatory to Helicopter Associates.

"Further, there was a great deal of discussion and questions regarding the principles of self-determination for a municipality.

"At 2:10 P.M., the Judge ruled that due to the importance of the constitutional issue involved, and the inherent necessity of maintaining the autonomy of three branches of government, the injunction would immediately be lifted. Thereupon the President called for this evening's Special Meeting.

"I am very grateful for the support I received as President from virtually every member of the Board, and the public, in relation to my decision to obey the Court Order and to obey the rule of law. I, and many others, put our faith in the integrity of the judicial process, and further put our efforts into resolving a critical constitutional issue. Happily, the autonomy of the three branches of government prevailed. I believe to have used any one of several other methods mentioned to circumvent the Court Order would have obscured the important constitutional issue and would have thrust the City into legislative chaos. And I am most grateful that what occurred did occur, and that the sanctity of the system prevailed. Many Board members were crucial in seeking constructive means to resolve the crisis. Many other Board members certainly, if called upon, would have been just as anxious to help; but for those who stepped forward, I must give a special thanks.

THE PRESIDENT (continuing) - "I want the public to understand just how much and how many people are involved when important issues come up; and I am going to give special thanks, and each one knows what he or she individually did, to make today possible and to help in resolving the crisis.

"This is in alphabetical order. Thank you, Tony Conti, Donald Donahue, Bert Flounders, Marie Hawe, John Hogan, Barbara McInerney, John O'Brien, Everett Pollard, Michael Widerlight. Each one contributed something very precious to this evening. Many others, as I said, would have helped. I hate to single people out, but this was crucial. Further, the people that came from their sickbeds this evening: Mary Jane Signore, Paul Dziezyc. We are very grateful. Thank you.

"The Law Department was there all the way through. Leonard Cookney and Ed Frattaroli; and Barry Boodman, who while we were in Court, was busy seeking alternatives, if we lost in Court. The Police Department: Chief Considine, and Sgt. Barrett for being right there to deliver whatever we needed delivered. John Strat and Lennie Marchello of our very own City Hall staff here, who were ready to deliver these notices also at a moment's notice. And last, but certainly not least, our staff, Helen McEvoy and Anne Kachaluba, for typing everything and getting everything out in supreme, quick fashion.

"My thanks to all of you and everyone. This is a most satisfying moment for the democratic process. I will now read the CALL of the Meeting:

"I, SANDRA GOLDSTEIN, President of the 16th Board of Representatives of the City of Stamford, Connecticut, and pursuant to Section 202 of the Stamford Charter hereby CALL a SPECIAL MEETING of said Board of Representatives at the following time and place:

SATURDAY, MAY 30, 1981

at 5:00 P.M. in the

MUNICIPAL OFFICE BUILDING

Legislative Chambers, Second Floor

429 Atlantic Street

Stamford, Connecticut

"for the following purpose:

To consider the Final Adoption of a proposed ordinance supplemental prohibiting the establishment of airports, heliports and helistops within the municipality."

THE PRESIDENT then turned the floor over to Donald Donahue, the Chairman of the Planning and Zoning Committee of the Board.

MR. DONAHUE: "Madam President, Members of the Board, a number of months ago this room was filled with people who came to a public hearing before the State Bureau of Aeronautics. Those were unanimous, all but unanimous, in their opposition to the establishment of a helistop at American Cyanamid. That permit was later granted by the State Department of Transportation.

"Several months later, this room was again filled with Stamford residents who spoke in opposition to the establishment of commercial heliports at Canal and Ludlow Streets. The Cyanamid site would have limited usage, while the heliport to be operated by Helicopter Associates, Inc., would have the capacity of up to 12 flights per hour.

"For the record, I would like to state that the ordinance before us tonight is not targeted at preventing such an operation at any specific site. It is instead a reaction to the possibility of the proliferation of helicopter flights, landings and take-offs, which would threaten the general welfare of the City and its people. I cannot deny, however, that the proposed heliport to be located in the South End was certainly a catalyst in the drafting of this ordinance; and as such, it will serve as an example for the need to provide for local control and regulation of aircraft landing facilities.

"Even though this Board, in March, approved unanimously a Resolution that asked the State to deny the application of Helicopter Associates, Inc., that permit is to be granted. While I believe we recognize there may be a need for helicopter service in Stamford, we expressed the desire to explore the establishment of or such site that would serve the entire community and have the least effect on people and residential neighborhoods.

