

MINUTES OF REGULAR BOARD MEETING MONDAY, MAY 3, 1982

17THE BOARD OF REPRESENTATIVES

CITY OF STAMFORD, CONNECTICUT

A regular monthly meeting of the 17th Board of Representatives of the City of Stamford was held on MONDAY, MAY 3, 1982, 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 8:55 p.m. by the President, Jeanne-Lois Santy, after both political parties had met in caucus.

PRESIDENT SANTY: Ladies and Gentlemen, I would like to introduce Pastor Robert Shoesmith from the Stamford Baptist Church who will give the Invocation. It is a double pleasure this evening because Pastor Bob is my Pastor.

INVOCATION: Pastor Robert Shoesmith, Stamford Baptist Church.

PLEDGE OF ALLEGIANCE TO THE FLAG: Led by President Jeanne-Lois Santy.

ROLL CALL: Clerk of the Board Annie M. Summerville called the Roll. There were 38 present and 2 absent at the time of the Roll Call. Absent were Reps. Stork and Fauteux. (Mr. Stork came in at 10:25; and Mr. Fauteux resigned and was replaced by Mr. Bonner; making 40 present.)

PAGES: Rachel Molgano, 6th grade student at St. Cecilia's School.
Cady Collier, 6th grade student at St. Cecilia's School.

PRESIDENT SANTY: Thank you, girls, for helping us here this evening.

MOMENTS OF SILENCE:

For the late BRIAN WILLIAMS, 22, of 265 Belltown Road who was shot and killed while washing his car on April 19. Brian was a well-liked person who will be greatly missed by all. I happen to be a close friend of the Williams' family and I share with them in their grief. Thank you. Submitted by Rep. James Dudley.

For the late, MRS. BETTY K. LARSEN, 43 Morgan Street, who passed away rather suddenly this evening. She was a life-long resident of Stamford. Thank you. Submitted by Rep. John R. Zelinski.

RESIGNATION OF ROBERT FAUTEUX (20th Dist. Republican)

PRESIDENT SANTY: At this time, I would like to read a letter of resignation. "Dear Madam President and Members of the Board of Representatives; It is with regret that I must submit my resignation from the Board of Representatives, a result of substantially increased time demands from my job. I thank the constituents of my district for allowing me to serve on this Board and to my fellow Representative, Barbara McInerney, for her assistance and leadership. I know that all of you will continue to guide the City through these trying economic times and will successfully resolve the many unsettled issues arising from the changing character of our Community. Respectfully submitted, Robert H. Fauteux, Representative from the 20th District."

MRS. McINERNEY: I would like to say that I deeply regret Mr. Fauteux's resignation this evening. I have found Bob one of the most conscientious, easy to work with people on this Board and within the district. We have built up a very nice rapport. I wish Bob and his family the best of luck in the future and I thank him for his dedication to the City of Stamford.

PRESIDENT SANTY: Thank you, Barbara.

MR. BOCCUZZI: I'd just like to say that Bob was always one who even if you didn't agree with him, you could discuss any item no matter what, and I'm sure the 20th is going to lose a good Representative. I'm sure Barbara will come-up with someone.

PRESIDENT SANTY: Thank you, Mr. Boccuzzi.

MRS. MAIHOCK: I just wish to say that I agree totally with Barbara's opinion and share it. Thank you.

PRESIDENT SANTY: Thank you, Mrs. Maihock. Is there a Motion that we accept his resignation with regret? SO MOVED. All in favor say aye. AYE. We accept the resignation of Robert Fauteux with regret.

Now under Section 201 of the Charter, are there any nominations from the Floor to fill this vacancy.

FILLING OF VACANCY IN 20th DISTRICT

MRS. McINERNEY: Yes, thank you, Mrs. Santy. While I accept with regret the resignation of Mr. Fauteux, I am at the same time happy to nominate a man who has demonstrated the same type of deep commitment to the City of Stamford and its people to fill the vacancy in the 20th District, Mr. James Bonner. Mr. Bonner resides with his family at 28 Red Fox Road. He graduated from the University of Utah and holds an engineering degree and is employed by International Business Machines. He is experienced in construction management and has also worked with General Electric, United States Steel and United States Government. Mr. Bonner has six children, four of whom attended Stamford Public Schools. He has served as president of the Stamford Taxpayers Association and I now MOVE for his appointment. SECONDED.

ELECTION OF JAMES BONNER TO THE 20th DISTRICT SEAT

PRESIDENT SANTY: Thank you, Mrs. McInerney. There are several Seconds. Are there any other nominations from the Floor? There's a Motion that nominations be closed. Is there a Second to this? SECONDED. All in favor of closing nominations, signify by saying aye. AYE. All opposed. All in favor of Mr. Bonner, since there are no other nominations, we can use the secretary to cast one ballot for Mr. Bonner. SO MOVED. SECONDED. Please cast one ballot. Mr. Bonner, would you come forward, so I may ADMINISTER THE OATH OF OFFICE to you?

You, James Bonner, having been chosen a member of the Board of Representatives from the 20th District of Stamford, do you solemnly swear that you will faithfully discharge the duties of said office according to law, so help you God?

MR. BONNER: I will.

PRESIDENT SANTY: Congratulations. Take Mr. Fauteux's seat for the evening. Jim Bonner will now take Bob Fauteux's seat and we will change that on the computer.

PRESIDENT SANTY: Is there a Motion to Waive the Steering Committee Report? SO MOVED. SECONDED. All in favor of Waiving the Steering Committee Report, please say aye. AYE. Opposed. We'll Waive the reading of the Steering Committee.

CHECK OF THE VOTING MACHINE:

PRESIDENT SANTY: The machine is in good working order.

