

MINUTES OF REGULAR BOARD MEETING MONDAY, OCTOBER 5, 1981

16th BOARD OF REPRESENTATIVES

City of Stamford, Connecticut

A regular monthly meeting of the 16th Board of Representatives of the City of Stamford was held on MONDAY, OCTOBER 5, 1981, in the Legislative Chambers of the Board, in the Municipal Office Building, Second Floor, 429 Atlantic Street, Stamford, Connecticut.

The meeting was called to order at 8:31 P.M. by the Clerk of the Board Annie M. Summerville after both political parties had met in caucus.

CLERK OF THE BOARD ANNIE M. SUMMERVILLE stated that in accordance with Rules, a monthly meeting must be called and held, and the Clerk is charged with that duty due to the unforeseen mishap of the death of President Goldstein's mother this afternoon. She asked those present to stand for a Moment of Silence.

MOMENT OF SILENCE for the late MRS. EVA LEVY, mother of President Sandra Goldstein.

MS. SUMMERVILLE said a TEMPORARY CHAIRMAN must be appointed at this time and she called upon REP. JEREMIAH LIVINGSTON.

MR. LIVINGSTON placed in nomination as TEMPORARY CHAIRMAN the name of JOHN J. BOCCUZZI, Majority Leader. Seconded by Rep. Lathon Wider.

MRS. McINERNEY placed the name of ROBERT FAUTEUX in contention for the position of Temporary Chairman. Seconded.

MR. DeLUCA said he was confused with this procedure as he was under the impression that, as is usually done, when the President has to leave the CHAIR for any reason, the Majority Leader, Mr. Boccuzzi, takes over until she returns. For his own clarification, he would like to understand the proper procedure.

MS. SUMMERVILLE said for the edification of those present and those listening on the radio, she would ask the PARLIAMENTARIAN, JOHN J. HOGAN, JR., to read the Rules to clarify Mr. DeLuca's question.

MR. HOGAN said in response to Mr. DeLuca's question on the President's leaving temporarily, Rule 5 reads: "In case the President wishes to leave the Chair temporarily for the purpose of taking part in debate, or other cause, he may designate a member to perform the duties of the Chair during his absence." Mr. Hogan went on to say Mrs. Goldstein usually designates Mr. Boccuzzi. In the filling of the seat of President, Mr. Hogan said Rules 5 and 6 which follows that, Rule 6 reads: "In the event of the absence or the temporary disability of the President, at the commencement of any Regular or Special Meeting, the members present may, by a majority vote, elect a Chairman of the Meeting."

MR. HOGAN went on to say that Rule 7: "In the event of the absence of the President at any Regular or Special Meeting, it shall be the duty of the CLERK, or, in the absence of the Clerk, the MAJORITY LEADER, to call the Meeting to Order at the hour for which the meeting is called and to preside until the election of a TEMPORARY CHAIRMAN, which shall be the first Order of Business."

MR. RYBNICK Moved that nominations be closed. Seconded.

MS. SUMMERVILLE called for a vote on Mr. Rybnick's Motion. Carried Unanimously.

MS. SUMMERVILLE then called for a vote for a TEMPORARY CHAIRMAN for this evening. The TELLERS are MRS. PERILLO and MRS. MAIHOCK and they were requested to help count the SHOW OF HANDS. A DIVISION appeared to be required, and MS. SUMMERVILLE asked MRS. PERILLO to take a ROLL CALL VOTE.

MRS. MCINERNEY said because the room was so crowded, she would withdraw from nomination the name of ROBERT FAUTEUX.

A SHOW OF HANDS indicated that MR. BOCCUZZI was elected TEMPORARY CHAIRMAN.

MR. BOCCUZZI called the meeting to order.

MS. SUMMERVILLE acknowledged the presence of the Little League teams in the audience tonight and stated they would be leading the Pledge of Allegiance to the Flag.

PLEDGE OF ALLEGIANCE TO THE FLAG: The Little League teams and Acting President John J. Boccuzzi.

INVOCATION: None.

PAGES: MS. KRISTA STORK, daughter of City Rep. Philip Stork. She is a second grade student at Newfield School.

CHECK OF THE VOTING MACHINE:

MR. BOCCUZZI said this is the first time we will be using the new voting equipment and he would, therefore, ask MR. ED KIVELL to explain how it works.

MR. ED KIVELL said it is a simple system. Underneath each desk, there are two toggle switches. The main toggle switch on your upper right is to be flipped UP for Yes and DOWN for NO. There is a secondary toggle switch, which you FLIP DOWN to ABSTAIN. If you don't vote, it will be recorded as "NV" or "NOT VOTING", which means that you were physically here, but you chose not to vote. In order to ABSTAIN, you must actively vote. By adding up the Yes votes, the NO votes, the ABSTENTIONS, and the NV or NOT VOTING, you arrive at the total number of members present at the meeting. Add to that figure those who are not at the meeting that evening and you get 40.

MS. SUMMERVILLE asked that the representative of each team of the ball players come forward: Bill, Peter and Nicholas. She asked each to state who they are representing and she would then present the Resolution to them.

Peter Berry representing Miss Softball Girls. Nick Gatsos representing 16-18 Babe Ruth League. Bill Panapada representing the Federal Little League.

CHECK OF THE VOTING MACHINE (continued)

MS. SUMMERVILLE said on behalf of the entire Board, they are proud to have people like these in our community and she knows they will carry Stamford on to victory from now on.

MR. BRUNO GIORDANO asked that the Resolution be read with the group here.

MR. BOCCUZZI said that this was a bit unusual, but that Mr. Giordano could read the Resolution.

MR. GIORDANO said these young people have traveled the country over in order to represent the City of Stamford, and they really appreciate the Board of Representatives for taking this action. (The Resolution that Mr. Giordano read is attached at the end of these Minutes.)

ROLL CALL: Clerk of the Board Annie M. Summerville called the Roll. There were 37 present and 3 absent (after Bobby Owens was elected to the 3rd District seat vacated by John M. Kunsaw). The absent members were Ralph Loomis; also (excused) Sandra Goldstein and Michael Wiederlight.

THE ACTING PRESIDENT, JOHN BOCCUZZI, declared a QUORUM present.

MR. BLUM brought to the Clerk's attention that the names on the voting board were incorrect in that M. Perillo and A. Perillo were transposed. This will be corrected.

CHECK OF THE VOTING MACHINE: All the members voted yes, no, and abstain. Since this was the "maiden voyage" of the new equipment, Mr. Ed Kivell answered questions and explained procedures and said that some adjustments might have to be made after the equipment had been fully tried out by the members. He requested that no one push any voting switches other than their own.

MR. ESPOSITO said since we had four categories of voting (Yes, No, Abstention, and NV or Not Voting), would that change the effect of the total votes for say, two-thirds, or majority of those voting and present, etc.

MR. BOCCUZZI said the total of those four categories would add up to the total number of members present and that total would be used to compute whatever is necessary for passage of an item. That total plus the members actually absent from the meeting that evening would equal forty. He said this will probably be a tough meeting and he asked everyone to bear with us, and they would try to straighten questions out as they came up during the evening.

MR. ZELINSKI questioned the necessity of having both an ABSTENTION and a NO VOTE as they appear to be the same thing.

MR. BOCCUZZI said the computer was set up that way, and if it was found that a change was needed, it would be made. This is only the first trial. We must proceed with the Order of Business.

RESIGNATION OF JOHN M. KUNSAW (3rd District Democrat):

MR. BOCCUZZI said the first Order of Business is that MR. JOHN M. KUNSAW has resigned from the Board, and his resignation is accepted with regret. His letter dated September 10, 1981 addressed to President Sandra Goldstein reads as follows:

"Effective today, September 10, 1981, I wish to tender my resignation as Representative of the 3rd District.

"It has been a great pleasure to have served on the Board and I regret that it is necessary for me to resign due to personal family reasons.

Sincerely yours,
/S/ John Kunsaw, 3rd District (D)"

MR. BOCCUZZI said the Board appreciated Mr. Kunsaw's participation on this Board and thanked him for his service. He called for nominations to fill the vacancy in the Third District.

MR. WIDER said it gave him great pleasure to nominate a young man, who, in a short period of time, living in the Third District, has worked his way into the hearts of the citizens of the Third District; and who have showed their confidence in him by voting him to the Democratic City Committee. He nominated MR. BOBBY OWENS of 49 Cedar Street in the South End of Stamford. Seconded.

ELECTION OF BOBBY OWENS, 49 Cedar St. to the vacancy in the 3rd District:

MR. BOCCUZZI called for a vote on the nomination of Bobby Owens and it was an unanimous voice vote. CARRIED.

Since there were no other nominations, the Clerk cast one ballot on behalf of Mr. Owens.

MR. BOCCUZZI administered the OATH OF OFFICE to Mr. Owens and he thereupon took his seat on the floor of the Board formerly occupied by Mr. Kunsaw.

MOMENTS OF SILENCE:

For the late ROCKY CONNETTA, who passed away unexpectedly on Thursday, Oct. 1st. Submitted by Rep. DeLuca who said this was a man who stayed in the background. He did not care for fanfare and publicity, but was always helping people in need. His contributions, both in time and financial support, was second to none. He was a person who did not know how to say NO when called upon for help and assistance. His loss has been tragic to everyone who knew him.

For the late POLICE MAJOR LESTER J. McDONALD, who passed away Friday, in Florida. He certainly can be classified as "Mr. Polkeman" in this town, said Rep. Jeanne-Lois Santy. He was loved and respected.

MOMENTS OF SILENCE (continued)

For the late EDWARD CONNELL, submitted by Rep. Audrey Maihock, who said he is remembered for his many contributions to various good community causes. He will certainly be remembered by many on this Board for his precise communication skills, a quality which we should all endeavor to emulate. Some of us recall his participation on the Environmental Protection Board, and our Board's Environmental Protection Committee, when they were working on new flood regulations for the City. Mr. Connell came to help. He was quick to advise when a word did not convey the precise meaning he thought it should. We have lost a very special resident of Stamford, one who believed in doing things as perfectly as possible.

For the late JOHN COPPOLA, submitted by Rep. Anthony Conti. Mr. Coppola was a former Fairfield County Deputy Sheriff and the incumbent local Constable. John Coppola was Past President of the Richmond Park Republican Club; President of the Stamford Old Timers' Assn.; member of the Knights of Columbus, St. Augustine Council; Past President of The Italian Center and Institute, and a member of its Board of Directors for ten years; a member of The Sacred Heart Church, Holy Name Society; and President of the Police Anchor Club. He was a dedicated, hard-working citizen of this community and deserves our last remembrance.

For the late KATHRYN S. ANDROSKO, who died last week, submitted by Rep. Barbara McInerney. Mrs. Androsko was the mother of Anne Kachaluba, a staff member.

For the late MRS. EVA LEVY, who passed away today, and was the mother of our President, Sandra Goldstein. Submitted by John J. Boccuzzi.

STANDING COMMITTEESSTEERING COMMITTEESTEERING COMMITTEE REPORT - Chairwoman Sandra Goldstein

MR. LIVINGSTON MOVED to WAIVE THE READING of the Steering Committee Report. Seconded. Carried.

STEERING COMMITTEE REPORT

A meeting of the STEERING COMMITTEE was held on Monday, September 21, 1981, in the Democratic Caucus Room, Second Floor, Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut. The meeting was called to order at 7:35 P.M. and began at 7:40 P.M., when a QUORUM was present. Chairwoman SANDRA GOLDSTEIN presided at the meeting.

STEERING COMMITTEE REPORT (continued)PRESENT AT THE MEETING

Sandra Goldstein, Chairwoman	Audrey Maihock
Annie M. Summerville	Handy Dixon
John J. Boccuzzi	Lathon Wider, Sr.
Barbara McInerney	Marie Hawe
Jeremiah Livingston	John J. Hogan, Jr.
Jeanne-Lois Santy	John Zelinski, Jr.
Donald Donahue	Robert Fauteux
Everett Pollard	RADIO WSTC-WYRS
Robert "Gabe" DeLuca	ADVOCATE
Mary Lou Rinaldi	

(1) PUBLIC WORKS MATTERS

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

(2) HEALTH AND PROTECTION MATTERS

ORDERED ON THE AGENDA were 4 items on the Tentative Steering Agenda, being proposed ordinance re water shortage; Dolphin Cove Water Supply; Fire Task Force; and Health Hazards of Microwave Transmitters for Cable TV.

Two items were ordered removed from the agenda permanently, being the matter of Agent Orange Victims; also creation of Emergency Medical Service Dept., the latter item being one that the next Board might possibly wish to take up.

(3) PARKS AND RECREATION MATTERS

Ordered removed from the agenda was the matter of the use of police target range by City residents.

(4) SEWER MATTERS

ORDERED ON THE AGENDA were both items appearing on the Tentative Steering Agenda; as well as the item on the ADDENDA, being a proposed resolution for the condemnation of certain properties for Sewer Project 17-2A.

(5) PUBLIC HOUSING AND COMMUNITY DEVELOPMENT MATTERS

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

(6) URBAN RENEWAL MATTERS

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

STEERING COMMITTEE REPORT (continued)(7) CHARTER REVISION, ORDINANCE, AND REAPPORTIONMENT REVIEW MATTERS

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

(8) APPOINTMENTS MATTERS

ORDERED ON THE AGENDA were the first three items appearing on the Tentative Steering Agenda. Ordered off the agenda was the name of RONALD J. WAGNER, proposed alternate to the Fair Rent Commission, having been withdrawn by the Mayor.

(9) FISCAL MATTERS

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

(10) LEGISLATIVE AND RULES MATTERS

ORDERED ON THE AGENDA were six items appearing on the Tentative Agenda, being: CTE lease for South End Community Center; Nature Conservancy Tax Abatement; Non-Liability of City for Ice and Snow on Public Sidewalks; Amend Code Section 8-18 concerning Annual Pick-up of Household and Yard Debris; Church of God Tax Exemption; Freebies for City officials and/or employees at Municipal Recreational Facilities.

ORDERED HELD IN COMMITTEE were six items appearing on the Tentative Agenda, being: Tax Credit for Non-collection of Refuse for Multiple Dwelling Units; Noise Pollution Ordinance; City's Obligation to Collect Garbage and Refuse in Sewered Areas; Creation of a Water Pollution Control Authority; Sale of City Land on East Side of Hurricane Barrier, south of Seaview Ave. to Ocean View Construction, Inc.; Reimbursement of Building Permit Fee of \$1,200 for Stamford Ambulance Corps.

(11) PERSONNEL MATTERS

ORDERED ON THE AGENDA were three items, being both the items appearing on the Tentative Steering Agenda, plus the item on the ADDENDA: Teachers' Labor Contract with Board of Education.

(12) PLANNING AND ZONING MATTERS

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

STEERING COMMITTEE REPORT (continued)(13) RESOLUTIONS

ORDERED ON THE AGENDA were both resolutions appearing on the Tentative Steering 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 8:30 P.M.

SANDRA GOLDSTEIN, Chairwoman
Steering Committee

HMM

PUBLIC WORKS COMMITTEE - Co-Chairmen Alfred Perillo and Everett Pollard

MR. POLLARD said the Committee is scheduled to meet this week, as they had discussed in Steering; therefore, there will be no report tonight.

- (1) INQUIRY AND REPORT ON THE FLOOD CONDITIONS IN THE GLENBROOK ROAD - CRESCENT STREET AREA. Long-existing problem with improper drainage. Request by Rep. David Blum 7/14/81. Held 8/3/81 and 9/9/81, and moved from Sewer Committee to Public Works Committee.

NO REPORT.

- (2) THE MATTER OF DISCONTINUANCE OF CITY GARBAGE COLLECTION SERVICE TO COMMERCIAL PROPERTIES IN STAMFORD. Requested by Rep. Mary Lou Rinaldi 7/8/81. Held in Committee 8/3/81 and 9/9/81.

NO REPORT.REQUEST FOR SUSPENSION OF RULES

MR. BLUM MOVED to Suspend the Rules to bring Item #1 of the Personnel Committee out of order and to be presented now. Seconded by Mr. Pollard. This is the labor contract and Fact-Finder's Report between the City and AFSCME/MAA, the City's administrative personnel.

MR. BOCCUZZI called for a vote. APPROVED UNANIMOUSLY (voice vote).

PERSONNEL COMMITTEE - Chairman David Blum

- (1) RATIFICATION OF FACTFINDER'S REPORT REGARDING AFSCME/AFL-CIO (MAA City Supervisory/Administrative Employees) - Deadline October 12, 1981 for action or non-action. Also contract on items not included in Factfinder's Report.