"In passing a second Resolution, in April, this Board sought the inclusion of certain restrictions within Helicopter Associates' permit. It was made clear to the Planning and Zoning Committee, that if the State did in fact require these restrictions within the permit, that the responsibility for enforcement would lie with the municipality. On one hand, therefore, we have responsibility; while on the other hand, we have no authority to grant, to deny, or to regulate a heliport. The ordinance before us attempts to answer this most pressing need.

"A report submitted to the Committee by Capt. Chas. House, who was with the Federal Aeronautics Administration for 33 years, clearly indicates the tragic impact that the establishment of a commercial heliport could have. I would quote from that report, and Capt. House states:

"This site (and he is speaking of the Canal and Ludlow Sts. site, which I use as an example) is to be used as a commercial heliport for charter flights. It is programmed to operate between the hours of 7:00 A.M. and 7:00 P.M.; and 6:00 A.M. and 10:00 P.M. by prior request; with 24-hour operation a future possibility.

"The heliports would be open to all helicopters wishing to land in Stamford and would not be confined to those helicopters owned only by the lessee, Helicopter Associates, Inc.

Capt. House also states the smoke-stacks of the City Incinerator are in close proximity to the heliport. He goes on to say:

MR. DONAHUE (continuing):

"The absence of proper heliport lighting and obstruction lighting is noted. In its present condition, the heliport is unsafe for nighttime operation."

"Using once again the Helicopter Associates' site as an example, Capt. House goes on to further state, and I mention this because I have learned today of negotiations between the City and other parties to construct a public marina across the East Branch of the channel from this site, and adjacent to Czescik Park. This marina would be for the storage of small boats, and Capt. House states, at one point:

"If a helicopter sustains an engine malfunction due to tail rotor failure, the channel will have to be used as an emergency landing site."

"He goes on and states associated with this problem is the effect of the helicopter hovering above the water, or near the pad, would have on small boats in the proximity. The rotor generates winds up to 75 mph, which would be sufficient to capsize any small boat in the vicinity.

"There is a certain irony in the fact that we tried to meet in special session on Thursday night to adopt this ordinance, and that the Board President, Mrs. Goldstein, Rep. Marie Hawe, and myself, and the members from Corporation Counsel's office who were noted earlier, spent over three or four hours in court trying to regain the right to meet tonight. And this irony stems from the fact that the Planning and Zoning Committee wanted to hold a public hearing in an effort to hear from those who would be opposed to this ordinance. The response, of course, was virtually unanimous in support of final adoption.

"Although our meetings were open to the public, and it was well-publicized that we were discussing restricting the establishment of aircraft landing facilities, I must state again, for the record, that Helicopter Associates never contacted the committee, nor did they speak at the public hearing held on May 21st to present an opposing point of view. With this in mind, and in the spirit of providing for the general welfare of the City and its people, and in support of the principle of self-determination, of three members attending our meeting this past Wednesday night, it was their unanimous recommendation of the Planning and Zoning Committee that this ordinance be adopted, and Madam President, I so MOVE."

THE PRESIDENT: "It has been Moved and Seconded to adopt the ordinance regarding prohibiting the establishment of airports, helistops, heliports, within the municipality. There are several speakers."

MR. ROOS: "This proposed ordinance, in my opinion, is too encompassing. It does not seem controlling the use of aircraft by land restrictions should be a function of this Board. Stamford, some years ago, chose to accept Federal money to modernize and rebuild the City; and we are in the process of doing it. Soon we will have a beautiful City. We have attracted corporations that are and will continue contributing to the betterment of our City. Decisions of national and even international importance are being made here constantly.

MR. ROOS (continuing): "In my opinion, it is almost unbelievable that we are denying quick access to modern transportation to the business men of Stamford in this day and age. As far as noise is concerned, we seem to accept the roar of unmuffled motorcycles through our City streets; their immediate decibel level must be higher than a helicopter. We also have planes flying over our City. Would we have it otherwise. Yet they present a potential hazard. Perhaps it has been suggested, we should build a helicopter landing out in the water, using City fill and bulkheads. Well, we will have a ban against all aircraft unless this is only temporary legislation. I am sure this ordinance will pass, but I think we are being precipitous and acting without consideration for the practical and legal implications."