STANDING COMMITTEESSTEERING COMMITTEE REPORT - Chairwoman Jeanne-Lois Santy

The reading of the Steering Committee Report is Waived. Seconded. Carried.

The STEERING COMMITTEE met on Monday, April 19, 1982 in the Democratic Caucus Room at 7:15 P.M. at which time a QUORUM was present.

PRESENT AT THE MEETING

Jeanne-Lois Santy, Chairwoman	Lathon Wider, Sr.
John J. Boccuzzi	Grace Guroian
Annie M. Summerville	David Blum
Robert Gabe DeLuca	Handy Dixon
Marie Hawe	Mary Lou Rinaldi
Anthony Conti	Brian Ward, WSTC-WYRS
Philip Stork	Frank Fedeli, ADVOCATE
Burtis Flounders	Bobby Owens
Audrey Maihock	Helen M. McEvoy, Admin. Asst.
Gerald Rybnick	An unidentified lady

(1) APPOINTMENTS

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

(2) FISCAL MATTERS

ORDERED ON THE AGENDA were the 4 items on the Tentative Steering Agenda. Also ORDERED ON THE AGENDA were three fiscal items from Mayor Clapes dated April 19th, all contingent upon approval of the Board of Finance being \$68,000 for Long Hill Drainage; \$50,000 for Fleet Management Study; and Capital transfer of \$100,000 for Replacement of Main Switchgear and Electrical Service.

(3) PLANNING & ZONING MATTERS

ORDERED ON THE AGENDA were the 4 items on the Tentative Steering Agenda. One item was added, to be Held in Committee, being the Broadmoor Housing Zoning Appeal.

(4) PUBLIC WORKS MATTERS

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

(5) PUBLIC HOUSING AND COMMUNITY DEVELOPMENT MATTERS

Both items on the Tentative Agenda were Held in Committee, being the matter of personnel policies of Community Development Dept., and question of Finance Board Policy #6-1 to be reviewed by Community Development regarding auditing policy.

(6) CHARTER REVISION, ORDINANCE MATTERS

The one item on the Tentative Agenda was Held in Committee, being Mayor's request of 4/5/82 for a Charter Revision Commission.

(7) EDUCATION, WELFARE AND GOVERNMENT MATTERS

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

(8) LEGISLATIVE & RULES MATTERS

ORDERED ON THE AGENDA were 14 items appearing on the Tentative Agenda. Held in Committee were the first and last items on Tentative, being Ordinance regarding Parking and Traffic, and the Buccieri easement/conveyance.

STEERING COMMITTEE REPORT (continued)

(9) TRANSPORTATION MATTERS

There were none.

(10) PERSONNEL MATTERS

ORDERED ON THE AGENDA were the five items appearing on Tentative Agenda. Three other items were added from the Addenda to the Steering Agenda or submitted by a Board member from the floor, being: (a) follow-up discussion with Dr. Gofstein and Dr. Jones regarding school health services as administered by Health Dept. submitted by Rep. Philip Stork; Study and Evaluation of Municipal Personnel Productivity submitted by Reps. Betty Conti and Grace Guroian 4/16/82; request for breakdown of fringe benefits for each union by Reps. DeLuca and Boccuzzi.

(11) ENVIRONMENTAL PROTECTION MATTERS

There were none.

(12) PARKS AND RECREATION MATTERS

ORDERED ON THE AGENDA were 5 items appearing on Tentative Agenda. Second item re Veterans' Park is already on the Agenda as a fiscal item.

(13) HEALTH AND PROTECTION MATTERS

ORDERED ON THE AGENDA were the 12 items appearing on the Tentative Steering Agenda. Added was one item, to be Held in Committee, concerning health hazards possible from installation of transmitters proposed for Glenbrook (same as in the Cove).

(14) HOUSE COMMITTEE MATTERS

No items for this Committee.

(15) RESOLUTIONS

ORDERED ON THE AGENDA was the one resolution appearing on the Tentative Steering Agenda from Rep. Barbara McInerney. Ordered Held in Committee was a resolution from the Addenda to the Agenda submitted by Rep. Blum and Mrs. Julie Breunich regarding the call-in radio program and the non-broadcasting of meetings of the Board of Education and the Board of Representatives.

(16) ACCEPTANCE OF THE MINUTES

The five sets of minutes on the Tentative Steering Agenda were ORDERED ON THE AGENDA being January 11, 1982, January 19, 1982, February 1, 1982, March 1, 1982, and April 5, 1982.

(17) There were no items under COMMUNICATIONS FROM THE MAYOR, PETITIONS, COMMUNICATIONS FROM OTHER BOARDS and INDIVIDUALS, OLD BUSINESS, OR NEW BUSINESS.

ADJOURNMENT

There being no further business to come before the STEERING COMMITTEE, on MOTION duly made, Seconded, and Carried, the meeting was ADJOURNED at 8:25 P.M., with some members remaining to discuss their agendas and other matters.

JLS:HMM

JEANNE-LOIS SANTY, Chairwoman
STEERING COMMITTEE
17th Board of Representatives

APPOINTMENTS COMMITTEE - Co-Chairpersons Handy Dixon and Mary Jane Signore

MR. DIXON: Thank you, Madam President. The Appointments Committee met April 29, 1982, at 7:30 p.m. in the Democratic Caucus Room. Committee members present were Reps. Mildred Perillo, Barbara DeGaetani, Ann Summerville, Robert DeLuca, Anthony Conti, John Boccuzzi and myself, Handy Dixon.