PERSONNEL COMMITTEE (continued - Under Suspension of Rules)

MR. BLUM said the Personnel Committee met Thursday, September 24th, at 7:30 P.M. with the following Committee members present: John Hogan, Jr., Michael Wiederlight, Paul Dziezyc, Philip Stork, and David Blum, Chairman. Vice-Chairman Jeremiah Livingston was excused because he was at work. Also present: City Labor Negotiator Thomas Barrett; Alan Ketcham, President of the AFSCME Administrators' Union; James F. Bingham, Attorney for the Union.

MR. BLUM said the first item on the Agenda is ratification of the Agreement between the City of Stamford and the Stamford Municipal Supervisory Employees' Union Local 2657 of the American Federation of State, County, and Municipal Employees AFL/CIO Council 4. He Moved for ratification of this contract. Seconded by many.

The contract that the Committee voted on favorably, 5 in favor, none opposed, is an initial contract which was under negotiation for three years, and reached an impasse and had to go to Arbitration, which resulted in a FactFinder's Report on ten of the items. Let us say that both sides bargained collectively in good faith, and came out with a contract that the City and the taxpayers can accept. Mr. Blum hopes that all the Representatives have read the FactFinder's Report. Mr. Gary R. Ginsberg is known in the field as a thorough and a tough man, and he wrote some good decisions favoring both sides, which the Personnel Committee favored. Therefore, this Committee recommends to you to vote favorably for this contract.

MR. FAUTEUX said even though he has a great deal of sympathy for the long time which the MAA was in negotiation on this contract, there is one critical piece that is missing out of the contract before the Board tonight and that is the Merit Program. He said they historically saw the great discussion that was done in implementing the merit program, and he feels it critical that that be included, continue to be included, in this contract. In order for it to be so, Mr. Fauteux thinks it should be turned down by this Board and it should go to Binding Arbitration.

He wants to point out that the City must instill in the Supervisors of the City employees, the need for accountability and also the motivation for leadership. Stamford faces many conditions which demand high priority setting of decisions. Accountability is looked for not only in elected officials in their decision-making leadership, but should be looked for in the supervisory personnel and the managers of the City. Accordingly, if there are no merit provisions in this contract, there is no way of motivating those people, the supervisors in this case, to do the best job possible and rewarding the ones who have provided the best results. It is necessary to look at the analogous situation in industry in this case where motivation is almost universally done by the merit system; and to see anything else in a situation like this is a travesty against the taxpayers, who are going to end up paying for bad decisions; and granted, of course, getting the good decisions that most of these people will have for us. Accordingly, Mr. Fauteux urged that this contract be turned down and go to Binding Arbitration.

PERSONNEL COMMITTEE (continued - Under Suspension of Rules)

MR. DeLUCA said he has to agree with some of the comments made by Rep. Fauteux and also with Rep. Blum. Morally, he plans to vote for this contract this evening because three years is a heck of a long time to go without a pay increase. Even though these people are going to get their 15-16%, whatever it may be, if you look at the inflation rate, they are still going to be in the hole, and not come out ahead anywhere.

There are two things Mr. DeLuca does not like about this contract. Perhaps the Chairman of the Personnel Committee can, and correct him if he is wrong, but since the Merit Regulations went into effect, and it is also in this contract, that after one year of employment, a person gets four weeks of vacation with pay. To Mr. DeLuca, this is outrageous. In comparing the City with private industry, in private industry after 15 years, in most places, you get four weeks with pay. But this contract here, in one year. Unfortunately, this is a carryover from the Merit Regulations which were put in effect when Mr. DeLuca came on this Board four years ago and which he tried to reject but was unsuccessful.

Something else which disturbs Mr. DeLuca about this contract is the Car Allowance. If you are required to use your car for City business, you will get \$100 a month. All other contracts say you must be required to use the car on a daily basis. This contract, from the implication he gets, you can use the car five days out of a month and you get the \$100. To him, this is wrong; but as he said before, morally, he must vote for it.

On principle, the Merit System is a good one if it is worked properly, but once again, in the four years that Mr. DeLuca has been on this Board, the only people^{he} has seen get the 9% raises were the directors and the pets.

There are many people that Mr. DeLuca has seen and knows who have done a darned good day's work out there, and went for three years without an increase. If the Merit System, once again, can work like it does in private industry, fine, Mr. DeLuca would gladly reject this, but based on past experience -- and he hopes this will be an experience learned by both management and the forthcoming MAA people -- that with the next contract, these can be worked out so that they can go back to a Merit System, and that if you are doing a good job, regardless if you are a pet or a director, you will get that 9% or the 8%, not because somebody has something against you, they give you 3%. If a person isn't doing the job, then get rid of them. Therefore, Mr. DeLuca urged his colleagues here tonight, because of a moral principle, to approve this contract. And hopefully, our Labor Negotiator, Tom Barrett, will do a good job for us in the future. Do away with the four weeks' vacation after one year. Make sure the term required on a daily basis, and then you are entitled to the \$100 a month car allowance. Nona of this baloney that use the car whereby you can have it four or five days and still get that \$100.

PERSONNEL COMMITTEE (continued - Under Suspension of Rules)

MRS. SIGNORE said this has been a hard-fought contract, hard-fought for three years. These people have been living on promises at a time when inflation, as we all know, has been eating up what salaries we do bring home.

The Merit System has been brought up tonight. It's been hashed around for a long time. It is a far from perfect, or even equitable system, and has been abused. Mrs. Signore asked the Board members to look with favor on this contract. These people have been hanging long enough.

MR. WIDER said the contract is a long way from being perfect, but he is upset with our Personnel Department that they haven't seen fit to take advantage of a Merit Plan that we worked hard to give them. He was really upset when he looked at all the time that had been spent in negotiations on this contract, and at no time did they discuss the Merit Plan. He is wondering what is happening with our Personnel Department. Do we need to revamp....

MR. BOCCUZZI interjected, asking Mr. Wider to talk to the contract. He said he may agree with him but he doesn't think this is the place to discuss the Personnel Department.

MR. WIDER said he doesn't think this is the place that we have to be discussing our supervisors who have been more than willing to supervise for a period of three years with no increase, and we are talking about a merit plan. So, he for one, is going to vote for this contract.

MR. POLLARD MOVED the Question. Seconded.

MR. BOCCUZZI called for a vote. It CARRIED with a few No votes (voice vote).

MR. PERILLO Moved for a Roll Call vote. Sufficient hands were raised.

MS. SUMMERVILLE took the Roll Call Vote. (See Roll Call Sheet attached at end of Minutes.)

MR. BOCCUZZI said the contract is ratified with 32 Yes votes, 4 No votes, and 1 Abstention.

REQUEST FOR SUSPENSION OF RULES

MR. BLUM MOVED to Suspend the Rules to bring Item #3 of the Personnel Committee out of order and to be presented now. Seconded by Mr. Perillo. This is the labor contract between the Teachers and the Board of Education.

MR. BOCCUZZI called for a voice vote. CARRIED.

- (3) APPROVAL OF LABOR CONTRACT BETWEEN BOARD OF EDUCATION and THE TEACHERS, per letter from Pres. Sarah Silveira dated 9/17/81. Teachers will be voting on tentative contract on Sept. 22nd, and if they approve, the Board of Education will also give its approval on the 22nd. For period January, 1982 through June 30, 1984. Requests this Board's approval at their Oct. 5th meeting. Copies of Contracts to be provided 9/23/81.

PERSONNEL COMMITTEE (continued - Under Suspension of Rules)

MR. BLUM said the Committee voted to ratify the Agreement between the Stamford Board of Education and the Stamford Education Assn. for the period January, 1982 through June of 1984, by a vote of 5-0, and he so MOVES. Seconded by several.

Present for the Board of Education were Mr. Otto Calder and John Morris; for the Stamford Education Assn., Mr. Robert Davies. This Board can be proud of the fact that through their perseverance against the Attendance Bonus, we were able to get the Board of Education and the Stamford Education Assn. to re-open the negotiation on the salaries for our teachers, so as to bring them on a level with other teachers in Fairfield County. If we were not aware of it, many of our teachers have been leaving the education system to go into other professions, or other towns to teach because of the low starting, as well as the mid-level, position salaries. Mr. Blum can personally tell you that he knows some teachers who have gone into the railroad field, and he has look^{ed} at the wage schedule, and he hopes our teachers will remain as per this wage adjustment.

The Personnel Committee also recommends, as a result of the study on absenteeism, that some method will be used to bring down the rate of absenteeism in the school system so that educating our children becomes the primary issue of all our professional teachers.

Let us hope this Attendance Bonus becomes a thing of the past. It divided our City at a time when it was never needed.

MRS. McINERNEY said she is pleased to support this contract and that it is time the teachers in our City got recognition and a hike in their salaries.

MR. BOCCUZZI called for a vote on the Teachers' Contract. APPROVED UNANIMOUSLY by voice vote. The record will indicate that Rep. Donald Donahue and Mary Jane Signore did not participate in this vote.

HEALTH AND PROTECTION COMMITTEE - Chairwoman Jeanne-Lois Santy
(RE-PUBLICATION)

- (1) FOR FINAL ADOPTION - PROPOSED ORDINANCE SUPPLEMENTAL, AS AMENDED, ADOPTING REGULATIONS RESTRICTING USE OF WATER DURING WATER SHORTAGE.
Submitted by Mayor Louis A. Clapes. Held in Committee since January, 1981. Published 3/11/81. Held in Committee 7/6/81, 8/3/81, and 9/9/81.

MRS. SANTY said the Committee held a Public Hearing to discuss the proposed ordinance on Sept. 30th. Attending were members Paul Dziezyc, Patrick Joyce, Mildred Perillo, and the Chairperson. Also present were Reps. Zelinski, Alfred Perillo, Anne Summerville, Audrey Maihock, and Anne Saxe. Corporation Counsel was also there. There were three members from the public present and speaking. They were Dr. Michael Sveda, Joseph Tooher, and Wayne Tyson. The Committee by a vote of 3 in favor and one opposed voted for the changes which are on the desks of the Board members to be made to the ordinance.

HEALTH AND PROTECTION COMMITTEE (continued)

MRS. SANTY went on to say she would like to bring the attention of the Board to these proposed changes which are on their desks tonight. They received the ordinance itself about three weeks ago. The changes are very clearly stated, but she will be glad to answer any questions if there are any. She Moved to publish these changes, with a Public Hearing to be held Wednesday, October 28, 1981, at 7:00 P.M. in the Main Meeting Room. Seconded.

MR. JOYCE expressed his feelings of annoyance, stating he is also distraught with what he has seen happen on occasion, and this is the latest occasion, which particularly is upsetting which involves an ordinance and the Corporation Counsel's Office. It is not the first time that the Board has met, held Committee meetings, and come to the monthly Board meeting and found on the desks an opinion from the Law Department which impinges upon the particular matter at hand. He said they took a vote the other night, they had a meeting, Corporation Counsel Cookney was there. Suddenly tonight, he arrives and finds an envelope addressed to him, for the very first time and five minutes before this particular report is to be made, there is a very copious opinion with which Mr. Joyce may or may not agree as a member of the Committee, and as an attorney, from Mrs. Alice Perry, Assistant Corporation Counsel. This is ridiculous and it is absurd to the point of the fact that there are questions of law involved here. This is not courtesy to this Board. It is not right. It's improper. It upsets the entire pattern of this very serious matter which Mr. Joyce has tried to get out, this water ordinance. He has tried to cooperate with the Chairwoman of this Committee on this particular thing, but the Mayor's Office, and the Mayor has responsibility for the lawyers in the Law Department, is not exercising proper administrative control here. This is no way to run a railroad. Mr. Joyce is annoyed and wants to take this opportunity to voice his disagreement with the way the Law Department is handling this matter. He is sorry, but he tried to get to Mrs. Santy before she made her report, but he can in no way support what happened the other night at that meeting, when he looks at his desk and finds a long-winded opinion, verbose opinion, from the Assistant Corporation Counsel which he has not yet had an opportunity to consider, and which raises very serious questions. He is sorry to have taken up this time but it had to be brought up at this point.

MRS. SANTY said they are not voting on the Law Department's opinion here as written and received tonight. They are voting on the changes that they made at the Committee meeting Wednesday night. At that meeting, Mr. Cookney did state that he had reservations about several items in the ordinance. The Committee went ahead and took his opinion for fact and voted. They are still Moving as a Committee to publish the ordinance with the changes, and nothing has changed that vote since receiving the opinion tonight. Mr. Cookney did contact her and say he was going to have something ready. They did have Mrs. Perry's opinion, which is almost identical to this, about three weeks ago. That does not hurt the Committee report in any way.

MR. JOYCE asked for a Point of Personal Privilege to respond to Mrs. Santy. He said he does not concur with her report. He wants it to be clear that he does not support the report, nor the vote taken the other night, nor the action tonight announced under these circumstances. He is sorry.

HEALTH AND PROTECTION COMMITTEE (continued)

MR. DZIEZYC said he was requested by the Chairwoman to investigate the underground aquifers in Stamford because Joe Tooher, the attorney for Combustion Engineering stated he had a report from their hydraulic engineering firm that states their well will not impact the public water supply. They would like to present this report at the public hearing. Mr. Dziezyc checked with the State Department of Environmental Protection and spoke to Daniel Meehan, who is in charge of the underground aquifers. Mr. Dziezyc asked him if there was any map available, and the response was none that would show any accurate underground water aquifers. Mr. Meehan said wells run dry during droughts, and they must be replenished by large bodies of water, such as rivers and reservoirs. Mr. Meehan is an expert on water resources, and it is almost impossible to determine the source and exit of an underground aquifer. He said these aquifers are fed by surface waters, springs, rivers, and reservoirs. Therefore, if we remove private wells from this ordinance, people who have wells will lower the level of reservoirs because most of the water that will supply the wells during extreme drought, will come from large bodies.

MRS. CONTI said she would like to Move an additional amendment to this ordinance. Under Section 5, page 3, "Restrictions Of Quantity Of Water That Can Be Used During The Emergency. Residential Users. Each residence and household shall use no more than 55 gallons per person per day. The minimum payment suspended during this period of operation of this ordinance."

MRS. CONTI would like to delete the first sentence entirely inasmuch as it is discriminatory against the small minority of the population who live in one-family homes with water meters. She wishes to delete that sentence. Seconded.

MR. HOGAN, as Parliamentarian, said it was correct that they vote first on Mrs. Santy's Committee's amendments which are before them, and after that they would vote on Mrs. Conti's proposed amendment.

MRS. MAIHOCK said she had her hand up but apparently it was not noted, and she is confused as to just where they are at this point. She wanted to ask a question of Mrs. Santy.

MRS. GUORIAN asked for a Point of Information. How do you vote on a collective sheet of amendments. Why not vote on each amendment individually.

MR. BOCCUZZI responded that a Motion was made to accept all the amendments brought forth by Health and Protection, and if anyone wished to take them individually, they could make a Motion to that effect.

MRS. GUORIAN MOVED that each change be voted on individually. Seconded by Mrs. Conti.

MR. BOCCUZZI called for a voice vote and said the Ayes Carried it.

MRS. SANTY asked for a Division on that vote. Seconded.

MR. BOCCUZZI asked the members to vote by machine on Mrs. Guroian's Motion to take each amendment separately. DEFEATED with 12 Yes, 19 No, Zero Abstentions, and 6 NV (not voting), and 3 members absent for the evening.

HEALTH AND PROTECTION COMMITTEE (continued)

MR. BOCCUZZI said then they would vote on it as one item, as a group.

MRS. SANTY said she Moved to accept the changes which are just word changes. The Committee went through them very carefully. They stayed there five hours on Wednesday night. They feel it is in the best interests of the people who spoke before the Committee that we accept these seven changes.

MR. HOGAN, as Parliamentarian, said if these are considered as one amendment to the proposal they can take one vote, otherwise, under Robert's Rules, they would have to take them separately.

MRS. SANTY said her Motion is that they be accepted and published as one amendment to the ordinance.

MR. BOCCUZZI called for a vote, and the Motion was APPROVED with a few No votes.

MRS. CONTI Moved that under Section 5, the first sentence be deleted under Residential Users. "Each residence and household shall use no more than 55 gallons of water per person per day." She said they could leave in the last sentence reading "The minimum payment suspended during this period of operation of this ordinance." That is discriminatory against the small minority of one-family homeowners who have individual meters. She does not think it is proper to pass legislation that is discriminatory in nature. Furthermore, there is in this ordinance an exception to the watering of vegetable gardens. Mrs. Conti wants to know out of whose 55 gallons would the watering of the vegetable garden come. This restriction of 55 gallons per person per day is just not proper, and she Moves to strike it out. Seconded.

MRS. MAIHOCK understands Mrs. Conti's concern. In a household when you say they cannot use more than 55 gallons of water per person per day, sometimes due to illness or unforeseen circumstances, there might be a necessity to possibly use more. Would it be possibly to add a Motion to say, after the first sentence "and shall be allowed an appeal process if such householder requires same." Mrs. Maihock believes that such a clause would protect anybody would might be adversely or unfairly affected by this restriction.