MRS. HAWE: "First of all, I would like to thank the Board members for coming tonight, as well as for coming on Thursday night. It shows the dedication to their duty which is truly commendable. I would also like to thank Donald Donahue and his committee for the tireless efforts they have put in working on this ordinance. Also I would like to add my thanks to those of Mrs. Goldstein's for all those who helped in their own way in this endeavor; and a special thank you to the Mayor, who agreed to be here tonight, to sign this ordinance should it be passed. And finally, last but not least, I would like to thank the President, Mrs. Goldstein, for her help in this. I think that in retrospect, a wise decision was made on Thursday night when the Board decided to obey the Court Order. The constitutional issue was resolved in Court. It was resolved in our favor, and we were proven right."

"I am not going to try the patience of the Board and of the spectators by talking very long, but there are several points which I would just like to bring up. I think that perhaps the most important aspect of what we are doing tonight, revolves around the question of local control. The establishment of airports and heliports is a matter of such import and consequence to the City of Stamford that we should have our say in this important matter. And this is just what this ordinance will do. It does not prohibit a heliport from EVER being established in the City of Stamford; but it does allow for a procedure, should any party wish to apply for a permit to operate a heliport. It gives control back to the City, and the City's residents, and this is where such a decision belongs."

"In our Code of Ordinances, there are numerous instances where the health and safety of this community is invoked as it is in this ordinance, as a reason for an ordinance regulating many different aspects of life and usage of property within the City. And if anyone feels that health and safety are not an issue here, let me just make note of several occurrences in the last few days."

"First of all, on Friday, I assume many of you read this in the paper or heard it on the television, a helicopter containing several people, including Mayor Koch, had to make an emergency landing due to dense fog in Croton, N.Y. The helicopter had to land in a supermarket parking lot. The Mayor said they couldn't see the lot until the last minute and thankfully his time wasn't up. So even the Mayor of New York can't be completely protected."

MRS. HAWE (continuing): "Also, in an article from THE REPORTER DISPATCH (published in White Plains, N.Y.) of today, the headline says "NO SURVIVORS IN MONTROSE COPTER CRASH". "There were no survivors reported after a helicopter crashed at the corner of Route 9A and Travis Lane in Montrose at about 11:15 P.M. Friday. State police said it was not immediately known how many persons were in the helicopter which exploded on impact. The crash site is in an unincorporated area of the Town of Cortlandt just north of Croton." And then it goes on to mention how just an hour earlier, a helicopter containing Mayor Ed Koch of New York City was forced down in Croton also.

"There is also an instance in California, which was in the paper today also. "SIX DIE IN HELICOPTER CRASH EAST OF LOS ANGELES". It was an evacuation helicopter in which 5 medical personnel were taking an infant, who was seriously ill, to a hospital, and it crashed in the San Bernardino foothills and all aboard were killed. So I think that the fact that the Charter gives the Board of Representatives the power to regulate the health and safety of the municipality, I think can't be in question here, since helicopters and airports definitely pose a safety hazard and we should certainly have our say in where and when they are established. Again, I would like to thank all those who came tonight; and in closing, I would like to urge all of you to vote in favor of this ordinance."

MR. FAUTEUX: "Thank you, Madam President, may we have the ordinance read?"

THE PRESIDENT: "By all means. Mr. Donahue, will you read the ordinance?"

MR. DONAHUE:

"WHEREAS, the Board of Representatives of the City of Stamford recognizes that the landing and take off of aircraft of all types within the municipality constitutes an inherently dangerous activity and represents a threat to the health and safety of the inhabitants of the City of Stamford in that such activity creates excessive noise; requires regulation; constitutes a potential unsafe use of explosives or inflammable substances or materials within the municipality; creates a nuisance, and is detrimental to the health, safety, convenience, and welfare of the inhabitants of the municipality.

"NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED THAT the creation and operation of any private or commercial landing facility for aircraft of any type within the municipality is prohibited unless a permit shall be granted by the Zoning Board upon receiving an application to operate an aircraft landing facility. The Zoning Board shall then request the review and recommendation of the Planning Board and shall hold a public hearing before said application is denied or such a permit is granted. Except in case of emergency, when the life or safety of the occupants of such aircraft is threatened, or as provided in Ordinance No. 407, no landing or take-off by aircraft of any kind may take place within the City of Stamford. It shall be unlawful for any person to cause, make, or contribute to the creation of any landing strip, airport, or other portion of land designed for the landing and take-off of aircraft of any type within the municipality since such use is determined to be detrimental to the life, health and safety of the inhabitants of the City of Stamford. (continued)

MR. DONAHUE (continuing to read the proposed ordinance):

"Any person violating the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon the commission thereof shall be subject for each such violation of a fine of not more than One Hundred Dollars (\$100.00) and the costs of prosecution."