At this time, Madam President, I would like to MOVE on the Consent Agenda item #2, Mr. Peter Canzano, a Democrat, for the Patriotic and Special Events Commission. Item #4, Ms. Effie Massie, a Republican, for the Commission on Aging. Item #5, Mr. Halsey Moore, a Republican, for the Commission on Aging, and item #6, Mr. Frederick Hawes, a Republican, for the Commission on Aging.

PRESIDENT SANTY: Items 2, 4, 5 and 6 on the Consent. Would you go on with your report.

ZONING BOARD OF APPEALSTerm Expires

(1) <u>LOREN JAFFE</u> (R) 29 Vincent Lane	Re-appointment	Dec. 1, 1986
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MR. DIXON: Mr. Jaffe has been a resident of Stamford for 34 years. He is presently serving as Chairman of the ZBA and in prior years, he has served as an Alternate member of that Board dating back to 1972. Mr. Jaffe has retired recently, expressed a genuine concern about the affairs of the City and a very strong desire to continue serving in his present position. The Appointments Committee expressed confidence in Mr. Jaffe by a vote of 5 yes and 1 no for his confirmation and I would now so MOVE. SECONDED.

PRESIDENT SANTY: A Motion has been made and Seconded for the appointment of Loren Jaffe, reappointment to the Zoning Board of Appeals. Any discussion? Yes, there was a Second on that, Mr. Perillo; two Seconds.

MR. DeLUCA: MOVE THE QUESTION. SECONDED.

PRESIDENT SANTY: Moved and Seconded to Move the Question. All in favor of Moving the Question, say aye. AYE. Opposed. We will go right to a vote on Mr. Jaffe by the use of the machine. Has everyone voted?

Mr. Jaffe has been CONFIRMED by a vote of 24 yes, 11 no, 2 abstentions and 2 chose not to vote. Continue with your report, Mr. Dixon.

PATRIOTIC AND SPECIAL EVENTS

(2) <u>PETER F. CANZANO</u> (D) 38 Pine Hill Terrace	Re-appointment	Dec. 1, 1986
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APPROVED ON CONSENT AGENDA

APPOINTMENTS COMMITTEE: (Continued)TRANSIT DISTRICTTerm Expires

(3) <u>RONALD BANE</u> (D) 53 Nutmeg Lane	Re-appointment	Dec. 1, 1985
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HELD IN COMMITTEECOMMISSION ON AGING

(4) <u>MS. EFFIE MASSIE</u> (R) 26 Main St., Apt. 5-E	Re-appointment	Dec. 1, 1984
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APPROVED ON CONSENT AGENDA

(5) <u>HALSEY MOORE</u> (R) 46 Tupper Drive	Replacing Dr. N. Klein whose term expired.	Dec. 1, 1984
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APPROVED ON CONSENT AGENDA

(6) <u>FREDERICK HAWES</u> (R) 28 Ardsley Road	Replacing P. Rooney	Dec. 1, 1984
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APPROVED ON CONSENT AGENDA

MR. DIXON: I will now go back to items #2, 4, 5 and 6, all having received the Committee's unanimous vote of approval, I would now MOVE for this Board's confirmation. SECONDED.

MR. BOCCUZZI: Madam President, can he read them into the Record?

PRESIDENT SANTY: I would like you to read the names into the Record, the Consent Agenda, Mr. Dixon.

MR. DIXON: I'm sorry. Item #2, Mr. Peter Canzano, a Democrat, Patriotic and Special Events Commission. Item #4, Mrs. Effie Massie, a Republican for the Commission on Aging. Item #5, Mr. Halsey Moore, a Republican for the Commission on Aging and item #6, Mr. Frederick Hawes, a Republican for the Commission on Aging. I would now MOVE, Madam President, for a confirmation of those names I've just called. SECONDED.

PRESIDENT SANTY: Thank you. There have been several Seconds. All in favor of Peter Canzano, Effie Massie, Halsey Moore and Frederick Hawes as the respective appointments, please signify by saying aye. Opposed? They have been appointed unanimously.

MR. DIXON: End of the report, Madam President.

PRESIDENT SANTY: Thank you, Mr. Dixon.

MRS. McINERNEY: Madam President, may I ask for a five-minute Recess, please?

PRESIDENT SANTY: There's been a Motion for a five-minute Recess. Is there a Second? SECONDED. All in favor, please say aye. There's a vote here at this point. I would like you to raise your hand because the Chair is in doubt.

PRESIDENT SANTY: (Continuing) How many would like a Recess? Please raise your hand; who would like a five-minute Recess? Raise your hands high. Two Tellers, Mr. Wiederlight and Mr. Franchina, your assistant.

MR. BLUM: What is the purpose of the Recess?

PRESIDENT SANTY: Mr. Blum, she does not have to give a reason for the Recess. She just has to Move for a Recess. Mr. Wiederlight, would you and Mr. Franchina take the vote, please? Anyone in favor of a Recess, please raise your hand.

We will now have a five-minute Recess. There are 26 affirmative votes. It is now 9:30, five-minutes.

Representatives, the five-minute Recess is over. I would ask anyone who is not a member of the Board to leave the Floor, please. I would ask the Representatives to please take their seats. We have a long Agenda. We have another meeting tomorrow night. We have a big week next week. We have been out for 17 minutes. Anyone who is not a member of this Board, please leave the Floor.

MRS. McINERNEY: I would just like to make a public apology for taking longer than the five-minutes that I requested.

RECESS: 9:25 p.m. - 9:47 p.m.

PRESIDENT SANTY: Thank you, Mrs. McInerney.

MR. BOCCUZZI: Madam President, at this time I would like to have you make a ruling as to the public; where they could and can't be once you call the meeting to order.