MRS. SANTY said they have had this in Committee for eight months and eleven meetings and four public hearings, and they have taken this ordinance apart piece by piece, sentence by sentence, and word by word. They have taken every single item into consideration. This did come up. She wants this to be accepted tonight just as is, after all these Committee and public meetings. They tried to meet the needs of the single-family, the multi-family, the landlord, the apartment dwellers, everyone. At this time she would not accept this amendment. She would like this to go out and be published. There will be a public hearing on the 28th and see what the public comes up with them.

HEALTH AND PROTECTION COMMITTEE (continued)

MR. LIVINGSTON said he wanted to know exactly how Mrs. Santy felt about the amendment that is being proposed by Mrs. Conti since her Committee has worked on this, and worked on it. He would value her opinion on this.

MRS. SANTY said she would like this ordinance passed as it is on the desks tonight, with the amendments of the Committee. And without Mrs. Conti's proposed amendment.

MR. BOCCUZZI called for a vote on Mrs. Conti's amendment which would delete that section which refers to the amount of water to be used by a single household. The voice vote was not conclusive and Mr. Boccuzzi said they would vote by machine. DEFEATED with 8 Yes, 23 No, 3 Abstentions, 3 NV (notvoting), and 3 members absent.

MRS. SANTY Moved for the publication of the proposed ordinance with the amendment. Seconded.

MR. BLUM asked if the resolution which he attached to the ordinance is now a part of the ordinance.

MRS. SANTY said it was. It is all attached.

MR. ZELINSKI asked what the disposition of the water table level of the City is.

MRS. SANTY said as of 10/5/81, which is today, there is 42% capacity in the reservoir, or 148 days. Last year at this same time, 10/5/80, there was 50% capacity, or 172 days. Basically, we are not in that bad shape as of today.

MR. ZELINSKI said based on that information, and looking over the ordinance, plus hearing from some of his constituents, he really feels that the existing regulations concerning a water shortage in Stamford is adequate, and this is not necessary and he would urge his fellow Board Members to vote against it tonight, as he will be doing.

MR. BOCCUZZI called for a vote on the proposed ordinance as amended by the Health and Protection Committee. APPROVED with 28 Yes, 7 No, Zero Abstentions, 2 NV (Not Voting), and 3 Absent. (Mr. DeLuca and Mr. Livingston voting Yes.) The ordinance will be published.

(2) REPORT ON DOLPHIN COVE WATER SUPPLY. Submitted by John J. Boccuzzi 6/5/81. Held 7/6/81, 8/3/81, and 8/24/81.

MRS. SANTY said she has some very good news tonight on Item #2. This is good news for the Board, good news for the taxpayers, and even better news for Dolphin Cove and that area. She is pleased to advise everyone here tonight that they do not need \$15,000 because it is going to be resolved without one penny of the taxpayers' dollars.

HEALTH AND PROTECTION COMMITTEE (continued)

MRS. SANTY said that through the perseverance and the efficiency of Public Works Commissioner Spaulding, he has been working very closely with the Water Company and they have elected another option to tap an entirely different water main from Congress Street, bring it down to Silver Street, and eventually into Top Gallant Road, thus eliminating any excavation on Southfield Avenue. This not only eliminates the question of our participation in cost with the Water Company, but it also provides a separate source of supply to Dolphin Cove. There is added advantage of a loop system to the hydrants which is better than the original proposal in that there would be a lower pressure drop if multiple-hydrant use was required. Mrs. Santy is very, very happy, and she wants to thank Mr. Boccuzzi for bringing this to the Committee's attention, but she is happier for the people over there that this is going to be finally resolved.

MR. BOCCUZZI said he called this afternoon, around two o'clock, and it was not resolved at that time.

MRS. SANTY said it probably was resolved around five o'clock.

MR. BOCCUZZI said he wants to thank Mrs. Santy and her Committee for their work, but he must say, if the Board will bear with him, that back about seven or eight months ago when they sat down with the Commissioner, etc., and Mr. Boccuzzi had asked if there was going to be any asphaltting done in that area, and Mr. Spaulding said no; and the Water Company called Mr. Boccuzzi less than a month ago, saying that a list went out and they picked it up and they called the Commissioner. Mr. Boccuzzi thanks the Commissioner for doing this. He just wanted to state that the Water Company reminded the Commissioner about the project.

MRS. SANTY said she did not think the Water Company was concerned about the \$15,000 of the taxpayers' money, and you have to give the Commissioner credit where credit is due.

MR. BOCCUZZI said he gives the Commissioner credit.

- (3) STATUS REPORT - FIRE TASK FORCE. Held 6/22/81, 8/3/81, and 8/24/81. Interim Report made 9/9/81.

MRS. SANTY said this is still in Deputy Corporation Counsel Barry Boodman's hands. He has been working on it, and he called Mrs. Santy at six o'clock this evening. It is problematic but not without resolution. He promises it to be in our hands probably this week, or the first part of next week, and we will then hold a hearing on this. Because of the State Codes involved, it has been a long process, but it is going to be a very efficient piece of legislation.

- (4) MATTER OF POSSIBLE HEALTH HAZARDS OF MICROWAVE TRANSMITTERS FOR CABLE TV. Submitted by Rep. Marie Hawe 8/18/81. Held 8/24/81.

MRS. SANTY said the Committee met on Sept. 30th to discuss the possible health hazards of microwave transmitters for cable TV. Attending were Paul Dziezyc, Patrick Joyce, Mildred Perillo, and the Chairperson. Also Reps. Alfred Perillo, Audrey Maihock, and Marie Hawe, who gave an excellent presentation. Twelve persons attended and spoke. Because of the

HEALTH AND PROTECTION COMMITTEE (continued)

MRS. SANTY (continuing)...complexities of the situation, it was decided to HOLD IN COMMITTEE for further input. She thanks Mrs. Hawe at this time.

REQUEST TO SUSPEND THE RULES

MRS. HAWE MOVED to take an item out of order and hear it now, being Item #1 under Fiscal, \$77,730 for Housing Sites Development Agency. Seconded.

MR. BOCCUZZI called for a vote on Mrs. Hawe's Motion. CARRIED UNANIMOUSLY, voice vote.

FISCAL COMMITTEE - Co-Chairpersons Paul Esposito and Marie Hawe

- (1) \$77,730.00 - HOUSING SITES DEVELOPMENT AGENCY - RESOLUTION AMENDING 1981-1982 CAPITAL PROJECTS BUDGET by adding a project #727-077 PURCHASE OF NORTH STREET ELDERLY HOUSING PROJECT SITE financed by withdrawal of funds from CAPITAL NON-RECURRING FUND. Total purchase price \$570,000. \$380,000 to be State-contributed, and \$110,000 by Community Development. Mayor's letter 6/1/81. Board of Finance approved 6/11/81. Held in Committee 7/6/81, 8/3/81 and 9/9/81. (At 6/11/81 meeting, Board of Finance reduced from \$80,000 to \$77,730 at request of Margot Wormser, Housing Authority.)

Above also referred to PUBLIC HOUSING and COMMUNITY DEVELOPMENT COMMITTEE.

MRS. HAWE said this was Held in Committee last month pending more information concerning the proposed foot-bridge. On Sept. 23rd, the Fiscal Committee spent approximately one hour talking with members of the Housing Sites Development Agency, the Planning Board, and the Environmental Protection Board on this matter. Notices had been sent to all Board members inviting them to come at that time and to question the parties involved. To clarify some of the figures that are listed on our agenda, she would like to go over the figures and what is needed to purchase this site.

The total amount needed for the property purchase and site preparation is \$570,746. Of this amount \$460,000 is the actual purchase price for the property, and the remainder is for site preparation, the demolition of an existing building on the property, for legal notices, engineering studies, and architectural studies. Of this amount \$570,746 which is needed, \$380,497 is a State Grant, and \$190,249 is the local share. Of this local share, \$100,000 will come from Community Development, and \$77,730 will be the City's cash contribution, and this is what is before us tonight. The additional \$12,520 are In-Kind contributions coming from the City and Community Development, and these include the Corporation Counsel's time, Mrs. Margot Wormser's time, postage, photo-stating, and things like that.

Concerning the foot-bridge, the Planning Department has come up with a plan to include it as part of the Mill River Green Belt System. The plan for the proposed Mill River Green Belt had included plans for several foot-bridges across the river, including one foot-bridge a short distance below from where this one would be built.

FISCAL COMMITTEE - (Suspension of Rules item continued)

MRS. HAWE said as conceived now, the foot-bridge would go across the Mill River at the site of the Elderly Housing Project and would be connected to a landscaped walk on the other side of the river. The playground to Hart School would be fenced off and there would be no access to it at all from the bridge. If this is approved tonight, the additional cost which the City would have to incur at a future date for the start of this Mill River Green Belt System and the foot-bridge would include the following: \$56,000 for the bridge; \$40,000 for the walkway on the other side of the river and for the landscaping; \$3,000 to move the fence that is currently partly surrounding the Hart School playground; and a possible \$5,000 additional to extend the walkway south of the bridge, in addition to north of the bridge.

The Fiscal Committee voted 7 in favor and none opposed, and she so Moves. Seconded by Mr. Wider.

MR. WIDER, Chairman of Public Housing and Community Development Committee, said his Committee met several times. They also met with Fiscal on this, and they concur wholeheartedly.

MRS. PERILLO asked if the fence was going to moved rather than taken down. It would still enclose the playground.

MRS. HAWE said the fence would entirely close in the playground.

MR. FAUTEUX said he is in favor of this, but he would like to draw a point to the Board's attention, which is that the \$100,000 that was tacked on to this, frankly, was not originally part of the housing project arrangement. You can see that the City got backed into an extra \$100,000, as was said, for positive purposes. But the point is that we have to look at all of these projects and make sure that we know ALL the costs that are in hand before we go forward and get the momentum going, and end up in a situation like this where we end up with two pieces and a trailer in this case, being \$100,000 which we were really forced into, to going with, in order to get the major project done.

MR. BOCCUZZI called for a vote on Item #1 Fiscal for \$77,730. Voice vote with two No votes (Mrs. Maihock and Mrs. McInerney), rest Yes votes.
APPROVED.

PARKS AND RECREATION COMMITTEE - Chairman Robert "Gabe" DeLuca

MR. DeLUCA said he has no report, since they have been doing a good job in the past months.

EDUCATION, WELFARE AND GOVERNMENT COMMITTEE - Chairman Robert Fauteux

MR. FAUTEUX said he has no report this evening.

SEWER COMMITTEE - Chairman Michael Wiederlight

- (1) FOLLOW-UP ON EASEMENTS FOR 17-2A SEWER DISTRICT. Submitted by Reps. Michael Wiederlight and Sandra Goldstein, 16th District, 7/17/81. Held in Committee 8/3/81 and 9/9/81.

NO REPORT.

- (2) PROBLEM OF RUN-OFF WATER FLOODING 191 PRUDENCE DRIVE. Submitted 7/13/81 by Reps. Jeanne-Lois Santy and Mary Jane Signore. Held in Committee 8/3 and 8/24/81.

NO REPORT.

- (3) RESOLUTION FOR THE CONDEMNATION OF CERTAIN PROPERTIES FOR SEWER PROJECT 17-2A.

NO REPORT.

MR. BOCCUZZI said that Mr. Wiederlight notified him that there was no report.

PUBLIC HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE - Co-Chairmen Lathon Wider and John Roos

- (1) THE MATTER OF PERSONNEL POLICIES OF COMMUNITY DEVELOPMENT DEPARTMENT. Held 9/9/81.

MR. WIDER said they had scheduled a meeting for Sept. 30th, but previous to the meeting, they received a letter from the Mayor of the City of Stamford asking them to HOLD the one item on their agenda, which was concerning a resolution which they had submitted to the previous Steering Committee meeting, and the Mayor said he would like another month for this to be held in committee. Mr. Wider is not so satisfied with this due to the fact that there is a grant involved on the personnel policies of Community Development. Unless that can be straightened out, it may be a threat to the grant which has been received in the past. There is no report on this item and it is being HELD IN COMMITTEE at the Mayor's request.

URBAN RENEWAL COMMITTEE - Chairman Richard Fasanelli

- (1) PROPOSED RESOLUTION CONCERNING APPROVAL OF CONTRACT FOR SALE OF LAND IN SOUTHEAST QUADRANT (EXTENDED) URBAN RENEWAL PROJECT FOR PRIVATE REDEVELOPMENT TO DAVID MURRAY, SAMUEL BERMAN, HENNY MURRAY AND EVA BERMAN. Mayor Clapes' letter 8/21/81. Held in Committee 8/24/81.

MR. FASANELLI said they held a meeting but did not have a quorum. He Moved to Waive the Committee Report on this item and move it out of committee and onto the floor for consideration. Seconded.

MR. BOCCUZZI called for a vote on Mr. Fasanelli's Motion. CARRIED UNANIMOUSLY, voice vote.

URBAN RENEWAL COMMITTEE (continued)

MR. FASANELLI said this is simply a resolution that will give a sliver of land that is left over to these property owners right next to them, which is approximately 18 inches wide by about 30 feet long. Nothing can be constructed on the property. It has been landscaped to enhance these people's property already, and they just want title to it. He Moved for approval. Seconded.

MR. BOCCUZZI called for a vote. CARRIED UNANIMOUSLY, voice vote.

ENVIRONMENTAL PROTECTION COMMITTEE - Chairwoman Audrey Maihock

MRS. MAIHOCK said they did not have a meeting.

MR. BOCCUZZI said before they got into Charter Revision, he would call on Ms. Summerville, who has something to say.

MS. SUMMERVILLE said Mr. Esposito has been communicating with Mrs. Sandra Goldstein's family about the funeral arrangements for Mrs. Goldstein's mother who passed away today. She would yield to Mr. Esposito.

MR. ESPOSITO said he would make his announcement at 10:30 p.m., when the radio had a station break.

CHARTER REVISION and ORDINANCE COMMITTEE - John Hogan and Grace Guroian, Co-Chairpersons

(1) FOR PUBLICATION - PROPOSED ORDINANCE SUPPLEMENTAL REGARDING DELETION OF VARIOUS CITY ORDINANCES.

MR. HOGAN said the study and review of the Code of Ordinances will and is continuing. The next meeting of the Committee for this purpose, to continue on the study of the ordinances and the Code, has been scheduled for October 7, 1981 at 7:30 P.M. here in the Board rooms.

(2) FOR PUBLICATION - PROPOSED ORDINANCE SUPPLEMENTAL REGARDING RE-APPORTIONMENT.

MR. HOGAN said regarding Re-apportionment, the Committee has, with the concurrence of the Co-Chairpersons, Mrs. Guroian and himself, scheduled a public hearing to be held on the 13th of this month at 7:00 P.M. here in the Board meeting room. Copies of the maps are available tonight. The Republican members he is sure have them. The Democratic members can pick them up in the Democratic Caucus Room. The maps will be placed in the public library, in the branches of the public library, senior citizen centers, community centers, and other places where the plan will receive proper exposure, the exposure necessary. Once again, the public hearing will be held on Oct. 13th at 7:00 P.M. here in the Board meeting room.

CHARTER REVISION and ORDINANCE COMMITTEE (continued)

MR. HOGAN (continuing). If this necessitates, then, a special meeting of the Board following the public hearing, whether it comes before the regular November meeting, or after the regular November meeting, will depend upon the wishes of the members of the Board.

His Co-Chairperson, Mrs. Guroian, has some further remarks to make regarding the expenses involved in the study that this Committee is making and at this time, he turns the microphone over to her.

MRS. GUROIAN said that in the event that the Committee should need to expend some monies to have another computer run, she proposes that the Board allocate \$10,000 for that purpose. Seconded. Granted by the Chair.

MR. LIVINGSTON asked for a five-minute recess. Seconded.

RECESS lasted from 10:07 P.M. to 10:15 P.M.

MR. BOCCUZZI said as he understands it, Mrs. Guroian is asking the Board for \$10,000, and since this is not on the agenda, she will have to ask to Suspend the Rules to put an item on the agenda in order to get a vote. He asked Mrs. Guroian if she wished to do so.

MRS. GUROIAN said the item on the agenda reads "For publication - proposed ordinance supplemental regarding re-apportionment." Where did they expect to get the money to pay for this publication.

MR. BOCCUZZI said this would be paid from the Board of Representatives budget.

MRS. GUROIAN said since the appropriation is specifically in relationship to the Re-Appportionment matter on the agenda, it is part of the agenda.

MR. BOCCUZZI said he would rule that the \$10,000 is not part of the Agenda, and therefore, if Mrs. Guroian wishes to ask this Board to appropriate \$10,000, she would have to ask for Suspension of Rules to get an item on the agenda that is not there.