THE PRESIDENT: "Thank you, Mr. Donahue. The next speaker is Mr. Blum."

MR. BLUM: "I only get up here this evening to ask a few questions as to the reasons why this particular ordinance took this length of time and we have to come to this last minute hour and even if we pass this ordinance, we are not sure what this ordinance will do for us in accordance with what was said, or a remark that you made to the ADVOCATE, Madam President, this morning, or probably yesterday. I wasn't present. But it bothers me that we must come to this last moment. I certainly am going to vote "Yea" for this ordinance because with the fact we might be growing as a City, it doesn't mean that the power in a sense belongs to those who sit in those buildings. I've lived here all my life-time. I intend to vote for something that might halt, if it is progress, to put a heliport in the middle of a downtown area, in the center of an industrial section, where there are chemicals and what-not. Is this the place for a heliport! I can't see it. The thing that bothers me, however, is that the time from when this was introduced to us in January, where an opinion was asked of the Corporation Counsel, and an opinion was received on Feb. 19th. In March, we presented a Resolution which was passed by us as a Sense-of-the-Board Resolution at the April meeting, and which we sent to the State Department of Transportation; and on May 22nd, that was the next day after the hearing in this room in regard to the ordinance, the State Department gave their O.K. for HEI and granted them a permit effective Monday.

"I sometimes wonder why an ordinance could not have been drawn up by our Corporation Counsel's office in this period of six months, so that we would not be sitting here today at the last moment to vote not knowing where we stand even after the Mayor assigns his name to the ordinance this evening. I hope that the ADVOCATE prints a paper tomorrow. If it does, we might get by, but I do commend our Clerk to remind us it must be printed a second time. Thank you."

MR. ZELINSKI: "While this helicopter site is not in my district, I support problems for the entire City and work toward equitable solutions along with my fellow Board members, I do have some serious questions, though, that I feel should be answered before we proceed to a vote. The first question is, Madam President, did we receive a reply from our Corporation Counsel for an opinion relating to this ordinance, and if so, why has it not been read, or why has it not been referred to this evening; and I think it would be wise to have it read now. Thank you. First of all, could that be addressed and then I will continue with my other questions.

MR. DONAHUE: "We received that Corporation Counsel's opinion some time ago in writing, and I think it would be - it's about two pages....."

THE PRESIDENT: "No, it is unnecessary to read the opinion, Mr. Donahue, but you could relate the gist and the substance of the opinion."

MR. DeLUCA: "Point of Personal Privilege. Why is it unnecessary to read the opinion. The reason I question the logic is the fact that we all received the ordinance. It was published in the paper, and yet we read that tonight. Now, maybe some of the public is not aware of what the opinion is. They don't receive them, and we don't publish opinions in the paper."

THE PRESIDENT: "That's why I am asking the Chairman to relate the substance of the opinion. I believe that would be enough and would, for all intents and purposes, allow everyone to know the substance of what Corporation Counsel wishes to make known in the opinion."

MR. ZELINSKI: "Inasmuch as I am the one who raised this question, I would sincerely appreciate your following my request. I did not ask for a summary. I asked for the opinion to be read. As Rep. DeLuca quite well put - first of all there was an opinion requested from Rep. Donahue on May 20th. I see the letter is dated May 28th, however, today being the 30th, I found it on my desk here this evening. And I think it is very germane regardless of how the vote is, that we at least read into the record an opinion. It was requested and I think not only my fellow colleagues have a right to know it, but the people here tonight. And I would like it read into the record. Thank you."

THE PRESIDENT: "Mr. Zelinski, I am going to allow the Chairman to determine whether he wishes to read the opinion."

MR. DONAHUE: "As I said, the opinion is a page-and-a-half long. I don't think it is necessary. Every Board member has received it. We can certainly discuss the opinion and I will submit it, for the record, to the Clerk of the Board."

THE PRESIDENT: "Would you please tell the Board and the public what the Corporation Counsel said?"