PRESIDENT SANTY: Yes, Mr. Boccuzzi. Once we begin this meeting, once this gavel is set-down, regardless if we have recesses or not, the public, the media is not to come into our area. We have a gallery and no one other than the representatives are to be in this area. They are not to be in the caucus room or past the gallery, and the House Committee will take care of that at the next meeting. We go into Recess because we have important business to transact and there is too much pressure from the gallery and I do not want it to happen. So from this moment forward and I don't mean it for the particular people here this evening, it will go on to every meeting. Once we begin the meeting, even if we have three or four recesses, no one is to approach any of the representatives. If they feel they should communicate with the audience, then they can go to the gallery. Thank you, Mr. Boccuzzi. We will now go on with the Fiscal Committee report.

FISCAL COMMITTEE: CO-Chairpersons Marie Hawe and Paul Esposito

MRS. HAWE: The Fiscal Committee met on Wednesday, April 29. Present were Committee members John Roos, Joe Franchina, Betty Conti, Burt Flounders, Sandra Goldstein, Co-Chairperson Paul Esposito and myself. Before I give the report, Madam President, I would like to bring the Board Members' attention to the fact that they have a new budget book on their desks tonight and this will replace the one that we got last week that is also bound on the top. That you can discard because there were a lot of errors in it. This is a corrected one.

PRESIDENT SANTY: Before you go any further, Mrs. Hawe, are there any questions regarding Mrs. Hawe's remark? Do you all know which budget book she is referring to? Are there any questions? Mrs. Hawe, the date of it?

MRS. HAWE: The one April 30 is the...yes, that's with the circle around it, it says revised. That's the one with the Board of Finance cuts in it also. I would suggest that you also keep the book that we got quite a while ago that is bound on the side because that has the list of the positions in the various departments. This does not. The one that we got last week that's also bound on the top, it looks just like this book, that you can discard because that has a lot of errors in that and it would be confusing to keep it.

PRESIDENT SANTY: So, you are suggesting that they bring two original books with them to the Budget meetings next week?

MRS. HAWE: The very first one and then this one.

PRESIDENT SANTY: Thank you, Mrs. Hawe.

MRS. HAWE: This is the most important one, the one you got tonight.

I would like to MOVE the following items on the Consent Agenda: Item #5.

PRESIDENT SANTY: Secondary Committee Public Works.

MR. FLOUNDERS: Public Works concurs.

MRS. HAWE: Item #6.

MR. FLOUNDERS: Public Works concurs.

MR. WIEDERLIGHT: Can you take that off Consent, Madam President?

PRESIDENT SANTY: #6, Mr. Wiederlight?

MR. WIEDERLIGHT: Yes, please.

PRESIDENT SANTY: #6 is off Consent.

(1) \$ 39,214.00 - NON-UNION ADMINISTRATORS' RETROACTIVE INCREASES. Held in Steering 2/16/82. Returned to Committee 3/1/82 for clarification and additional detail. (Approved \$110,649 at 3/1/82 meeting). Held in Committee 4/5/82.

Above also referred to PERSONNEL COMMITTEE.

MRS. HAWE: Fiscal Committee voted 3 in favor, 3 opposed and 1 abstention. There is no recommendation, but would you like me to make a positive Motion?

PRESIDENT SANTY: That was a positive recommendation.

MRS. HAWE: I MOVE that the appropriation be approved.

PRESIDENT SANTY: Is there a Second to that. SECONDED. Personnel Committee. Mr. Dziezyc, can you give a report for the Personnel Committee? I'm sorry, Mr. Hogan.

MR. HOGAN: Personnel voted none in favor, 5 against.

MRS. HAWE: There are 17 managers within the non-union group. 13 of these are included under this appropriation which covers fiscal years 79/80, 80/81.

FISCAL COMMITTEE: (Continued)

MRS. HAWES: (Continuing) The other four of the 17 are not due retroactivity for the time period mentioned. The merit raises given to non-union administrators for the past three years is significantly smaller than the increases granted to their unionized subordinates by the MAA contract. An inequity has been created in that top managers who received increases based on merit have received less than the automatic increases granted to unionized employees. Several months ago, this Board granted raises to these administrators to correct this disparity. This appropriation represents the retroactive part of this increase for the past two years dating back to 7/1/79. As was done with the raises approved several months ago, it was taken into account if any administrator received less than outstanding performance rating, they overall adjustment was reduced to somewhat less than it would have been had they received the automatic increases granted the MAA. On the other hand, if employees had received outstanding ratings all three years, they may receive a total of up to 2% more than the union negotiated rate. I made the MOVE.

MRS. MAIHOCK: Since the Personnel Committee came up five against, I wondered if anyone on that Committee would be interested in contributing any information.

MR. HOGAN: I can add only this, that the Personnel Committee felt that there was so much of a controversy, so many inaccuracies in the original report that they were not in favor of the proposal as it was submitted at the present time and in addition, they felt that the retroactive raise at this time when things are tight, would be not in the best interest of the people of the community and they voted 5 - 0.

MRS. CONTI: Thank you, Madam President. The situation we have is that we have 17 people who do not belong to any union. They are administrators. These people receive increases under two separate plans. They receive increases under a merit raise system and also they keep in parity with the union contract. They have gotten their merit increases for all the years for which the union people received retroactive. I don't feel that any group of people should be receiving raises under two separate plans. I think they should make up their minds one way or the other, either they want to have merit raises or be in parity with the union and I am opposed to it for that reason. Thank you.

PRESIDENT SANTY: Thank you, Mrs. Conti. Would anyone else like to speak to this, item #1 under Fiscal? We will proceed to a vote since we have a Motion and a Second. I will ask the Representatives to use the machine. Up for yes if you approve the appropriation of \$39,214 non-union administrators retroactive increases; no, if you disagree. Has everyone voted?