MRS. GUROIAN challenged the ruling of the Chair (the same Motion was made simultaneously by Rep. Paul Dziezyc). Seconded.

MR. BOCCUZZI called for a vote on the Motion to Challenge the Chair's ruling that the appropriation of \$10,000 asked for, is not on the agenda, and therefore a Suspension of the Rules is required. If you feel the Chair is not correct, vote No. (Machine Vote #IV was 18 Yes, 17 No, Zero Abstentions, 2 NV (not voting); 3 absent. (For clarification, a Roll Call vote was taken; See next page.)

There were some questions on the floor about why the tally for abstentions showed Mr. Livingston voting an Abstention when he wanted to vote yes and it was explained by Mr. Kivell that there was a malfunction at that voting station but it was taken into consideration and Mr. Livingston told the Chair how he wanted to vote. After this, Mr. Livingston would sit in Mr. Boccuzzi's seat, since Mr. Boccuzzi was Acting President and voting at

CHARTER REVISION and ORDINANCE COMMITTEE (continued)

Mrs. Goldstein's station, who was absent this evening.

MR. BOCCUZZI said that if the vote were not clear, he would have a Roll Call Vote taken. He asked the Clerk, Ms. Summerville to Call the Roll.

The Roll Call indicated that the CHAIR'S RULING IS UPHELD by a vote of 18 Yes, 17 No (and 5 members absent). Roll Call sheet is attached at the end of these minutes.

MRS. McINERNEY said, as a Point of Personal Privilege, she knows that the Re-Appportionment Commission is one that tried to act fairly and was very aware of the law regarding one-man one-vote principle. They tried to come out with a plan that they thought would appease everybody. Now it appears that this Board should also act fairly and in accordance with the spirit of the Re-Appportionment Commission, and certainly the Board knows that the Charter Revision Committee cannot possibly address this plan in a fair and open manner if this Board chooses to ignore their responsibility by law, and by Charter, and refuses to allocate any money. She thinks this a very unjust opinion on Mr. Boccuzzi's behalf and she is surprised.

MRS. SAXE said it is her understanding that in the courts of the State of Connecticut are a ruling that will come down at the end of October on the apportionment lines which were used for this study. If they were to throw out these lines at the State level, where will this study sit for the City of Stamford.

MR. HOGAN said he understands that if the State courts, as Mrs. Saxe puts it, throw this out, or throw the State lines out, that the district lines in any municipality, town, or borough, shall remain intact for the purpose of voting districts, unless otherwise changed by the local body.

MRS. SAXE asked if Mr. Hogan was proposing to change the lines, or keeping them as such.

MR. BOCCUZZI said that the lines that were used by the Re-Appportionment Commission are the lines handed down to the City by the State. The Commission is staying within the lines, with one voting place, one-man, one-vote.

MRS. GUROIAN said Mr. Boccuzzi was out-of-order. He should not be answering that question.

MR. HOGAN said it goes back to the principle of one-man, one-vote, and within the lines.

MR. BLAIS said he doesn't remember there being a Motion on the floor to have this discussion about the Committee report. Or are we in the discussion phase of some Motion.

MR. HOGAN Moved that the report of the Committee be accepted. Seconded.

MRS. GUROIAN asked what Committee report be accepted.

CHARTER REVISION and ORDINANCE COMMITTEE (continued)

MRS. McINERNEY said the Committee merely accepted the Report on behalf of the Board. They did not come out with a conclusion on that Report; therefore, this is a little bit premature to ask this Board to accept the Report as was given to this group until such time as the public hearing is held and the final recommendations by the Charter Revision Committee is made.

MR. HOGAN said he agrees 100% with Mrs. McInerney and he withdraws his Motion. It is simply a report of progress.

MR. BOCCUZZI asked what was the Charter Revision Committee asking this Board to do.

MR. HOGAN said the Committee is notifying the Board that there will be a public hearing on the 13th of October at which time the Re-Appportionment Plan will be discussed. Publication is not being requested. The only publication will be a notice in the paper that there will be a public hearing on Oct. 13th at 7:00 P.M. in the Board Room here.

REQUEST FOR SUSPENSION OF THE RULES

MRS. GUROIAN MOVED for a Suspension of the Rules to entertain a motion to allocate \$10,000 to the Committee in order to make any expenditures which may be necessary to give a complete report. She will give the basis of that request if she is allowed to do so. Seconded by Mrs. McInerney and others.

MR. LIVINGSTON asked where would the \$10,000 come from. The normal procedure for appropriations was through the Board of Finance.

MR. BOCCUZZI said in this particular case, this Board can appropriate the money, without going to the Mayor or to the Board of Finance. This Board has sole authority in this case.

MRS. McINERNEY said in the spirit of cooperation and in the spirit of following the mandate by the State law, it would behoove this Body in order not to purposely....

MR. PERILLO said there is no discussion when a Motion for Suspension of Rules is on the floor.

MR. BOCCUZZI called for a vote on Suspending the Rules. Mr. Boccuzzi said the AYES had it, but someone on the floor called for a Division. However, Mrs. Guroian said that since a two-thirds vote was required to Suspend the Rules, she would concede that the Motion was DEFEATED.

MR. DeLUCA asked for a Point of Personal Privilege, and said he could be ruled out-of-order as he proceeded, if it were correct to do so. He was under the impression that they were elected to represent the people, and he might be naive at times, to try to give them a fair understanding of how our City operates. All they are asking for is \$10,000, so they can tell the public what Re-Appportionment really is.

CHARTER REVISION and ORDINANCE COMMITTEE (continued)

MR. RYBNICK said he would have to take exception to Mr. DeLuca's remarks at this time. He thinks they are giving....

MR. BOCCUZZI said he will not allow any cross-debate. If there is any more discussion on Suspension of the Rules or the \$10,000, he will rule it out-of-order. The Motion was Defeated and no more time will be spent on this subject.

MR. DeLUCA asked for a Point of Personal Privilege. He wanted to know if, come October 13th when the meeting is held, that the maps the members have tonight, will be available to the public.

MR. HOGAN said that the maps that each Representative has, or will have tonight, will not be available to the public. Those large maps will not be. What will be available to the public will be a map on legal size paper in black-and-white, outlining the districts, about 8½ x 13" or 8½ x 14". A copy will be available for everyone at the meeting.

MR. FLOUNDERS suggested that since this is such a complicated issue, and those maps in the legal size are impossible to read, that at least one of the large maps be posted in the public hearing room, so that the public interested enough to turn out, can at least understand the district lines and that the map be overlaid with the current districts, to show the change. Otherwise the public will not understand what the significance of the changes are, and they are entitled to at least that.

MR. HOGAN said Mr. Flounders remarks are very well-taken. This shall be done.

MRS. McINERNEY requested that a letter be written on behalf of this Board to the Corporation Counsel to ascertain whether this Board cannot complete its work requirement within the time span in the life of the 16th Board, if this particular re-apportionment issue can be passed on to the 17th Board, and they will be legally and morally obligated to complete that work.

MR. HOGAN said he has no objection to writing such a letter, and he is sure Mrs. Guroian would not object either. Mr. Hogan spoke to Leonard Cookney, Corporation Counsel, yesterday morning on exactly this question. He did say that if this Board cannot complete the work, it would carry over onto the 17th Board. And he has no objection to writing the letter, and getting it in black-and-white.

MR. BOCCUZZI said if there are any more questions, that members discuss it with Mr. Hogan and/or Mrs. Guroian to make sure that anyone who wants any information for that particular night, it will be available at that time. We can now go on to other matters on the Agenda.

MRS. GUROIAN asked for a Point of Information. Is she to assume that if the Courts throw out the State lines on which this map was predicated, on Oct. 30th, this Committee will have no funds to realign those lines.

MR. BOCCUZZI said he would assume they would have no money. He does not know, however, that they are going to have to realign the lines. There are no funds available for any study that would cost any further money.

CHARTER REVISION and ORDINANCE COMMITTEE (continued)

MR. BOCCUZZI (continuing)...If the Courts throw out the lines which are now in contention before them, and upon which the Stamford re-apportionment lines are draw, then this Board will have to decide if they want to reopen and make new lines and not accept the previous lines presented by the Commission. At that time, if it occurs, this Board may draw up the lines themselves, if they wish to stick to the one-man one-vote principle and also to stay within whatever lines are finalized for the State, if that is possible.

MR. FLOUNDERS asked for a Point of Personal Privilege and said he felt that Mrs. Guroian's question was a very valid one and he would like to hear an answer. He said Mrs. Guroian was not talking about money now, but about the contingency plan if the State indeed changed the current General Assembly lines. Is Mr. Boccuzzi saying that there would be no money at that time to re-define the districts.

MR. BOCCUZZI said if money is needed in such an event, Mrs. Guroian would initiate such a request through the proper channels.

MR. BLUM asked for a Point of Information. Was there ever a report made by the Commission to this Board, or to the Committee, of the money that was originally appropriated for them by this Board.

MR. HOGAN said his knowledge does not indicate any information as to the expenditure of any funds by the Commission. He does know that there are funds still not encumbered in the Commission's account. Whether or not they could be used to complete the work of this Board, through a transfer, and this is only speculation, he does not know. No, he has never seen a report of any expenditures.

MR. BLUM said if the Commission has completed their work, they should submit a complete breakdown of their expenditures. And if there is money that is unencumbered, perhaps that can be used.

MR. BOCCUZZI said he would take a Point of Personal Privilege himself at this point. He asked Mr. Livingston to assume the CHAIR.

MR. LIVINGSTON said "I've waited ten years to sit here!"

MR. LIVINGSTON, ACTING PRESIDENT, called upon Mr. Boccuzzi on his Point of Personal Privilege.

MR. BOCCUZZI said the expenditures of the Re-Apportionment Commission have not been completed yet. They have paid the consultants for the computer work. They still have to pay for secretarial work which is not a finalized figure at this time, so the Commission cannot at this moment provide an exact figure of the outstanding balance. A statement of expenditures will be provided as soon as all the bills have been paid.

MR. BLAIS asked for a Point of Order. He said the Committee has not completed its report on this matter yet, and he feels that all of this discussion is premature. He feels the meeting should move on to other issues, to let the Charter Revision complete their review of the situation.

MR. LIVINGSTON, ACTING PRESIDENT, said he would accept Mr. Blais' Point of Order, and he agrees they should go on with the business at hand.

MRS. GUROIAN asked if he meant to go on to the next item on the agenda, and if that were so, it could not be done because that would be closing debate and you need a two-thirds vote to do that.

MR. DIXON made a Point of Order. It is his understanding that Mr. Hogan completed his report. There is no motion on the floor, so what are they discussing.

MRS. GUROIAN said she did not complete her report, and she would like to do so.

MR. BOCCUZZI said there is no motion on the floor.

MRS. GUROIAN made a Point of Order. She would like to know whether the Commission sent a written report about their findings to this Board and if so, to whom they addressed it.

MR. HOGAN replied they have no, he has no, written report, or any knowledge of any one on the Committee having received a written report from the Re-Appportionment Commission. He did receive, through the mail today, one revised copy from Mr. Leyland, with minor changes outlining the districts on the map and that is all that he has received. There was no covering letter; there was no signature. It was just a print-out of the districts with minor, four minor changes on the map.

MRS. GUROIAN said she would propose that this Board is entertaining something which it has no proper right to entertain, since that report was never handed over to this Board in any manner, written or otherwise, and a map from Mr. Leyland, who is not a member of the Commission; since nothing was handed over in written form, and only in verbal form at a Committee meeting to a Committee that was not empowered to accept that report is not valid, so what are we talking about? We still don't have a report in our hands.

MR. RYBNICK said with so much discussion going on about this Re-Appportionment, the finalizing of this particular item and the report of the amount of money spent, will not be known until the Board of Representatives says this is final, this is where it should be at - at the final meeting of this Board.

MRS. GUROIAN said that is not what she is talking about. Not the funding. The Commission has not ^{yet} officially transferred a report to this Board.

MR. BOCCUZZI said he would not sit here and let Mrs. Guroian yell back every time someone speaks. She must be recognized first.

MRS. GUROIAN said then Mr. Boccuzzi should stand up.

MRS. MCINERNEY said Mrs. Guroian is absolutely correct. She reminded ^{the} Board that after every Charter Revision Commission has finished, they have always prepared and reduced in written form the findings of their particular Commission. She believes the Re-Appportionment Commission, to be legal, and she is not talking about political lines, but to be legal, must have reduced their report to writing. If this is not properly and legally handled, this City

CHARTER REVISION and ORDINANCE COMMITTEE (continued)

MRS. MCINERNEY (continuing)...will also be dragged into court and their maps will all be challenged by the incompetent handling of this Board's work.

MR. DONAHUE said as a Point of Order, he has before him a letter of Transmittal of the Redistricting Plan entitled "Equal Board Plan" from Mr. McCabe who is the Co-Chairman of the Re-Appportionment Commission. Mr. Donahue attended a meeting held not too long ago between the Committee and the Commission at which time a transcript was taken of their verbal report, and that report will, of course, be available to this Board. He believes every meeting which the Commission held was recorded and transcripts are available of all of those meetings, which will comprise a complete report. Mr. Donahue also said the report of the Commission is very clear. Everyone in this room, or most everyone in this room, has a map which they have submitted, and it is entitled in the letter of transmittal.

MR. DONAHUE also had a Point of Information. He wants to clarify something. He asked if the Re-Appportionment Commission itself a bi-partisan committee with equal representation of both parties.

MR. BOCCUZZI said it was equal on both sides, 4 Democrats and 4 Republicans. The names are on the letter Mr. Donahue has before him.

MR. DONAHUE said so there are equal numbers of representation, and by a vote of 8-0, a bi-partisan Commission turned over a re-districting plan to a committee of this Board. He just wanted to clarify that for those who are listening. Eight to Zero, four Republicans and four Democrats, voted to turn a map over to this Board, entitled "An Equal Board Plan".

MRS. SANTY said she hardly considers this one page, twenty sentences, a final report of this committee. Certainly it cannot be accepted. This Board has never accepted any concept like this before. Another thing, on this commission, and she is not taking exception to the Majority Leader or the Minority Leader, but these members were appointed solely by two people. The rest of the caucus was not advised, was not given the chance to vote. That is one point she wants to get over to Mr. Donahue.

The other thing she wishes to say is that this cannot be considered a report. No way is this a report, and she would think every statement Mr. Donahue made is invalid. If you look at this report here, it is not even addressed to the President of the Board. It is addressed to the Chairpersons of the Charter Revision Committee. Never has a finalized report come before the Committee Chairperson. It should be addressed to the President of the Board, itemized, and a final report. This is illegal; and if we take this as a report tonight, that, too, is illegal.

MRS. SAXE would like Mr. Donahue to tell her why would this Board want to accept those lines which we are using for this sub-division of voting when we know that the State has a court decision that is going to be rendered on Oct. 31st on whether or not they are going to be legal. Why should we accept it at this time.

CHARTER REVISION and ORDINANCE COMMITTEE (continued)

MR. BLAIS said he thinks this discussion may prejudice the work of the Charter Revision Committee and he would like to Move the Question. Let's move on with the agenda.

MR. BOCCUZZI said that Mr. Hogan has advised the Committee will meet on Oct. 13th at 7:00 P.M. and hold a Public Hearing. He also stated there will be maps available with City lines on it. He also stated that certain places within the City will have these maps posted so all interested parties can look at them and come to the open hearing and voice their opinions. At this time, since there is no action being asked by the Chair or the Board, any further discussion will be ruled out-of-order.

MRS. GUROIAN said that you have to have a two-thirds vote to move on to the next item on the agenda, and you can look at any Robert's Rules and it will say that.

MRS. CONTI asked for a Point of Information. She wanted to know the status of this matter. Is it presently before the Commission, or is it before a Committee of this Board.

MR. BOCCUZZI said it was his understanding that the report was handed over to the Committee. The Commission has completed their work.

MRS. GUROIAN made a Point of Order, stating the Commission has not completed their work until they have made a report; not until they send a report to this Board, and it doesn't have to be a financial report. A report of what they did is what is required.

MR. BOCCUZZI asked that people wait to be recognized before they speak, even on Points of Order or Personal Privilege.

MRS. GUROIAN made another Point of Order. She said this is a matter that could easily go to court. She said Mr. Boccuzzi is asking her, as Co-Chairman, to accept this when there is not even a report, a complete report, except a letter of transmittal, that's all it is, to the Committee. At the time that that was written even, that letter addressed, not to the Board, not to the President of the Board, but to two Co-Chairmen, who did not legally have it in their Committee. Now you are asking the Board to act on something that is not legally before the Board. How can you ask them to do that? You are making them a party to your illegality.