MR. DONAHUE: "Basically, in discussions with Corporation Counsel and in the original opinion dated Feb. 19, 1981, Corporation Counsel did not feel that it was wise of this Board to pass an ordinance regulating helicopters or heliports. He felt that it was within the province of the Zoning Board to control such matters because of a certain chain of events, we were faced with heliports existing in Stamford as non-conforming uses. But as the ordinance was worked on by the committee and was amended by the committee, it simply refers all such matters and all such permits locally to the Zoning Board, so at one and the same time it is compatible with the opinion of the Corporation Counsel."

THE PRESIDENT: "Mr. Zelinski, do you have any further questions?"

MR. ZELINSKI: "Yes, I do. Thank you. As was mentioned previously, and I do have copies of the Minutes, and I took the time and the trouble to read through them rather roughly this morning. This started back in January, as was already mentioned, pertaining to a Resolution, and then also in April. I also notice that the original request was submitted by Rep. Marie Howe, whose district that involves. She submitted this ordinance back, it says on the Agenda for our June meeting, on March 16th. And again, what concerns me, and through you to the Chairperson of Planning and Zoning, here we are at the eleventh and a half hour, if you would, having to pass this, when I think, first of all, it could have been passed at an earlier date, that is the ordinance, not just the resolutions; and #2, if not that, then at the very least, why could we have not voted

MR. ZELINSKI (continuing): "would not have to be here today. Could that be answered and I will then continue."

THE PRESIDENT: "Mr. Donahue, I will permit you to answer that question."

MR. DONAHUE: "That is a very simple question to answer. The Planning and Zoning Committee explored many different ways when it received this as part of its agenda. We were in contact with the State. We drafted proposed resolutions here to deal with that. We explored the legality of the ordinance. And we also felt, because we didn't think there would be a permit granted until somewhere late in June, that the public hearing was very important, that this was a very technical issue, apart from being a very emotional issue. We had research done by the Researcher at the time, which took some time, about the existence of heliports throughout Connecticut.

"The Committee acted very responsibly in the research and development of the ordinance that you have here tonight. However, one thing that speeds up the process is the fact that Helicopter Associates obtained a writ against the State of Connecticut forcing them to grant the permit on June 1st, or to show cause why they wouldn't, at the same time. So any suggestion that this has been delayed too long, is just the improper impression for anyone to give."

MR. ZELINSKI: "Next, I notice also after reading over the January 12th Minutes of our Board, that we did approve at our Feb. meeting, under the Planning and Zoning Committee, under this particular item, which at that time was a resolution, I had brought up the question of whether an ordinance would be applicable, or if there were one on the books already that would cover the situation down in Shippan.

"And to quote from the Minutes of that meeting, one sentence, Mr. Donahue said: 'The State Department of Aeronautics takes precedence over any local ordinance at all.' That concerns me. In our local newspaper, it mentioned that the Aeronautics Division had recommended approval of the permit application. As I said, and I will repeat, I am 100% in favor of the ordinance to protect the citizens, but I am wondering if after we go through the mechanics, is this ordinance going to have the teeth and do the job that it is supposed to do. Could possibly, through you, Madam President, the Chairperson elaborate on that, because again, I do not want us to go through the mechanics when we may not have the opportunity to have something that is going to be effective and have teeth and protect the residents. I don't want anybody leaving here this afternoon knowing that we did something to be helpful, when in essence, we didn't do anything. Could that be answered, and then I have one last question after that.

MR. DONAHUE: "An ordinance of this type, at one time, at least, the Committee believed that an ordinance was inappropriate because of the State jurisdiction in the matter. However, after that date, we received information from the State that indicated just the opposite, that they would respond and would honor local zoning and local ordinances."

MR. ZELINSKI: "One final question and I will be finished. I am sure all of my colleagues received a letter from the attorney who is representing Helicopter Associates, Inc. dated May 27th. My only concern is that in his letter, he states that in the event, and I quote: "Our client is damaged as a result of the passage of this invalid ordinance, our client will seek recovery to the full extent permitted by law." Madam President, being you have mentioned that you have been meeting with the Corporation Counsel and spent a lot of time of this, I'd like to ask you, do you know that if this ordinance is passed, will we, the Board of Representatives, be obligated and sued by Helicopter Associates, Inc. by our action here this afternoon."