The appropriation has been DENIED 9 yes, 22 no, 7 abstentions and 1 choosing not to vote.

FISCAL COMMITTEE: (Continued)

- (2) \$300,000.00 - AMEND THE CAPITAL PROJECTS BUDGET - PARKS DEPARTMENT by adding a project to be known as #610.891 Veterans Parks Modification; to be financed by taxation. Board of Finance approved 3/11/82. Returned to Committee 4/5/82.

Above also referred to PARKS AND RECREATION COMMITTEE.

MRS. HAWE: Fiscal voted 2 in favor and 3 opposed. I will make a Motion to approve this money keeping in mind the vote of the Committee. SECONDED.

PRESIDENT SANTY: There's a Second to the Motion to approve \$300,000 to amend the Capital Projects budget. Item 2 on your Agenda. Mrs. Hawe, continue with your report. Excuse me, Parks and Rec. May I have your vote, Mr. DeLuca?

MR. DeLUCA: Is it permissible to give a ...

PRESIDENT SANTY: Just give me your vote, and after Mrs. Hawe, I'll allow you to speak on this.

MR. DeLUCA: Our Committee recommended 4 in favor and 1 abstention to reject the \$300,000 appropriation through taxation, and then I would like to elaborate what our recommendation would be.

PRESIDENT SANTY: Certainly, right after Mrs. Hawe, Mr. DeLuca.

MRS. HAWE: I think that by this time everyone knows what this appropriation is for. I would like to share with the Board some information which has come to light regarding the funding of this project seeing that the possibility of transfer of funds has come up. You all have on your desk this evening a copy of a letter sent by Kenneth Faye, the URC Director, to Mayor Clapes dated April 26. Mr. Faye states that there is in Capital account #980.914 a current unencumbered balance of \$800,000. That was what remained of a \$2.1 million appropriation to upgrade the storm drain system from Bull's Head south to the Turnpike. That project has been virtually completed at this time at a cost substantially below budget. Even allowing for attorney's fees, etc., there will be \$300,000 left in this account. However, Mr. Faye goes on to state in this letter that the City still has a financial obligation with regard to the development of Block 9, namely, the building of a 300-car surface lot. If the \$300,000 were to be taken from this account, the possibility exists that some future appropriation will be needed to complete the construction of the parking lot on Block 9.

The Fiscal Committee's recommendation to defeat this also comes with a recommendation and the urging to the Mayor that he request a transfer from this account to fund this project and I would like to, if I may, relay a conversation that I had with the Mayor a short time ago while we were on Recess. The Mayor agreed reluctantly, and I'm trying to express his feelings as best I can, he agreed reluctantly, that he would transfer this money; however, he strongly urged the Board Members to vote for this appropriation tonight. He said that if that money is transferred out, they will have to be coming back for additional money to replenish that account when the parking lot on Block 9 has to be built and he urges us to vote on this tonight. But, he did reluctantly say he would come in for a transfer.

PRESIDENT SANTY: Thank you, Mrs. Hawe.

FISCAL COMMITTEE: (Continued)

MR. DeLUCA: This has been one project that has dragged on for many months. We have just heard some comments about the Mayor reluctantly, willing to transfer funds for this project. What disturbs me? Several things about this particular project. Our Committee, Parks and Recreation, has meet on this at least four different time; as last as this evening. I often wonder in your own household how would you react, when at our April 5 meeting and prior to that and before the Board of Finance, the Delta Group and the Planning Board submitted an itemized break-down to be approved. Funds were \$300,000. We held a meeting on April 15 and it was decided from the original itemized breakdown we can bring this down to \$230,000 by cutting out some items. The Downtown Council requested that we hold a slide presentation, which we agreed to on April 26, a week ago this evening. Our Committee, after the slide presentation, sat down and met with the Delta Group. On that evening, the Delta Group presented us with a new proposal. The proposal called for a fund of \$239,000. To think that at one time we had it down to \$230,000. Now we are up to \$339,000. The catch is that a 15% contingency was put into the street-scape program which is to be bonded. Now we have numbers where one portion is going to be through taxation, if you were to approve this \$300,000 tonight; the contingency fund sits in the bonded project.

Getting back to the Mayor's comments. What disturbs me is the fact that several weeks ago, I called up Kenneth Faye, Director of the URC, to see if there was a possibility that they had funds available to be transferred to this project. During the course of our conversation, I was made aware of the storm drain outfall project of which we had \$800,000. And at that time, Ken Faye wasn't aware of the fact that we can possibly transfer funds since it was a Capital project. I requested that he talk to Edith Sherman. I believe it was at 11:40 a.m. that same day, I got a phone call from Edith Sherman. She thought it was a fantastic idea. The funds could be available. In fact on April 15, when the Mayor happened to be down here for our meeting, I mentioned this to him. He happy to see that we had funds elsewhere that could be transferred. In fact, Betty Gershman wrote a letter to the Mayor saying that if this appropriation went down tonight through taxation, that the Mayor should submit a letter requesting the URC to transfer \$300,000 from the storm drain outfall account. That same day I received a phone call from the Mayor's secretary. The Mayor wanted to know if this was the same \$300,000 that we had talked about earlier and he agreed that this would be the ideal source to transfer the funds.

I have before me, possibly 383 petitions, all bona fide residents of the City of Stamford, opposing any use ...(end of tape)

MRS. McINERNEY: The City has watched Stamford grow, we have sat here and watched Stamford grow for the past, especially noticeable the past few years. It's beginning to become a beautiful City. I think it's important that we continue in this fame.