MR. HOGAN said that, in all candor, he must say, if you will bear with him, towards the end of the meeting that the Committee had with the Commission, he specifically asked the Co-Chairman of that Commission whether or not they had forwarded a letter of transmittal with the computerized report and with the map. At that time, they said no, they had not. The only comments, written, were those as submitted by Mr. Callahan, and he submitted his comments in writing. Mr. Hogan was assured by the Chairmen of the Commission that they would, then, the following day, submit to the Committee, a letter of transmittal. Mr. Hogan has tonight found on his desk a letter signed by Mr. Daniel M. McCabe who is Co-Chairman of the Commission which they evidently consider a letter of transmittal accompanying the report. Mr. Hogan, as an individual, and as a member of this Board, considers this to be a valid letter of transmittal to the Board, to a committee that was validly composed by this Board; and he, therefore, completes his report once again,

MR. HOGAN (continuing)....by saying that the remarks that are being made to-night, should be confined to the hearing on the 13th of October.

MRS. GUROIAN said, as Co-Chairman, she does not accept this as a letter of transmittal. It should be addressed to the President of the Board, not to her and Mr. Hogan.

MR. HOGAN said he finished his report.

MR. ZELINSKI said his name was on the list about 25 speakers ago, but that was all right. His Point of Information and Personal Privilege is this. According the Charter which we go by, it states within 60 days after receipt of said report, and after a public hearing, the Board of Representatives must accept, reject or modify the report. Tonight he received, after asking, a copy of the new map showing the new district lines. He has not got the boundaries as far as the streets are concerned. It would, in the best interests of all Board members, behoove to have the Committee forward the boundary lines on which they will be asked to vote at a future date. Also any minutes of the Commission that deal with the three plans that they reviewed. They are giving this Board one. If Mr. Zelinski does not accept that one, he would like to know what the alternatives were, in the event that they could possibly vote on one of those in place of this third one. He would like this information, all of it, forwarded by the Co-Chairmen Hogan and Guroian to all the Board members before the public hearing, otherwise they will not be in a position to come here and intelligently discuss it.

MR. HOGAN said Mr. Zelinski's remarks are very well-taken. The print-out on the corrected boundaries were received by Mr. Hogan this afternoon at ten minutes past four o'clock. They will be copied and sent to each and every member of this Board.

As far as the three plans that were rejected by the Commission, considered and rejected that is, Mr. Hogan has no knowledge of the mechanics of those plans, but it is within the province of this Board to ask for those plans as Mr. Zelinski has suggested, but he does not think the Commission is bound by law to make public those plans, if they see fit not to.

MR. BLUM said that he cannot accept a one-page letter from Co-Chairman Daniel McCabe of the Re-Appportionment Commission, as a finality of monies of \$30,000, and all they get is one page and a map, and we are supposed to look at it. There were tapes on this, and Mr. Blum feels the Board is entitled to copies of the transcripts. He will not accept this.

MR. FLOUNDERS said in the interest of moving this meeting along, and he sympathizes with Mr. Boccuzzi tonight, he would like to suggest that the Board capitulates to Mr. Blum's suggestion, and Mr. Flounders will make a Motion that the Board ask the Commission to issue such a report and to give an accounting of the \$30,000 expenditure, so that no doubts are left in any one's mind, and they can then treat this whole issue in a businesslike manner. He Moves that the Commission be asked for such a report. Seconded.

MR. BOCCUZZI called for a vote and it carried with all yes votes except one no vote, by voice. The Commission will be notified as to what this Board is looking for by Mr. Hogan and Mrs. Guroian.

CHARTER REVISION and ORDINANCE COMMITTEE (continued)

MR. BOCCUZZI said we would now move to the Appointments Committee. He said, upon being interrupted by several persons who had not yet been recognized, that if they want to prolong this meeting, he has no qualms as long as he gets to work by 7:30 in the morning. He can sit here and if they want to continue the discussion, they can keep going.

MRS. SANTY said she realizes the hour is late, but this is very important. There is a sentence in this one-page document which they are considering law here tonight, that she does not think is valid. She would like to check with Mr. Santoro, because he did not state this in caucus. And it says that "with the provision imposed by Mr. Santoro that absolutely no deviations could be made in any of the districts." Mrs. Santy would like to check the validity of this because this is not what Mr. Santoro's spoken word was. So she would question this whole report.

MR. BOCCUZZI suggested she check with Mr. Santoro.

MRS. GUROIAN stood to be recognized, said she would like to substantiate what Mrs. Santy said, and she thinks Mr. Boccuzzi could, too, if he would get out of that Chair and get into his regular chair. Mr. Santoro, at that meeting, specifically stated exactly the opposite of what is written in this letter of transmittal. And until such time as that is corrected, or Mr. Santoro tells her otherwise, she will not accept that letter.

MR. BOCCUZZI said they would now move on to APPOINTMENTS COMMITTEE.

APPOINTMENTS COMMITTEE - Chairman Handy Dixon

MR. HANDY DIXON stated that the Appointments Committee met Thursday, October 1, 1981, at 8:00 P.M. in the Democratic Caucus Room. Present were Reps. Mildred Perillo, Anne Summerville, Barbara McInerney, John Boccuzzi, Robert DeLuca, and Handy Dixon.

The three items on the Agenda have all been unanimously approved by the Appointments Committee and he is Moving them on to the CONSENT AGENDA.

URBAN REDEVELOPMENT COMMISSIONTerm Expires

(1) <u>ERVIN STEINBERG</u> (R) 55 Bridge Street Held in Committee 8/24/81	Re-appointment	August 8, 1986
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APPROVED ON CONSENT AGENDA.HUMAN RIGHTS COMMISSION

(2) <u>SYBIL TACCONE</u> (R) 188 Skyview Drive Held in Committee 6/22 & 8/24/81	Replacing Philip Morris whose term expired.	December 1, 1983
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APPROVED ON CONSENT AGENDA.

APPOINTMENTS COMMITTEE (continued)WELFARE DEPARTMENTTerm Expires

- (3) MEG KIMMEL (D) Replacing Frank December 1, 1983
112 Hoyt Street Caputo (deceased)
Held in Committee 8/24/81

APPROVED ON CONSENT AGENDA.

MR. DIXON Moved for approval of the Consent Agenda, Appointments #1, #2, and #3. Seconded. APPROVED UNANIMOUSLY.

FISCAL COMMITTEE - Co-Chairpersons Paul Esposito and Marie Hawe

MRS. HAWE said the Committee met on Sept. 23rd. Present were Committee members Betty Conti, Robert Fauteux, Burt Flounders, Jerry Livingston, Jerry Rybnick, Paul Esposito, and Marie Hawe. She Moved to the CONSENT AGENDA, fiscal items #2, 3, 4, 5, 6.

- (1) \$ 77,730.00 - HOUSING SITES DEVELOPMENT AGENCY -- See Page 18 of these Minutes when this item was heard early and out of its regular sequence on the agenda.

APPROVED - See Page 18.

- (2) \$ 10,294.33 - WELFARE DEPARTMENT - Code 510.1110 SALARIES - Additional Appropriation required to employ an ACCOUNT CLERK (Step 3). Mayor's letter 7/28/81. Board of Finance approved 8/13/81. Held in Committee 9/9/81.

Above also referred to PERSONNEL COMMITTEE.

APPROVED ON CONSENT AGENDA.

- (3) \$705,158.00 - STAMFORD DAY CARE PROGRAM - Codes 750-760 Various Accounts for the Stamford Day Care Centers - Additional Appropriation per Mayor Clapes' request dated 8/31/81 for fiscal year starting 7/1/81 budget; approved by and to be fully reimbursed by the State Department of Human Resources. Board of Finance approved 9/10/81.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

APPROVED ON CONSENT AGENDA.

- (4) \$ 1,250.00 - ZONING BOARD - Code 107.1110 SALARIES - Additional Appropriation to up-grade Clerk-Typist II hired 7/6/81 from entry level (\$11,141 - Step A) to Step D (\$12,370 - S-7), per Mayor Clapes' request 8/28/81. Board of Finance approved 9/10/81.

APPROVED ON CONSENT AGENDA.

FISCAL COMMITTEE (continued)

- (5) \$ 850.00 - FAIR RENT COMMISSION - Code 115.1110 SALARIES - Additional Appropriation to up-grade Clerk-Typist II and reclassify the position to Secretary (hired 7/6/81). Personnel Commission reclassified the position at 7/23/81 meeting. Board of Finance approved 9/10/81. Mayor requested funding 8/18.

APPROVED ON CONSENT AGENDA.

- (6) \$ 1,100.00 - HEALTH DEPARTMENT - Code 554. various - VENEREAL DISEASE CLINIC - Additional Appropriation requested by Mayor Clapes 8/25/81 for funds which will be reimbursed by the State. Board of Finance approved 9/10/81.

APPROVED ON CONSENT AGENDA.

- (7) \$ 2,845.00 - MAYOR'S OFFICE - Fiscal Group 20 - 5609 CCM (Connecticut Conference of Mayors) LEGAL FEES - Additional Appropriation requested by Mayor Clapes 8/28/81 for Stamford's share as a municipal intervenor in Northeast Utilities' request for a rate increase in street lighting rates. Board of Finance approved 9/10/81.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

MRS. HAWES said that the City of Stamford pays \$2,800 per day for the electric bill to light the street lights. Much of the electricity use is off-peak and North-East Utilities are restructuring their rates across-the-board, so the City would lose this advantage. CCM's legal challenge two or three years ago resulted in a \$245,000 rebate to the City. Fiscal voted 6 in favor and one opposed on this appropriation and she Moved for approval. Seconded by Mr. Hogan.

MR. BOCCUZZI called for a vote on Item #7. APPROVED UNANIMOUSLY by voice vote.

- (8) PROPOSED RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH CONNECTICUT DEPARTMENT OF TRANSPORTATION PURSUANT TO PUBLIC ACT 79-607 FOR THE PURCHASE AND INSTALLATION OF BUS SHELTERS (State Grant approved for \$25,000), per Mayor Clapes' letter 9/15/81. Held in Committee 10/5/81.

MRS. HAWES said Fiscal voted 5 in favor and one opposed to HOLD IN COMMITTEE for next month pending further information and to talk with members of the Transit Department.

FISCAL COMMITTEE (continued)

- (9) \$15,000.00 - FIRE DEPARTMENT - AMENDMENT TO CAPITAL PROJECTS BUDGET to be financed by TAXATION. Adding a project in the sum of \$15,000 to be known as #450.091 INCREASE WATER MAIN SIZE - DOLPHIN COVE AREA. Mayor Clapes' letter 8/24/81. Submitted by Rep. John J. Boccuzzi. Deferred by Board of Finance 9/10/81. CONTINGENT UPON BOARD OF FINANCE APPROVAL at their October 1, 1981 meeting.

Above also referred to HEALTH AND PROTECTION COMMITTEE.

MRS. HAWE said Fiscal had voted 6 in favor and one opposed to approve this. However, considering what Mrs. Santy said before, Mrs. Hawe believes she should make a Motion to approve it and then they would vote it down.

MR. BOCCUZZI said you don't have to bring it out on the floor.

MRS. HAWE said the Committee report is 6 in favor and one opposed. She said that this sort of thing has happened in the past, and they just vote against it and turn it down.

MR. BOCCUZZI said if the Board doesn't take any action on it, they just don't approve it.

(See bottom of this page - Motion to Return to Committee on Item #9 APPROVED)

- (10) PROPOSED RESOLUTION AUTHORIZING EXECUTION OF A COASTAL ENERGY IMPACT PROGRAM GRANT FOR \$20,000, PURSUANT TO PUBLIC ACT 96-464 (Federal Coastal Zone Management Act). Submitted by Mark Lubbers, Executive Director, City's EPB, and Rep. Hogan, 8/27/81 and 9/16/81.

Above also referred to ENVIRONMENTAL PROTECTION COMMITTEE.

MRS. HAWE said Fiscal voted 7 in favor and none opposed to HOLD IN COMMITTEE so that some of the Neighborhood Planners of the South End cp,e in and talk to them concerning this.

MRS. HAWE Moved for the CONSENT AGENDA, Items #2, 3, 4, 5, 6. Seconded. APPROVED.

MR. BLUM asked if it would not be proper to have Item #9 reverted Back to Committee to hold.

MR. BOCCUZZI said actually it would still be in committee as they did not bring it out.

MR. HOGAN said on Item #9, as Parliamentarian, he feels that Mrs. Hawe is correct in that an affirmative motion must be made, and then it can be voted down, as there is nothing in the Board's Rules that provides no action as being a rejection.

MR. BOCCUZZI asked if at this point it were legal for someone to make a Motion to Return to Committee.

FISCAL COMMITTEE (continued)

MR. HOGAN said it was.

MRS. HAWE Moved to RETURN TO COMMITTEE Item #9 for \$15,000.00 for the Fire Department. Seconded. APPROVED by voice vote with one no vote. The item is being Returned to Committee.

REQUEST FOR SUSPENSION OF RULES

MRS. HAWE Moved to Suspend the Rules to bring up an item not on the Agenda, being a Resolution to Bond. Seconded.

MR. BOCCUZZI called for a vote on Mrs. Hawe's Motion to Suspend the Rules. APPROVED UNANIMOUSLY by voice vote.

MRS. HAWE said that when the City sells bonds, there are two resolutions which must be passed. One is called the Resolution to Bond and this is what she is bringing out now for the Board's consideration. The Board of Finance and the Board of Representatives both have to pass this, which the Board of Finance already did at their October 1st meeting. This Resolution lists everything conceivable that the City might want to bond. It authorizes the issuance of Bonds.

The Second Resolution which has to be passed is only passed by the Board of Finance, and at that point, when they are actually ready to sell the bonds, they only list the ones that they actually want to finance by bonding. Commissioner Hoffman told the Committee that there is a day from about three to four months from the time the City makes the decision to go to bonding and the time that they actually can do it. If there is a break in the market and the interest rates go down, they want to be able to go immediately and take advantage of any dip in the interest rates. Therefore, the Finance Department would like this Resolution passed now, even though it might not be used immediately; but when they see that the market begins to look favorable, they will be able to go immediately with it and take advantage of the lower rates.

On the desks tonight is a copy of the Resolution. Some were stapled with the second page on top, but it is there. It is called "Authorizing the Issuance of \$19,213,665 General Obligation Bonds of the City of Stamford to Finance Certain of the Capital Projects in the Capital Projects Budget for the fiscal year 1979-80 as amended, and in the Capital Projects Budget for the fiscal year 1980-81 as amended, and in the Capital Projects Budget for the fiscal year 1981-82 as amended - to be financed with funds raised by borrowing". Fiscal voted 7 in favor and none opposed; she Moved for approval. Seconded.

MR. BOCCUZZI called for a vote on the Bond Resolution. APPROVED UNANIMOUSLY by voice vote.

- (11) PROPOSED RESOLUTION AUTHORIZING THE ISSUANCE OF \$19,213,665 GENERAL OBLIGATION BONDS FOR CAPITAL PROJECTS IN CAPITAL PROJECTS BUDGETS OF FISCAL YEARS 1979-80, 1980-81, 1981-82 (all as amended) to be financed with funds raised by borrowing - submitted by Finance Commissioner Hoffman 10/5/81. Board of Finance approved 10/1/81.

LEGISLATIVE AND RULES COMMITTEE - John Zelinski and Anthony Conti, Co-Chairmen

MR. ZELINSKI said the Legislative and Rules Committee met on Thursday, October 1, 1981, at 7:30 p.m. in the Main Room. Present were Co-Chairmen Zelinski and Conti; Reps. Saxe. Absent were members: Pollard, Corbo, Blum, Wiederlight, Donahue, and Fasanelli. Unfortunately, there was no Quorum, so no business could be conducted. There were two people, Mrs. Susie Wilkins from The Nature Conservancy, Connecticut Chapter, and Mrs. Judy Barksdale of CTE, who spoke to the Committee members present.

MR. WIDER MOVED to take Item #1 OUT OF COMMITTEE and onto the floor. Seconded. CARRIED.

- (1) FOR FINAL ADOPTION - PROPOSED ORDINANCE SUPPLEMENTAL CONCERNING THREE-YEAR LEASE AGREEMENT BETWEEN COMMITTEE ON TRAINING AND EMPLOYMENT (CTE) AND THE CITY OF STAMFORD FOR THE SOUTH-END COMMUNITY CENTER. Mayor Clapes' letter 4/30/81. Board of Finance approved 6/11/81. Approved for publication 7/6/81. Returned to Committee 8/3/81. Held 9/9/81.

MR. ZELINSKI Moved for the approval of Item #1. Seconded.

MS. SUMMERVILLE asked everyone to support this item. CTE has done a fine job where they are located. They brought many things into the Community. It is needed. They put many fine applications before the Federal Government.