THE PRESIDENT: "Since I am not an attorney, Mr. Zelinski, I could not answer that question. Do you have any further questions? The next speaker is Mr. Wiederlight."

MR. WIEDERLIGHT MOVED THE QUESTION. SECONDED.

THE PRESIDENT: "There has been a Motion to Move the Question and it has been Seconded. Since I said our votes will be by Roll Call, and although that is rather cumbersome, that's how we will proceed. We'll have a Roll Call on the Motion to Move the Question. Ms. Summerville, please."

MS. SUMMERVILLE, the Clerk of the Board, called the Roll:

YES VOTES (to Move the Question) 21:

Burtis Flounders
Lathon Wider
Barbara McInerney
Everett Pollard
Doris Bowlby
John Roos
Philip Stork
John Hogan
John O'Brien
Annie Summerville
Jeremiah Livingston
John Kunsaw
Robert Fauteux
Handy Dixon
Mary Jane Signore
Mary Lou Rinaldi
Gerald Rybnick
Donald Donahue
Michael Wiederlight
Marie Hawe
Sandra Goldstein

NO VOTES - 8:

Grace Guroian
Anthony Conti
Robert DeLuca
Audrey Maihock
Paul Dziezyc
David Blum
John Zelinski
Alfred Perillo

ABSENT FROM MEETING - 11:

Betty Conti
Stanley Darer
Patrick Joyce
Paul Esposito
Jeanne-Lois Santy
Ralph Loomis
John Boccuzzi
Fiorenzo Corbo
Richard Fasanelli
Mildred Perillo
Vincent DeNicola

THE PRESIDENT: "The vote is 21 in the Affirmative, 8 in the Negative. The Motion has been CARRIED. The Question has been Moved. We will now proceed to the Main Question which is the Final Adoption of the proposed ordinance supplemental prohibiting the establishment of airports, heliports and heli-stops within the municipality."

MR. ZELINSKI: "Point of Information. What is the effective date of this ordinance?"

THE PRESIDENT: "It is effective upon adoption."

MR. ZELINSKI: "Which means ten days after the Mayor signs it, or excuse me, to quote the Charter which states that....."

THE PRESIDENT: "No, Mr. Zelinski, you wait just a minute. You have asked for your Point of Personal Privilege. I have given it to you. This ordinance shall take effect upon its adoption. It will be signed this evening, if it passes, and it may not pass. Thereby, whatever the parameters of the Charter will prevail. Ms. Summerville?"

MR. ZELINSKI: "Thank you, Madam President."

MS. SUMMERVILLE called the Roll on the Main Motion for Final Adoption of the Ordinance relating to heliports, helistops, etc.:

YES VOTES (to adopt the Ordinance) 28:

Grace Guroian	John Kunsaw
Burtis Flounders	Paul Dziezyc
Lathon Wider	Robert Fauteux
Barbara McInerney	Handy Dixon
Everett Pollard	David Blum
Doris Bowlby	John Zelinski
Philip Stork	Mary Jane Signore
Anthony Conti	Alfred Perillo
Robert DeLuca	Mary Lou Rinaldi
John Hogan	Gerald Rybnick
Audrey Maihock	Donald Donahue
John O'Brien	Michael Wiederlight
Annie Summerville	Marie Hawe
Jeremiah Livingston	Sandra Goldstein

NO VOTES - 1:

John Roos	
<u>ABSENT FROM MEETING</u>	
- 11:	
Betty Conti	
Stanley Darer	
Patrick Joyce	
Paul Esposito	
Jeanne-Lois Santy	
Ralph Loomis	
John Boccuzzi	
Fiorenzo Corbo	
Richard Fasanelli	
Mildred Perillo	
Vincent DeNicola	

THE PRESIDENT: "The vote is 28 in the Affirmative; one in the Negative. The ordinance has been adopted. Mr. Rybnick, I see you standing."

MR. RYBNICK: "I MOVE for ADJOURNMENT." SECONDED. CARRIED.

ADJOURNMENT: There being no further business to come before the Board, on Motion, duly Seconded, and CARRIED, the meeting adjourned at 6:03 P.M., Saturday, May 30, 1981.

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

APPROVED:

Sandra Goldstein
 Sandra Goldstein, President
 16th Board of Representatives

(This meeting was broadcast in its entirety on Radio Stations WSTC & WYRS)

HMM:MS
 Enc.