PRESIDENT SANTY: Thank you, Mrs. McInerney.

MR. BLAIS: Thank you, Madam President. Through Madam President, I'd like to ask a question of Mr. DeLuca.

PRESIDENT SANTY: Go right ahead.

MR. BLAIS: Mr. DeLuca, Is not the request for appropriations \$339,000?

FISCAL COMMITTEE: (Continued)

PRESIDENT SANTY: Mr. DeLuca, would you please answer it?

MR. DeLUCA: The request before us this evening is \$300,000.

MR. BLAIS: Did you not state at a recent meeting that they needed a little bit more than this?

MR. DeLUCA: They presented us with some figures and then they went back and made some modifications where they brought it down to \$295,000 which would still give us the linkage that we need and still maintain the beauty and integrity of the Park. It will not take away that much from the original plans.

PRESIDENT SANTY: Does that answer your question, Mr. Blais?

MR. BLAIS: Partially, I am very concerned. I think this is one of the more serious questions that faced this Board this spring. I think it is tantamount to the success and health and well-being and growth of this City and, therefore, I would hate to miss a deadline, hold something in Committee and inadvertently, miss a deadline and by-pass a chance to greatly improve the Atlantic Street area of the downtown section. I would urge all the Members of this Board to consider, perhaps, appropriating a minor amount tonight and let the Mayor transfer the remainder of the money from URC to show our intent.

PRESIDENT SANTY: Mr. Blais, may I remind the Body we are speaking to the Motion to recommit. That's what we should be addressing now. So let's stick to that issue.

MRS. GUROIAN: I'd like to propose a Motion to divide the Motion to Recommit and I'd like to have it divided into one vote for Recommitting and one vote for the letter of intent.

PRESIDENT SANTY: Is there a Second to that? There is a Second. That takes precedent to divide the Question to Recommit so we are now going to speak to that Question; to divide the Motion in two parts; 1. to Recommit and another Motion with a letter of intent. You want two votes on that, Mrs. Guroian?

MRS. GUROIAN: Separate votes.

PRESIDENT SANTY: Is there anyone who would like to speak to that; on the two separate votes? I have a list of speakers but that was on the original.

MR. WIDER: I'd like to MOVE THE QUESTION, Madam Chairman. SECONDED.

PRESIDENT SANTY: Mr. Wider Moved the Question. There's a Second to divide the Motion into two parts. All in favor to Move the Question, say aye. Opposed? 1 no. We will Move the Question. The Question is whether to divide the original Motion into two parts. We will now vote by use of the machine. The machine is ready. It has to be entered into the computer. We are voting to divide the Motion whether we will take two separate votes. Up for yes, down for no.

MR. STORK: Madam President, my vote wasn't registered.

PRESIDENT SANTY: Mr. Stork, we will rerun that vote. I would now ask the Representatives to vote at this time. We are voting again on whether to divide the Motion into two separate votes.

The Motion is DEFEATED 16 yes, 21 no, 0 abstentions and 3 not choosing to vote.

FISCAL COMMITTEE: (Continued)

PRESIDENT SANTY: We are now going back to discuss the original Motion by Mr. Boccuzzi to Commit this back to Fiscal Committee and Parks and Rec with a letter of intent to the Mayor.

MRS. SIGNORE: POINT OF INFORMATION: Did we get a clarification on the final date that these funds can be appropriated or transferred?

PRESIDENT SANTY: Mr. Boccuzzi, will you answer that question?

MR. BOCCUZZI: Mr. DeLuca and I were told that if this Board gives a letter of intent that we will, indeed, approve the monies when it comes down to us, the transfer, that will satisfy the time limit with Saks which is June 1. Is that correct, Gabe. July 1, sorry.

PRESIDENT SANTY: Thank you. Next to speak for the first time on the Motion is Mrs. Perillo.

MRS. PERILLO: I wanted to MOVED THE QUESTION. SECONDED.

PRESIDENT SANTY: A Motion has been made and Seconded to Move the Question. All in favor of Moving the Question, which is Mr. Boccuzzi's Motion, please say aye. Opposed? We will now vote but I have to set up the computer whether we're going to Move to that Motion. We are now voting. It was entered into the computer to Recommit with a letter of intent and that's what it says on the vote.

MR. BOCCUZZI: That would also include Gabe's Resolution, right?

MR. DeLUCA: Just a quick question.

PRESIDENT SANTY: Yes, Mr. DeLuca.

MR. DeLUCA: I believe, it's part of the Agenda or if the President so desires it's not part of the Agenda then I would like to Suspend the Rules to read my Resolution. I firmly believe that it all relates to each other, therefore, I would like to read my Resolution so that the people have a better input as to what we are voting on and why we are going to Return to Committee.

MRS. GOLDSTEIN: POINT OF...

PRESIDENT SANTY: Yes, Mrs. Goldstein.

MRS. GOLDSTEIN: In a Motion to Recommit, one of the conditons, one of the questions to be considered with Recommitting, to be sent back to Committee, was that Resolution. So that I think it becomes naturally a part of the Motion because you can Recommit with conditions and that is one of conditions.

PRESIDENT SANTY: I would accept that Mrs. Maihock brought to my attention an error in the Resolution.

MR. DeLUCA: I have since modified it slightly which I would like to read. If anyone would like to make an amendment, they can.

PRESIDENT SANTY: Yes, would you read this? You all have it on your desks. I will consider that, Mr. DeLuca.

FISCAL COMMITTEE: (Continued)

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PRESIDENT SANTY: Yes, would you read this. You all have it on your desks. I will consider that, Mr. DeLuca.