MR. WIDER asked for an affirmative vote on this. They are on their way to making this Center relate to the needs of the people in the community and they need at least three years to put together the necessary programs, and to get the proper funding, and to get the people to put together their own funds to take over the Center in time.

MR. LIVINGSTON said he was originally opposed to this, and he is still opposed to the idea of an agency of the State or of the Federal Government being in control of City or community property. However, during the course of the past couple of months, he has had several conversations with Mr. John T. Brown, who has indicated willingly that he and CTE would be more than glad to work towards turning that Center over to the people of the community at the end of these three years. Mr. Livingston added that Mr. Brown and CTE have done an outstanding job of pulling that Center back together. However, for the development of good leadership, Mr. Brown should be applauded. The lease should be passed.

MRS. McINERNEY MOVED that this lease be reduced from three years to one year termination. Seconded.

She said at this particular point in time when the economy of our government and the City the way it is, it would behoove the Board to act with caution. She would not want to rope the City into a three-year lease with the responsibilities for paying for a percentage of water, percentage of electricity, and the other amenities that go along with this CTE lease.

LEGISLATIVE AND RULES COMMITTEE (continued)

MRS. McINERNEY (continuing)...She does think three years is a proper term. We know, we voted last month, and we know that six months, four months, five months, that the electric and all the other utilities are going in for raises to the PUC. We don't know what kind of a situation we will be locking ourselves in for; we have no idea what the future of CTE is, with the Federal Government grants and the cutting back there. In this particular instance, it would be better for the City to stick with the one-year lease.

MRS. SAXE said that what she has learned from interview is that CTE is trying very hard to become self-sufficient at the end of one year, and that they would very much like to be in that position and she commends them for doing this. She does not see that it is necessary to reduce the lease from three years, but it might be well to put a rider in there, that if they are self-sufficient at the end of one year, they would themselves terminate the lease and become a rental.

MR. ESPOSITO said he and Mr. Owens are members of the Board of CTE and he does not understand what she means by being self-sufficient. CTE does not collect money from any agency. It receives administrative grants from the Federal Government. They also receive \$400,000 from the State Department of Human Resources for various programs. There is no such thing as self-sufficiency here. CTE will be in business for a while. He knows they will be in business for at least another year and probably more than that, if not from the Federal Government, then from the State and various other grant programs. This amendment would not be appropriate because CTE has made commitments in many areas that stretch over a period of time to the South End Community Center.

For example, they have put a lot of effort and money into a dental program. They are setting up an entire dental clinic there, which is a very expensive proposition through various grants and private donations. This is a capital investment and Mr. Esposito does not think it is fair to them to have them set up this program for the residents of South End and then say, you can only stay there for one year.

CTE has also devoted \$20,000 of its grant money from the State to provide advisory and consultation services on how the South End can be self-sufficient; maybe the South End Community Center can become self-sufficient by means of renting out space and using all the available space to the greatest productivity. This expenditure on the part of CTE shows a commitment to the South End Community Center that is long-range. We would be thwarting that effort if we attempted to reduce that lease from three years to one year. It would not be showing good faith, as they have shown good faith in the development of the South End Community Center.

MRS. McINERNEY said we must show good faith to the taxpayers as well.

MR. WIDER said he appreciates what Mrs. McInerney just said. We certainly need to show some appreciation to the taxpayers; and in order to give them a reasonable lease on a place that they worked to get renovated while they were still paying taxes, would be showing them some kind of appreciation. A one-year lease is really not a positive type of arrangement. He is not really worried about if CTE is going to be in business for the next three years

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. WIDER (continuing)....or not. He is pretty sure they may be in business when a lot of the other programs are gone, but the fact is that he would like to see them able to continue to develop the program that they have put together.

As one of the people who has been very concerned with the South End Community Center from the inception of the building, Mr. Wider feels it is in better hands now than it has ever been since it has been renovated.

MR. ESPOSITO said that the funeral arrangements for tomorrow are that the funeral ceremony and service will be at Gallagher's Funeral Home for Mrs. Goldstein's mother, and that will begin at two o'clock. It would be appropriate, if you can attend, to show up at 1:30, so that it can start on time exactly at two o'clock. After that, sometime during the next week, it might be appropriate, if you want to, to visit Mrs. Goldstein's home, but not on Wednesday night, not on Thursday, not on Friday night, not on Saturday. So it would have to be tomorrow night, or Sunday, or next Monday.

Also a collection has been taken up for a basket of fruit to be sent to Mrs. Goldstein and her husband from the Board of Representatives, and for a tree to be planted in Israel in honor of Mrs. Goldstein's mother.

MR. ZELINSKI said on the proposed ordinance on the South End Community Center lease, everyone received on or about April 30, 1981 from the Mayor, a letter regarding a request for this and in it, among other things, was a financial statement which might relate to what a Board member mentioned a short while ago about self-sufficiency. It mentions income used by CTE as their operating expenses go, as being rents from tenants, program budget donations, building use fees, etc., and then a list of expenditures.

MR. BOCCUZZI said the Motion to be voted on is reducing the term of the lease from three years to one year. DEFEATED with 15 Yes votes, 18 No votes, and one Abstention.

MR. BOCCUZZI said they will now go back to the original Motion which is to approve for Final Adoption, the lease between CTE and the City for the South End Community Center. Moved and Seconded. Voice vote not clear. A Division was called for. APPROVED with 22 Yes, 9 No, and 1 Abstention. The lease is approved for CTE.

- (2) FOR PUBLICATION - PROPOSED ORDINANCE SUPPLEMENTAL REQUESTING TAX ABATEMENT FOR THE NATURE CONSERVANCY, 294 Washington St., Room 850, Boston, Mass. 02108, for 1.8 acres located on Heming Way, Stamford, Conn. Held 8/24/81.

MR. ZELINSKI said, on an individual basis, Move to take Item #2 Out of Committee and asked for Suspension of the Rules. Seconded.

MR. BOCCUZZI called for a vote on Suspension of Rules. CARRIED UNANIMOUSLY.

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. ZELINSKI said the only change he proposed to make in the ordinance which everyone received, is the last paragraph which starts out "In accordance with such exemption of \$730.99 of taxes attributable to said property on the Grand List of Oct. 1, 1980, are hereby abated," that should stay in. The remaining four lines in that paragraph should be deleted, and they are as follows "and the Commissioner of Finance is hereby authorized and directed to reimburse The Nature Conservancy of Connecticut, Inc., in the amount of \$730.99 for real property taxes paid for said property on the Grand List of Oct. 1, 1980 which are attributable to the period subsequent to Oct. 1, 1980" and the reason that is being taken out is that they did bring a check with them that evening, but Mr. Zelinski was advised by the Tax Assessor's Office not to have them pay it and then have to have it reimbursed. With that one correction, he Moved for publication. Seconded.

MR. BOCCUZZI called for a vote. APPROVED UNANIMOUSLY for publication, by voice vote.

- (3) FOR PUBLICATION - PROPOSED ORDINANCE REGARDING NON-LIABILITY OF MUNICIPALITY FOR ICE AND SNOW ON PUBLIC SIDEWALKS. Submitted by John Wayne Fox, 144th District, letter 8/5/81, and Corporation Counsel Cookney's letter 7/20/81, pursuant to State-enabling legislation. Held 8/24/81.

HELD IN COMMITTEE.

- (4) FOR PUBLICATION - PROPOSED ORDINANCE SUPPLEMENTAL - TO AMEND SECTION 8-18 CODE OF ORDINANCES - ANNUAL PICK-UP OF HOUSEHOLD AND YARD DEBRIS. Submitted by Rep. DeLuca 5/18/81. Held 6/22/81. Returned to Committee 8/3 and 9/9/81. (New text submitted 7/28/81.)

HELD IN COMMITTEE.

- (5) FOR FINAL ADOPTION - PROPOSED ORDINANCE SUPPLEMENTAL FOR TAX EXEMPTION FOR PROPERTY SITUATED AT 690 PACIFIC STREET, OWNED BY CHURCH OF GOD OF STAMFORD. Submitted by Atty. Edward J. Zamm 7/23/81. Approved for publication 9/9/81.

MR. ZELINSKI said the other item he would like to Suspend the Rules to take out of Committee, is Item #5, and he so Moved. Seconded. CARRIED UNANIMOUSLY.

MR. ZELINSKI then Moved for Final Adoption. Seconded by Mr. Wider.

MR. BOCCUZZI called for a vote on adoption of this ordinance. APPROVED UNANIMOUSLY by voice vote.

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. DeLUCA Moved to take Item #6 Out of Committee and asked for Suspension of the Rules to do so. Seconded.

He feels it is only fair to let the various appointed Boards, Commissions, Authorities, and employees know just where they stand. To keep prolonging this ordinance is an injustice to them. Let us not keep them in suspense.

MR. FASANELLI asked if it were necessary to have a public hearing to adopt an ordinance.

MR. ZELINSKI said no, that it is usually at the discretion of the committee itself, or if an individual Board member would like a public hearing, they have one, but other than that, they usually don't have one.

MR. DONAHUE said he has to say that this should be aired before the public. He does not recall the committee ever voting not to have a public hearing, or to have a public hearing. There are implications within this ordinance that affect elected officials, City employees, and members of various boards and commissions; and he thinks it is only fair that this be put before the public.

MRS. McINERNEY said it is unfortunate that when the L&R Committee had their meeting last week and had this item up for discussion, that they could not get the quorum necessary.

MR. BOCCUZZI called for a vote to take Item #6 Out of Committee. APPROVED with 23 Yes votes, 12 No votes, Zero Abstentions, and 2 NV (not voting).

- (6) FOR FINAL ADOPTION - PROPOSED ORDINANCE SUPPLEMENTAL REGARDING FREE USE OF ANY MUNICIPAL RECREATIONAL FACILITIES BY ANY MEMBERS OF BOARDS, COMMISSIONS, ELECTED OFFICIALS OR CITY EMPLOYEES. Submitted by Rep. Barbara McInerney 8/19/81. Approved for publication as amended 9/9/81.

MR. DeLUCA said he would Move to amend the ordinance. It now reads "There shall be no free use of any municipal recreational facilities by any appointed board, authority, or commission member, elected official, or City employees." His amendment is to read "or City employees not employed by the municipal recreational facilities". Seconded.

MR. DeLUCA said his reason for this amendment is the fact that in many cases, many of the employees, especially like the E. Gaynor Brennan Golf Course, you have a dedicated greenskeeper there who gets paid a flat salary and no over-time and this fellow is there at 6:00 A.M., and in the summer days, he is there at 8:00 at night raking sand traps. checking the greens. He is there on Saturdays and will go out and play his round of golf. You can find him there Saturday evening, Sunday evening, checking the golf course out, seeing that things are in order. His regular work week should be 40 hours but he is putting in 50-60 hours. Now, for us to tell him that he has to pay his own green fees if he wishes to play a round of golf on the weekend is an injustice compared to the amount of time he puts in. Also some of the workers we have there are getting just above the minimum wage. I look upon this as a fringe benefit, because in some private corporations, you have company stores whereby the employee can purchase items at cost; and this would be a fringe benefit that we would be passing on to the employees

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. DeLUCA (continuing)...of the recreational facilities. He would therefore recommend that the only employees to be excluded from this ordinance would be the ones employed by the municipal recreational facilities.

MRS. PERILLO said she has to disagree with Mr. DeLuca. Something like this is what starts the "freebies" all over again. They say "if they can do it, we can do it. We are giving our time." It either has to be for no one, or it is for everyone. You can't have it half-way. She is sorry.

MR. DeLUCA said we are just talking about employees, not anyone else. He thinks Mrs. Perillo is mis-reading the whole intent.

MR. POLLARD has to agree with Mrs. Perillo and speak against the recommended changes for the reason that you do have to have a consistent policy applying across the board, and while we happen to know we have a number of City employees who work above and beyond the call of duty, there really will have to be other ways found to reward them. He would not want in any way to dilute this ordinance.

MR. LVINGSTON said he would agree, in principle, with Mr. DeLuca, but he does not see how we could show prejudice toward the other City employees. He would hope that before this Board becomes totally "lame duck", that Mr. DeLuca would come back with some other suggestions perhaps by the next Steering Committee meeting.

MR. FAUTEUX said he worked on a golf course. He was both a caddy and an employee. They had employees' days which usually were a Monday, or in effect, off-peak hours, or after five o'clock. He thinks there is a principle here about not giving away too many privileges to employees, but he can see doing it on an off-peak period to recognize their contribution of time.

MR. ESPOSITO asked if Mr. DeLuca knew how many employees would fall into this category, in the various recreational facilities.

MR. DeLUCA said in the E. Gaynor Brennan Golf facility, there are about six, not even that, there is the greenskeeper, the course manager....

MR. ESPOSITO said but this would apply also to other facilities such as the Terry Conners Skating Rink, Sterling Farms, etc.

MR. DeLUCA said at Terry Conners Rink there would be three or four. Likewise with the Sterling Farms, there would be a half-dozen, because during the summer months you might have as many as ten, but during off-peak seasons, it drops down to a lower figure. He does not have an exact count at this point.

MR. ESPOSITO asked what is the current policy now. Do these employees get a free round.

MR. DeLUCA said yes, they do get a free round and it is usually during the off-peak periods, like Rep. Fauteux stated; and the greenskeeper may play on a week-end. But, as I said, the amount of time that the City would be saving by charging him would be lost, as you could then no longer expect these people to put in a 60-hour week when they only get paid for 40 hours.

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. JOYCE said on the point of amendments here, he would like to take a tack in a different direction. This Board is very scrupulous in doing nothing for the people that serve for many, many hours through the year, and what Mr. DeLuca says has got a lot of merit, but we all have a card which enables us to get into parking, when such is available, in the parking lot downstairs. Has anyone considered giving the Board of Representatives a 10% discount when they want to play a round of golf. In addition it is a health policy, it is a good idea to walk around.

MR. DIXON said this^{is} an item of business that he has been bothered with for quite some time and he has long since wanted to find some resolution to the free golf situation. He thought more or less of members of the Golf Commission having free play, and he had not thought of it in terms of covering such a wide scope as it is now intended for in covering all the employees, all elected and appointed officials of the City of Stamford. He does believe that because of its broad scope that we should have a public hearing on it before we adopt it. He is now in agreement with Mr. Donahue's suggestion that we do have a public hearing and give the people that are involved in this matter a chance to come forth with some type of rebuttal, or at least to explain their side of the whole thing.

MR. BOCCUZZI said the Motion is on the floor to approve it. The only thing you can do what Mr. Dixon proposes is to vote against it, and then go into a public hearing.

MR. DIXON asked if a Motion to Re-commit would be in order at this time?

MR. BOCCUZZI said it would.

MR. DIXON Moved to Re-Commit to Committee, and advise them to have a public hearing. Seconded by many.

MRS. McINERNEY said we have no guarantee that Legislative and Rules will have a quorum next month, as was the problem this month. To put it back in committee is improper. Presently the Zoning Board, the Planning Board, and none of the City boards get any compensation for all the time that they put in, and neither does the Board of Representatives get any compensation. She thinks we know all the problems that existed in the past and there is no way that we can count on them being rectified without the enactment of an ordinance.

MR. ZELINSKI would not like to see this go back to committee. He does not feel it would be necessary to have a public hearing on this. As was mentioned, the premise is very sound. Certainly it is in the best interests of the taxpayers, who, when they have to use our public facilities, they have to pay. He doesn't think they would be in agreement to have anyone use the facilities free-of-charge; plus again, he doesn't know if his committee members would be in attendance, he is sorry to say. Rather than have this defeated, he feels it should be voted on this evening and he hopes his colleagues do that.

MR. BLAIS MOVED the Question. Seconded. CARRIED.

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. BOCCUZZI called for a machine vote on the Motion to Return to Committee, with instructions to hold a public hearing. APPROVED with 18 yes and 16 no votes to return to committee and hold a public hearing.

MR. ZELINSKI said he hopes that those who wanted the public hearing would also be present.

RE-APPORTIONMENT

MRS. SANTY said that she asked Mr. Boccuzzi in a letter when she could speak to the Re-Appportionment Committee Report. She said she was going to speak to Mr. Santoro about a statement in a letter here. She would like to know if she could give her statement now since Mr. Boccuzzi said certainly to check with it.

MR. BLAIS was recognized by Mr. Boccuzzi, but he did not have his microphone on and it did not come through on the tape.

MRS. SANTY said no, because the President said to find out, Mr. Blais.

MR. BOCCUZZI said he told her to find out if she wished, to go ahead, but he did not say that she could tell him what Mr. Santoro said. If Mr. Santoro does not agree, or wants to appear before the public hearing to clarify any statement in a letter sent to the Charter Revision Committee, he may do so.

MRS. SANTY challenges that Ruling of the Chair. This is a complete misrepresentation of the facts. She wishes to make a statement. She asked what is Mr. Boccuzzi trying to do.

MR. BOCCUZZI said how does he know what Mr. Santoro said to her.

MRS. SANTY said Mr. Boccuzzi set himself up as king tonight. She said she has made a Motion to Challenge the Ruling of the Chair. She wants to give a report.

MR. BOCCUZZI asked how...truthfully....Mrs. Santy had a conversation with Mr. Santoro.

MRS. SANTY said yes, both she and Mrs. Guroian had that conversation.

MR. BOCCUZZI said if Mr. Santoro does not agree with the face letter, then he should go to the public hearing which is already set up, tell the Committee, because they have to make their recommendation. Mr. Boccuzzi is not going to go back just for Mr. Santoro..

MRS. SANTY said there is a complete misrepresentation. This Board went by this letter.

MR. BOCCUZZI said Mr. Santoro is going to have to talk to Mr. McCabe who wrote that letter, tell him what his problem is, and then have Mr. McCabe or Mr. Santoro come to the public hearing and straighten it up. We are not going to straighten anything out here tonight. It may be a misrepresentation, all right.

MRS. SANTY said the members who are going by this letter should go to the public hearing so this can be straightened out.

PERSONNEL COMMITTEE - David I. Blum, Chairman

- (2) THE MATTER OF CHANGE OF JOB SPECIFICATIONS RELATING TO OUTSIDE LAW PRACTICE FOR POSITION OF DEPUTY CORPORATION COUNSEL. Submitted by Rep. John J. Boccuzzi 6/5/81. Held 7/6/81. Report made 8/3/81. Held 9/9/81.

MR. BLUM said Items #1 and #3 for the two labor contracts were handled earlier on the Agenda. The Personnel Committee has one more report and a recommendation in regard to Item #2 in regard to the matter of change of job specifications relating to outside law practice for the position of Deputy Corporation Counsel.

MR. BLUM said the matter of change of job specifications relating to outside law practice for the position of Deputy Corporation Counsel was taken up at our Committee meeting, and Mr. Leonard Cookney, Corporation Counsel for the City, attended and testified that he allowed the Deputy Corporation Counsel to do some outside practice without putting a stop to it when he could, as Head of the Department. There also was a discrepancy in the interpretation of Rule 5 Classification Plan, items 5.5a, 5.5c, and 5.5d. Does the Hiring Authority ask for a change in classification of job, or does the Personnel Director over-rule the Hiring Authority in a re-classification?

These questions should be a matter for the Blue Ribbon Personnel Panel to review. In order to overcome the questions relating to this item on the agenda, Mr. Paul Dziezyc proposed a compromise motion, which was seconded by Mr. Michael Wiederlight, that the Personnel Director change the job specifications according to rules and regulations of the Merit Rules System. And that the Personnel Committee of the Board of Representatives recommends that the position of Deputy Corporation Counsel revert back to the original job description as originally approved by the Board of Representatives; for example, full-time, no outside practice, and Mr. Blum so Moved. Seconded.

MRS. MAIHOCK asked if the Personnel Committee were considering any time limit that you would give this change to take place.

MR. BLUM said a compromise motion that was proposed by Rep. Dziezyc and Seconded by Rep. Wiederlight stipulated that the Personnel Director change the job specifications according to the Rules and Regulations of the Merit Rules Systems and that the position of Deputy Corporation Counsel revert back to the original job specifications, or job descriptions, as originally approved by the Board of Representatives; for example, full time, and no outside practice. That is the Motion presented to this Board in order to finalize this particular item that has been on the Agenda for some time. The vote of the Personnel Committee was 5 in favor, none opposed, and he so MOVES. Seconded.

MRS. MAIHOCK said, again, is there a time specified when this should become finalized, and Mr. Blum did not answer her.

MR. BLUM said that if Mrs. Maihock wished to make an amendment to this Motion, and she wishes to put a time limit on the Motion, she can do so. The Committee did not set a time.

MRS. MAIHOCK said that is being very thoughtless, in one way, because if you are going to make a change when someone has had the privilege of having a practice outside of his regular job, she thinks there should be some time specified so he can make proper arrangements for the dissolution of any arrangements which he

PERSONNEL COMMITTEE (continued)

may have made. She said she thinks you do not realize how difficult this could be for someone, to just suddenly pull the rug from under him without any prior warning.

MR. DZIEZYC said he would like to read the note that Boodman sent to Bromley. This is a letter from Barry Boodman when he requested the position, dated March 2, 1973, to then Corporation Counsel Bromley:

"Dear Mr. Bromley:

"In reference to the possibility that you may select me to be the new full-time Assistant Corporation Counsel, I understand that according to the specifications of the job as shown on Mr. Reginald P. Barker's letter of January 24, 1973, that the position I may be selected for is full-time, and excludes any outside legal practice whatsoever."

(Signed Barry Jay Boodman)

Now, the Board of Representatives passed this full-time job and is now getting \$42,000 a year. If we do not get full-time, no outside practice, we should not approve the position next year. That is all I can say.

MR. ESPOSITO asked if the Corporation Counsel's position is a full-time position.

MR. BOCCUZZI said it is not.

MR. BLUM said no, it is not. He is allowed to have an outside practice. In fact, he gets a lot less money than the deputy.

MRS. HAWE proposed an amendment that the Deputy Corporation Counsel concludes this termination of his private practice within a six-month period. Seconded.

MRS. McINERNEY said Mrs. Maihock's amendment is a reasonable one. If you had employed a private attorney, it would be detrimental to his clients just to pass something of this nature without consideration of them.

MRS. PERILLO said let us worry about the City.

MR. ROOS said in light of this letter we just heard Mr. Dziezyc read, Mr. Boodman agreed to these terms, and Mr. Roos ^{said} there should no time allotted to terminate his present contracts. Let him do this from his home, or whatever. He went in with both eyes open, understanding that when he was chosen, and if he was chosen, he would not contract for other work.

MR. ZELINSKI said based on Mr. Boodman's letter, with clear knowledge as an attorney, knowing that the position was full-time and no outside practice would be allowed, and in all fairness to both him and to the taxpayers of the City, and the other Assistant Corporation Counsels, Mr. Zelinski feels it should be passed as it was without that amendment for six months. That would be just adding insult to injury and be very outrageous and just blatant. We should not do this.

MR. JOYCE said he would like to make the point if there has been a situation, as he has just heard, that the attorney in question has resolved to take a job, there has got to be some consideration given to his clients, but he will have to make some arrangements within a short period. Six months is not necessary, but some time frame -- an attorney always has a responsibility to look out for his clients -- but thirty days would be reasonable.

PERSONNEL COMMITTEE - (Continued)

MR. BOCCUZZI asked if Mr. Joyce were amending to 30 days.

MR. JOYCE said yes, he was. Seconded.

MR. BOCCUZZI asked if the person who came up with six months would accept thirty days. (She said yes.) He asked if the Seconder would withdraw her Second. (She said yes.) Mr. Boccuzzi said the amendment now reads 30 days.

MR. BLUM said he believed that the Corporation Counsel, Leonard Cookney, being the Hiring Authority, could well sit down if the Personnel Commission went back and drew up -- and he believes the Personnel Commission has acted on this -- that they will change the job specifications back to what the original job was. He is sure the Personnel Director, with the Hiring Authority, or the Head of the Department, Mr. Leonard Cookney, can very well sit down with Mr. Barry Boodman and give him proper time to take care of his clients because Mr. Blum said the Head of the Department, a lawyer himself, would want to see a man's clients unjustly dealt with. Mr. Boccuzzi asked him if he were against the amendment and Mr. Blum said he is not saying if he is for or against, but that it is not necessary.

MRS. PERILLO asked if she were correct in understanding that Mr. Bernstein changed the specs for Mr. Boodman.

MR. BOCCUZZI said Mr. Bernstein changed the specs period.

MRS. PERILLO said then should not this be directed to Mr. Bernstein, and the Personnel Commission. It is not going to Boodman, is it?

MR. BOCCUZZI said this is being directed to the Personnel Commission and Mr. Bernstein, and the vote on the Motion is recommend that they put the job specs in order as stipulated by Mr. Blum's motion, returning them to the original ones approved by the Board of Representatives some years ago, and that the time limit for Mr. Boodman to close out his outside practice be thirty days.

MRS. ESPOSITO asked if they should vote on the amendment separately. Point of Order.

MR. BOCCUZZI said the amendment is that Mr. Boodman will have to cease having an outside practice within thirty days. He called for a vote. Mr. Boccuzzi said the AYES have it. He asked if there were any abstentions and no one answered. Mrs. Perillo said John said no twice, but there were not any No votes that were identified. CARRIED.

MR. BLUM said he would like to place an amendment to the original motion himself, although he made the motion. He would like to move in the reference of Classification Plan that the reconvened Mayor's Blue Ribbon Panel look into the powers of the Personnel Department.....(interrupted)

MR. ZELINSKI said he would like to see this sent to the Personnel Commission as well as the Personnel Director. The Commission is the over-seer of the Director.

MR. BOCCUZZI said the Motion is to bring the job specs to those which were originally approved by the Board of Representatives and also that the Deputy Corporation Counsel would have thirty days in order to close his outside practice. That is, thirty days from tonight, October 5, 1981. He called for a vote and the Motion was APPROVED. He asked for No votes and there were 3: Esposito, Saxe, Flounders. He asked for Abstentions, and there were 4: Summerville, Mr. Perillo, Donahue, and Fasanelli. The rest were YES votes.

MR. BLUM said he would like to make a Motion with regard to the Classification Plan, but Mr. BOCCUZZI told him it was not on the Agenda and would have to go thru Steering.

PERSONNEL COMMITTEE (continued)

MR. BLUM said he would like to make a Motion in reference to the Classification Plan, and it deals with this matter...

MR. BOCCUZZI said that is not on the Agenda and it will have to be submitted to Steering. It is an entirely different item, and Steering will vote to place it on the Agenda.

RE-APPORTIONMENT MATTER

MRS. SANTY asked for permission to address the floor. For over an hour, the members discussed this proposed ordinance supplemental regarding Re-Appportionment. The only information the Board had on their desks was a letter, that was delivered tonight she assumes, as it is dated October 5th and it was not received in the mail. Much credence was given to this and she would just like to mention the fact, and she spoke to Mr. Santoro on the telephone, is that this is a complete mis-representation, and if the members are going by this document as any basis for their report, then it had better be looked into very carefully.

MRS. SANTY said it states that the provision was imposed by Mr. Santoro that absolutely no deviations could be made in any of the districts. That is NOT so at all, and she would like her fellow Board members to know that when they read this letter that this is not factual at all. So she thinks this should just be thrown away.

MR. HOGAN asked for ten seconds to speak to that.

MR. BOCCUZZI said he would rather not open it up.

REQUEST TO TAKE AN ITEM OUT OF SEQUENCE ON THE AGENDA

MS. SUMMERVILLE Moved that an item be brought up earlier than it appears on the Agenda. Seconded. CARRIED UNANIMOUSLY.

MS. SUMMERVILLE MOVED that the next Board Meeting be held on Monday, Nov. 9, 1981. Seconded.

MRS. SANTY MOVED that it be held on Nov. 16, 1981, also a Monday, as there are three possible public hearings. One is on the water ordinance, and Re-Appportionment Ordinance, Free Use of Municipal Recreational Facilities, and many other items coming before the Board. She had already spoken to Mrs. Goldstein previously, and Mrs. Santy feels that November 16th will give the Committees involved more time to hold the public hearings. There is a great deal of business to transact. Seconded.

MRS. McINERNEY agrees with Mrs. Santy, but would assume that this Board would address the Re-Appportionment issue at a special meeting of the 16th Board.

MR. BOCCUZZI asked if MS. SUMMERVILLE would accept Nov. 16th as an amendment to her Motion for Nov. 9th.

MS. SUMMERVILLE said she is sorry but she cannot at this time accept it, because the President talked to her today and she did not mention anything other than the 9th, so she is committed to the 9th and they have made arrangements in the office and there are a lot of things that must be done looking forward to

DISCUSSION ON DATE OF NEXT BOARD MEETING (continued)

MS. SUMMERVILLE (continuing)....the Organizational Meeting on December 1, 1981, and the President prefers that the November meeting be held on the 9th and Ms. Summerville would like to bow to her wishes.

MR. BOCCUZZI asked if Mrs. Santy would withdraw her motion for the 16th.

MRS. SANTY said she would not. There is too much business to be handled.

MR. BOCCUZZI said there is a Motion on the floor to amend to make it the 16th. It was seconded.

MR. ZELINSKI asked for what date is Steering set up now tentatively.

MS. SUMMERVILLE said as of now we do not have a date for November for Steering, but she assumes it would be the last Monday or the third Monday of the month.

MR. ZELINSKI said because of the upcoming election, and the public hearings that will have to be held, and the other Committee meetings, it will give the Board more breathing time to have the meeting on Nov. 16th.

MS. SUMMERVILLE said really it would be almost impossible as far as the office is concerned as it will be too close to the next meeting. December 1st is the Organizational Meeting. There could also possibly be other business, and we can't assume anything.

MR. STORK asked if it would be appropriate to offer another date.

MR. BOCCUZZI said it would be appropriate, but he wishes that Mr. Stork wouldn't.

MR. STORK agrees that the 16th is late in the month on one hand, and the day after Election Day is understandable for not having it, but it seems traditionally when we have a problem with a Monday for our meeting, we go to a Wednesday. He would propose Wednesday, Nov. 11th.

MR. ESPOSITO said that was a holiday.

MR. STORK withdrew his Motion.

MR. HOGAN reminds the Chair that they have conflicting Motions on the floor. Under Robert's Rules, this is a violation. We have to vote on either Motion. We cannot vote on the 16th and then make the first motion moot. We have to vote on one Motion, and if that fails, vote on the second Motion. The Motions conflict, the dates conflict, and they are in direct conflict.

MR. BOCCUZZI called for a vote on the first Motion for a November 9th meeting date. They will use the machine. DEFEATED with 17 Yes, 18 No, Zero Abstentions, and 2 NV (not voting).

MRS. SANTY MOVED for the meeting to be November 16, 1981. Seconded.

MS. SUMMERVILLE said she does not know how Mrs. Santy thinks we can possibly, with two persons in the office, going to get....there is a public hearing which Mr. Pollard will hold with Public Works Commissioner and a staff person will be present. There are minutes that must be done before the next meeting. There is other business like the ordinances and other things being passed tonight that must be done. There are also two other public hearings. There will be a Steering Meeting and we will get back here by Nov. 16th. How is all of that going to be done.

DISCUSSION ON DATE OF NEXT BOARD MEETING (continued)

MRS. SANTY said no, they are giving Ms. Summerville more time, it is another week's leeway. We all need that extra time for our heavy workload.

MS. SUMMERVILLE said the same process goes in November. Just because you say....

MR. ESPOSITO said he sympathizes with Mrs. Santy's point, ordinarily our Steering Committee meeting would be November 16th for the December meeting, or November 23rd at the latest, and then we run into Thanksgiving Week at that time, and we have an Organizational Meeting and then a Regular Meeting and we are really crowding ourselves up.

MR. ZELINSKI said, again, we are trying to give everyone a lot more time. He reminds the members that the first Board meeting in December, which is December 1st by Charter, is an Organizational Meeting only to elect the officers of the Board. Then after that, within a week or two, the new Board officers call a Steering Committee Meeting to put new business on the agenda. There will be no business that will be needed until possibly the second or third week in December. He sees no harm in voting for the 16th and he would hope that it would pass.

MRS. HAWE MOVED the Question. Seconded. CARRIED.

MR. BOCCUZZI called for a machine vote on the November 16th meeting date. APPROVED with 23 Yes votes, 9 No votes, Zero Abstentions, and 5 NV (not voting).

Still on the list to speak were Reps. DeLuca, Santy, Signore, Bowlby.

PLANNING AND ZONING COMMITTEE - Chairman Donald Donahue.

MR. DONAHUE said his Committee met on Oct. 1st. Present were Reps. Stork, Guroian, Wider, and Donahue.

MR. DONAHUE MOVED to the CONSENT AGENDA Items 2, 3, 4, 5, 6, 7, 8, all involving Acceptance of Streets.

- (1) FOR PUBLICATION - PROPOSED ORDINANCE SUPPLEMENTAL TO CONTROL AND REGULATE EXCAVATION, FILLING AND GRADING. Submitted by Rep. Barbara McInerney 6/16/81. Held in Committee 7/6, 8/3 and 9/9/81.

MR. DONAHUE said his Committee recommends that this item be forwarded to the ENVIRONMENTAL PROTECTION COMMISSION for their study and action.

- (2) ACCEPTANCE OF SHAGBARK ROAD (Approx. 700') AS A CITY STREET. Submitted by Robert Rondano, General Partner, Saw Mill River Assoc., 75 Saw Mill Rd.