FISCAL COMMITTEE: (Continued)

MR. DeLUCA: I would appreciate it if everyone would look at their copy and make the necessary note/changes to be made:

Resolution on Modification of Veterans Memorial Park - Whereas, there is to be a cohesive well-integrated Downtown; Whereas, Veterans Memorial Park is a focal public point in Downtown Stamford; Whereas, it is vital to a sound economic Downtown that the Veterans Memorial Park be joined to the shopping level of the Mall; and Whereas, this objective was a primary goal of Urban Renewal and therefore, the Board of Representatives requests that \$300,000 be transferred from Urban Renewal Committee, should be Commission, to the Parks Department to effect this modification and the Board supports and will approve the transfer of these funds.

PRESIDENT SANTY: You all have the Resolution as part of the original Motion made by Mr. Boccuzzi with also the letter of intent to the Mayor. We are not going to vote on that in its entirety. The machine is ready. Up for yes, down for no.

The Motion is PASSED 34 yes, 3 no, no abstentions and 3 not voting. Mrs. Hawe, would you continue.

MRS. HAWE: Thank you.

- (3) \$140,179.00 - HEALTH DEPARTMENT - W.I.C. PROGRAM - Additional Appropriation to fund through Sept. 30, 1982. This amount includes the \$56,050 defeated by this Board. Board of Finance approved in January, and also additional sum 3/11/82.

Above also referred to HEALTH AND PROTECTION COMMITTEE.

MRS. HAWE: Under the continuing Resolution passed by Congress, funding for the WIC Program is guaranteed until September 30. Fiscal voted 6 in favor and 1 opposed and I so MOVE.

PRESIDENT SANTY: Is there a Second to that? SECONDED. Health and Protection Committee, Mr. Dziezyc.

MR. DZIEZYC: Voted 3 - 0 to deny the fund.

PRESIDENT SANTY: You have your recommendation there, ladies and gentlemen. Anyone like to speak to this? Item #3 under Fiscal. If there are no speakers...

MRS. HAWE: I would just like to say I believe this is worthwhile Program. I've observed this Program throughout six years that I have been on the Board and I think that five or six years ago, there was some tightening-up that had to be done and I believe, it was and I think this is a Program that does benefit a lot of people in the Community and I would urge support for it.

PRESIDENT SANTY: Thank you, Mrs. Hawe. Is there anyone else who wishes to speak to this? We will proceed right to a vote. I would ask all the Representatives to please take their seats and prepare to vote. The machine is ready. We are voting on item 3 of Fiscal, \$140,179 Health Department WIC Program.

The appropriation is APPROVED 28 yes, 9 no, no abstentions and 3 not voting.

FISCAL COMMITTEE: (Continued)

- (4) \$ 3,500.00 - CONTROLLER'S OFFICE - Group 24 - 5150 PROFESSIONAL CONSULTANTS - additional appropriation to pay for additional appraisal time with the recently organized Fixed Asset (Property) Accounting System to conform to a State mandate. Board of Finance approved 3/11/82.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE

MRS. HAWE: During fiscal year 80/81, \$70,000 was budgeted for this, when the budget was submitted, it was assumed that the Board of Education property records would be sufficient for inclusion in the system. After closer examination of the Board of Ed records, it was determined that additional appraisal time was required to complete the project. This appropriation request is to pay for the additional time. Fiscal voted 6 in favor and one opposed and I so MOVE.

PRESIDENT SANTY: Thank you, Mrs. Hawe. E, W, & G, is there someone to give a report from E, W, & G?

MS. RINALDI: We concur.

PRESIDENT SANTY: Thank you. E, W, & G concurs. Would anyone like to speak to item #4 on Fiscal \$3,500 Controller's office? I would ask at this time for the Representatives to please take their seats and please not carry on any private conversations, give respect to the speakers.

MR. BLAIS: Yes, Madam Chairman. I think it behooves all of us to pass this small appropriation to help improve the City's management in general. Essentially what it will do, it will put all the fixed assets of the City on a same basis and hopefully on the same tracking system and I think it's direly required. Thank you.

PRESIDENT SANTY: Thank you, Mr. Blais.

MR. FLOUNDERS: MOVE THE QUESTION.

PRESIDENT SANTY: A Motion has been made. Is there a Second to Moving the Question. SECONDED. All in favor of Moving the Question, please say aye. Opposed? We will proceed to a vote. Please vote.

The appropriation is APPROVED 31 yes, 4 no, 1 abstention and 4 not voting. Mrs. Hawe, continue with your report.

MRS. HAWE: Thank you.

- (5) \$ 68,000.00 - PUBLIC WORKS DEPARTMENT - AMEND THE CAPITAL PROJECTS BUDGET TO INCLUDE A PROJECT ENTITLED "LONG HILL DRAINAGE #330.938" approved by Planning Board as urgent. Original request in 82-83 Capital Budget for \$57,640; revised estimate now \$68,000. At 4/19/82 meeting, Board of Finance suspended their rules and approved this request.

Above also referred to PUBLIC WORKS COMMITTEE.

APPROVED ON CONSENT AGENDA

FISCAL COMMITTEE: (Continued)

- (6) \$ 50,000.00 - PUBLIC WORKS DEPARTMENT - AMEND THE CAPITAL PROJECTS BUDGET TO INCLUDE A PROJECT ENTITLED "FLEET MANAGEMENT STUDY #310.954 - additional appropriation requested by Mayor Clapes 4/8/82. Study to point out significant economies possible by combining, where feasible, maintenance and operations of vehicles used by various City agencies; will prepare an outline for action, and design the additional maintenance facilities required. Board of Finance approved 4/19/82.

Above also referred to PUBLIC WORKS COMMITTEE.