APPROVED ON CONSENT AGENDA.

PLANNING AND ZONING COMMITTEE (continued)

- (3) ACCEPTANCE OF EXTENSION OF IRON GATE ROAD AS A CITY STREET - Submitted by Gilko Corp., 108 Fairview Drive, Searington, N.Y., 11527 (516-484-0178).

APPROVED ON CONSENT AGENDA.

- (4) ACCEPTANCE OF BLACKBERRY DRIVE (Map #10,596) AS A CITY STREET - Submitted by Robert P. Rondano, General Partner of Saw Mill River Assoc., 75 Saw Mill Road, Stamford.

APPROVED ON CONSENT AGENDA.

- (5) ACCEPTANCE OF MIDROCKS ROAD AS A CITY STREET - Submitted by Lila M. Macrides, Ronald M. Schwartz, and Donald F. Zezima.

APPROVED ON CONSENT AGENDA.

- (6) ACCEPTANCE OF EAST RIDGE ROAD AS A CITY STREET - Submitted by Lila M. Macrides, Ronald M. Schwartz, and Donald F. Zezima.

APPROVED ON CONSENT AGENDA.

- (7) ACCEPTANCE OF FLINT ROCK ROAD AS A CITY STREET - Submitted by Lila M. Macrides, Ronald M. Schwartz, and Donald F. Zezima.

APPROVED ON CONSENT AGENDA.

- (8) ACCEPTANCE OF VALLEY VIEW DRIVE AS A CITY STREET - Submitted by Lila M. Macrides, Ronald M. Schwartz, and Donald F. Zezima.

APPROVED ON CONSENT AGENDA.

- (9) FOR PUBLICATION - PROPOSED ORDINANCE SUPPLEMENTAL amending previous ordinances enacted concerning the Establishment of Fire Districts for the City of Stamford to conform with the revised Connecticut Basic Building Code effective Sept. 1, 1981, per 9/8/81 letter from James J. Sotire, Sr., Bldg. Official & Zoning Enforcement Officer of Stamford.

MR. DONAHUE said this was sent out to all the Board members after being received on Sept. 9th and with only two exceptions, it remains the same as it was sent out. He would MOVE at this time to amend the copy sent to all Board members so that it will begin "WHEREAS Section 4-1, Ord. 361 Supplemental, of the Code of Ordinances of the City of Stamford, is hereby repealed, and the following is substituted: THEREFORE..." and it goes on with the rest of the ordinance which relates to fire limits or fire districts within the City. He would so MOVE. Seconded.

MR. BOCCUZZI called for a vote on this amendment. CARRIED UNANIMOUSLY by voice vote.

PLANNING AND ZONING (Continued)

MR. DONAHUE said he would further amend the copy that was sent out, so that the last sentence would state "This ordinance shall take effect upon its enactment," and he so MOVES. Seconded.

MR. BOCCUZZI called for a voice vote. CARRIED UNANIMOUSLY.

MR. DONAHUE MOVED to accept the ordinance as amended. Seconded.

MR. BOCCUZZI called for a vote on the ordinance as amended. APPROVED UNANIMOUSLY by voice vote.

MR. DONAHUE MOVED for approval of the CONSENT AGENDA Items #2,3,4,5,6,7,8. APPROVED UNANIMOUSLY by voice vote.

REQUEST FOR SUSPENSION OF RULES TO CONSIDER ITEM NOT ON THE AGENDA.

MR. DONAHUE MOVED to Suspend the Rules. Seconded.

MR. BOCCUZZI called for a vote. CARRIED UNANIMOUSLY, by voice vote, and there are more than 27 members on the floor.

- (10) FOR PUBLICATION - PROPOSED ORDINANCE SUPPLEMENTAL REGARDING DISCONTINUANCE OF ALLYN PLACE AS A CITY STREET. Public Hearing to be held.
Per Mr. Donahue 10/5/81.

MR. DONAHUE said at this time he Moves for a proposed ordinance supplemental concerning the discontinuance and use for highway purposes of Allyn Place as a public street: "BE IT ORDAINED BY THE CITY OF STAMFORD THAT: In conformity with the Stamford Charter, that Allyn Place, a portion of which is a City-accepted street, and a portion of which is not accepted, but dedicated for street purposes, BE AND IS HEREBY discontinued and the use by the public is abandoned. This ordinance shall take effect upon the date of its enactment." Seconded.

MRS. McINERNEY asked what is the exact location of ALLYN PLACE and what is the reason for dissolving this as a City road.

MR. DONAHUE said Allyn Place is at an intersection with Fairfield Avenue, roughly across the street from Pressprich Street. It involves a development site by TRIZEC-STAMFORD-GOLDFELD COMPANY. Their property extends from Fairfield Avenue East to Greenwich Avenue. On that site is a proposal to construct a number of office buildings and a hotel. The owners of the property own all the surrounding land adjacent to Allyn Place. In return, or in consideration of our abandonment of Allyn Place, the developer agrees to provide a substantial amount of sewer work and drainage work in the area, which will benefit the district, which will benefit the City in that the approximate 375,000 to 400,000 dollars worth of sewage work would have to be done eventually by the City at its own expense. What we are seeking here tonight and it is the consensus of the Committee, that we should approve this for publication so that we can have a public hearing, and further explore this item.

Every member of the Board received tonight a Letter of Intent which was directed to Commissioner Spaulding, and also sent to Leonard Cookney; and it requires

PLANNING AND ZONING (continued)

MR. DONAHUE (continuing)....that if we discontinue Allyn Place and a building permit is issued to Trizec in accordance with the plans and specifications which have been filed with the Building Department of this City, that they will perform this work at no cost to the City.

MR. FAUTEUX asked what is the hurry to get this published.

MR. DONAHUE said the developer would like to have this done within the life of this Board. We passed a resolution of intent some months ago concerning our intent to discontinue Allyn Place as a City Street, and the developer feels that if this is not acted upon now, and a public hearing is not held now and it dies with the life of this Board, a substantial amount of time would pass which would have an effect on the contracts that are signed for the development of that property.

MR. FAUTEUX asked who are the Representatives for the District in which Allyn Place is situated.

MR. DONAHUE said they are Mr. Dixon and Mr. Boccuzzi, and possibly the Third District also. It is split among two districts.

MRS. SAXE asked if the City Engineer and the Public Works Department ^{have} seen any of these promises and plans for the work that has to be done in return for the street.

MR. DONAHUE said this letter was directed to the Commissioner of Public Works Bruce Spaulding, and it has been approved by Leonard Cookney, Corporation Counsel.

MRS. SAXE said she notes the date of this is October 5, 1981, tonight. Does that mean that he has received this only the same time that the Board members received it, or has he been privileged to this before this date.

MR. DONAHUE said much discussion has taken place in the past. He said they were informed of this at a Committee meeting last week because of the substantial gain to the City, the City's Corporation Counsel has stated that they are in favor of this action, but he would also add that this does not preclude the holding of a public hearing between publication and the next meeting so that it can be fully explored.

MR. DIXON said that tract of land being situated in his district, he would like to say that he has tried to keep on top of what is happening in the way of developing the site right along. He finds now that Trizec and those others concerned are in a position to proceed with the development of that property and he does not think they can be stopped by any means at this point in time. If he had had the opportunity to stop them at the outset, he certainly would have done so, but now that they have purchased the property and they are going to develop it no matter what. He just hopes that it can be done in such a way so as not to create any additional problems to those which we already have in terms of traffic and he hopes that by closing Allyn Place, it will not create a situation of hardship that they might use to apply to the Zoning Board of Appeals for a new roadway, one that they have already applied to the ZBA for and which was ultimately withdrawn. Mr. Dixon would just want to see it done in a way that it would be as little burden on the people in that area as possible, and he does not believe that there is anything that can be done now to stop them, so he would have no objection as long as there is going to be a public hearing and give the people in that area the opportunity to appear

PLANNING AND ZONING COMMITTEE (continued)

MR. DIXON (continuing)....before the P&Z Committee to express their opposition in total, he would have no further opposition to the closing of Allyn Place.

MR. LIVINGSTON said his understanding is that if this project proceeds, the City is going to be in for some new sewer lines on Richmond Hill Avenue and some other places, if he understood what he read correctly. As he sees it, it appears to be good for the neighborhood, and it is something that many people have been fighting and striving for, for a number of years. It is not that he is for over-developing that part of town, but he believes in the long run, this is going to be good for the City of Stamford.

MRS. GUROLIAN agrees with what Mr. Dixon said about stopping the Trizec development. Rejecting this proposal will in no way stop the development by Trizec. A small portion of that Allyn Place is to be used for the proposed hotel. However, the hotel could be built without the passage of this resolution. And in fact, that portion which is in the property itself, the City does not even own it. We own certain rights of way, and so in exchange, not for a tangible asset, but for an intangible asset, a right-of-way, the City has negotiated, with Mr. Sabia involved, with the Corporation Counsel involved, has negotiated with Trizec in order to be able to get \$375,000 to \$400,000 worth of drainage work and sewerage work which we would have to pay for eventually anyway, so that she also agrees with Mr. Dixon and Mr. Livingston in her concern that the people be allowed to speak to this issue at a hearing and so she will vote for publication to give them that opportunity. She sees no way that Trizec can be changed or stopped by rejection of this proposal.

MR. ROOS asked if they plan to use this for anything else than street purposes.

MR. DONAHUE said it is a two-part question. Trizec has gone to the Zoning Board of Appeals to ask for Use Variance so they can create a new road through the middle of their project. That does not involve the same property which is now Allyn Place.

We have been told and we have been shown plans that they will create where this now exists, and along Fairfield Avenue, on their property line, a park-like area with benches and trees and the like. At this point in time, we don't even know if they are going back to the Zoning Board of Appeals for the Use Variance.

MRS. GUROLIAN would like to add to that and say that part of Allyn Place which Mr. Donahue referred to as eventually ending up in park-line setting, is zoned RMF and they have no intentions of building on any portion of that property which is zoned RMF which would involve going before the Land Use boards, so that that part of Allyn Place which goes into the RMF zone will all be landscaped and used as a buffer zone.

MR. STORK said as a member of the P&Z Committee, he joined his co-members and voted in the affirmative on this item. They have heard some description about the \$375,000 to \$400,000 worth of work that will be done for the City in areas where the City will eventually have to do it themselves, and he thinks that is the key. Eventually - who knows when that will be....(tape ended here and some dialogue lost here.)

PLANNING AND ZONING COMMITTEE (continued)

MR. BOCCUZZI said (this is beginning of a new tape and his first words were lost)....."give us a little on that amendment, that ordinance, so we will have something for the executive secretary to write."

MR. DONAHUE said he will submit, for the record, both the ordinance in writing and a copy of the letter of intent which has been submitted to Bruce Spaulding.

MR. BOCCUZZI called for a vote on the Main Question which is the ordinance to discontinue Allyn Place - for publication. APPROVED by UNANIMOUS voice vote.

SPECIAL COMMITTEES

HOUSE COMMITTEE - Chairwoman Doris Bowlby

NO REPORT.

TRANSPORTATION COMMITTEE - Chairman Patrick Joyce

NO REPORT.

ON-SITE REFUSE CONVERSION STUDY COMMITTEE - Chairman Fiorenzo Corbo

NO REPORT.

COMMUNICATIONS FROM THE MAYOR

NO REPORT.

RESOLUTIONS

- (1) PROPOSED SENSE-OF-THE-BOARD RESOLUTION OPPOSING ARMS ENHANCEMENT PACKAGE (AND AWACS PLANES) TO SAUDI ARABIA - submitted by Rep. Livingston, also DeLuca, Hogan, and Pollard. As amended.

MR. LIVINGSTON said everyone has a copy of this resolution. He would like to see this resolution voted on, the meeting adjourned, and everyone go home. He Moved for the adoption of this resolution. Seconded.

MRS. CONTI said this Resolution incorporates an international question, matters about which, we, as local legislators, could know very little. We are not privy to the information that goes on in high international circles and she cannot vote on something about which she knows nothing.

MR. FASANELLI said he has to agree with Mrs. Conti at this juncture, and he also would like to say that American intelligence, from the little that we know about the issue, is not being considered here, and it might be very beneficial to this country to sell the AWACS to Saudi Arabia.

RESOLUTIONS (continued)

MRS. MAIHOCK also concurs with Mrs. Conti's remarks, that we have no back-up information and we do not have the international expertise to really and sufficiently examine this question, and therefore she will abstain on it.

MR. FAUTEUX has no comment.

MR. ROOS does not see what we are doing discussing this at all, but he does agree that we do have intelligence. We have a great many people in responsible government, and past governments, that are for this sale, and he does not feel capable of making any decision on it, and he does not think many of us are.

MR. HOGAN said he added his name to the resolution not so much because we would be selling the AWACS to the Saudi, no more than it would be the fact that we would sell arms to any other nation. It could be ships, submarines, tanks, armaments of war, and we all know they are meant for only one purpose and that is destruction of human life. We also know it is a fact that never has an armament of war been invented that has not eventually been used. He is not a flaming liberal, neither is he a conservative. He desires in this world only a peace, and a just peace and a lasting peace where men can live as brothers and friends. He does not want his children or his children's children to be left on a desolate planet devoid of what we know as human life, or to grow up as mutants, or deformed. Mr. Hogan is against selling armaments of war to the Saudis, or selling the armaments of war to any nation. They are the armaments of destruction, and he seeks only peace through talking, peace through sitting at the table, peace through negotiations, and this is the reason that he signed this resolution.

MR. DZIEZYC said we should leave this to the President of the United States. He's been for this proposal. He has his reasons for peace in the world, so let us give him a chance.

MR. BLUM said he is sure we all want peace in this world, but he wants to really give what he knows of this particular AWAC plane sale to the Saudi-Arabians. The fear of the sale of these planes to the Saudi would be that these sophisticated electronic surveillance planes would be used against Israel. He knows we are not here to sit and talk about foreign relations, but he believes that this would affect us here in the United States for the simple reason the saying is that the sale of these planes to Saudi-Arabia is being sold so there would be safety in the Middle East from the encroachment of the Soviet empire into the Middle East. Well, if that is so, then Mr. Blum says, as some people who are talking against this, then why haven't we got Americans flying these planes, and we can very well. As an American, he is speaking for this resolution, and why we should not be selling these planes to the Saudi-Arabians, and why we should be voting for this resolution. Reason why is that Mr. Blum feels that if we should have a compromise as is now being proposed, that Americans fly these planes and then they would be safeguarded and know that Americans would be surveilling the area. That is his opinion.

MR. BOCCUZZI asked if Mr. Blum were proposing an amendment.

MRS. GUROIAN said she would be in conflict-of-interest and therefore she will absent herself from the room on this issue.

RESOLUTIONS (continued)

MR. BOCCUZZI called for a vote by machine. The vote is 13 Yes, 4 No, and 11 Abstentions, and 9 NV (not voting), with a total of 37, and 3 absent.

There are 4 No votes, 11 who Abstained which makes 15; and there are 13 Yes votes. The MOTION is DEFEATED. There were also 9 NV (not voting), and 3 absent.

- (2) PROPOSED SENSE-OF-THE-BOARD RESOLUTION CONGRATULATING STAMFORD'S CITY RECREATIONAL ATHLETIC LEAGUES IN THEIR COMPETITIVE EFFORTS - submitted by Reps. Summerville and Blum.

MR. BOCCUZZI called for a Motion to approve this resolution. MOVED. SECONDED. APPROVED UNANIMOUSLY by voice vote.

PETITIONS - NONE.

ACCEPTANCE OF THE MINUTES

MONDAY, AUGUST 3, 1981 REGULAR MEETING:

MRS. MAIHOCK said on Page 22, the fourth line from the bottom, it should have been "not a hundred-year flood"; and on page 23, a word was misspelled. It should have been, on the 8th line, "dilution" instead of "delusion". Seconded. APPROVED with Mrs. Maihock's changes.

WEDNESDAY, SEPT. 9, 1981 REGULAR MEETING: - HELD.

Mr. Zelinski asked that they be held as they just got them tonight and there was no time to read them yet.

COMMUNICATIONS FROM OTHER BOARDS and INDIVIDUALS - NONE.

OLD BUSINESS - NONE.

NEW BUSINESS -

MS. SUMMERVILLE said she wants to wish all the members good luck on Election Day and hopes to see them back here in November and at work in December.

ADJOURNMENT

There being no further business to come before the Board, upon MOTION duly MOVED, SECONDED, and CARRIED, the meeting adjourned at 1:00 A.M.

APPROVED:

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

Sandra Goldstein
Sandra Goldstein, President
16th Board of Representatives
City of Stamford, Connecticut

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

HMM:MS-ENCS.