MRS. HAWE: This request was initiated as a reaction to the cuts by the Board of Finance in the maintenance of vehicle accounts. The purpose of the Study to be done by a Public Works and Equipment Management Consulting firm, will study the current various maintenance operation of the City and see if and how consolidation can be done. The study will determine any savings involved in such a move and prepare an outline for action. Fiscal voted 7 in favor and none opposed and I so MOVE.

PRESIDENT SANTY: Thank you, Mrs. Hawe. Public Works, Mr. Flounders.

MR. FLOUNDERS: Public Works concurs.

PRESIDENT SANTY: Public Works concurs. Would anyone like to speak to this appropriation?

MR. WIEDERLIGHT: Yes, thank you, Madam President. Through you, to the Co-Chairperson of Fiscal. I have a few questions. I don't remember seeing any back-up. For example, how the individual who is going to do the study was selected. Was it a competitive bidding process, etc? Can you elaborate on that?

MRS. HAWE: The firm that is going to do the study, has not been chosen yet. When this was presented to us by the Capital Projects Director of the Public Works Department, Mr. Shydlo, they had received several proposals and he did have one with him which was representative of the proposals they have been receiving, but it has not been chosen as of yet.

PRESIDENT SANTY: Thank you, Mrs. Hawe.

MR. WIEDERLIGHT: I'm sorry, Madam President. May I continue?

PRESIDENT SANTY: Certainly.

MR. WIEDERLIGHT: I have trouble accepting the nice round number of \$50,000 with no back-up showing. I know we did not receive any copies of any proposals or anything along those lines specifically, outlining what the extent of the study will be, which departments will be encompassed by the study, etc. I find it unacceptable to be allocating \$50,000 for which we really have very little information; what the \$50,000 is going to do or tell us what the objective is. I can't make a Motion at this point. I can't accept this \$50,000 allocation.

PRESIDENT SANTY: You're speaking against it, Mr. Wiederlight?

FISCAL COMMITTEE: (Continued)

Mrs. Hawe: The back-up we received; there was not too much of it. I can tell you a little bit more as to what the study will entail. The City spends, at this point, \$1.6 million to maintain their 400 vehicles. 11 departments are involved in maintenance. 5 of them have maintenance facilities of their own and 6 of them rely on private garages to maintain their vehicles. There is a lot of disparity in the maintenance of these various department. For instance, one department averages 7.4 mechanics per vehicle and another department averages a much larger percent of mechanics per vehicle. Also, the maintenance costs per vehicle, for instance, in the Health Department is \$270 and in the Public Works Department, the maintenance costs per vehicle is \$6,000. There's a lot of things that go into this. Of course, Public Works has a lot of much heavier, complex equipment, but the point is that it is felt that there could be a lot of savings made if consolidation of the maintenance were done.

The firm who will receive this will study a lot of inconsistency of data in the maintenance field and they will study this. They will look into how maintenance is done in each department. They will look into what the proper length to keep a vehicle is and at what point the costs for vehicle maintenance become too high. They will look into which vehicles are under-utilized. There is a basic lack of City-wide approach to whole maintenance problem. The objectives that are hoped to be gained, and this is according to Mr. Shydlo, are three. First of all, the firm will be asked to evaluate overall equipment requirements of the City. They will check the facilities we have now and the personnel we have now and determine exactly what is needed to maintain the whole fleet that the City owns. And then they will come up with a plan to implement their proposals. There's a lot of duplication of effort. Consolidation could hopefully effect some savings in this regard.

The Board of Finance, perhaps you know, cut out the vehicle maintenance account in many of the departments and they did it because they hoped that this kind of a program would be put into effect and this is an effort to get a study done, see exactly how we consolidate the maintenance of the City vehicles.

PRESIDENT SANTY: Thank you, Mrs. Hawe.

MR. ESPOSITO: Mrs. Hawe just about said everything. I would like to reiterate the urgency of this lest we think that we might delay this process. As of July 1, for many City departments, there is no way for them to maintain their vehicles and at this point, I'm not sure they know how they are going to maintain their vehicles. It is important that we get started on this project; that we have some clear idea of the direction we're going. Otherwise, we are going to have a lot of departments just floating around trying to have their cars fixed anywhere they can. This is a request that will provide information on how this City will go in maintaining the entire fleet and, therefore, it is very, very important and should be passed tonight.

PRESIDENT SANTY: Thank you, Mr. Esposito.

MR. FLOUNDERS: Thank you, Madam Chairman. I can underscore what has been said by Representatives Hawe and Esposito. I can add a little perspective, however, by pointing out that this Fleet Management Study was a study that had been proposed by the Commissioner of Public Works pretty much on his own because he felt that it was potentially a source of great savings to the City to concentrate repairs in one or two garages owned by the City, but he at the time had no idea that suddenly effective July 1, this would become a reality. There is no way

FISCAL COMMITTEE: (Continued)

MR. FLOUNDERS: (Continuing) that right now that this can be implemented on July 1, and there has to be a lot of study and careful thought given to the program because as has been pointed out, all the money has been cut out of the respective departmental budgets; on July 1, everybody is on his own. So, it behooves us to get this evaluation made by people who are eminently qualified to make the evaluation in order to organize the Public Works Department garage and whatever other garages might be involved such as the Police Department so that they can take care of all the maintenance for all City vehicles. And, indeed, there also has to be a coordinator set-up to coordinate this activity. It is quite a project so I urge the Board to consider to approve this request. Thank you.

PRESIDENT SANTY: Thank you, Mr. Flounders.

MRS. PERILLO: Yes, Madam Chairman. I would like to propose that this be put back into Committee.

PRESIDENT SANTY: Are you making a Motion?

MRS. PERILLO: I am. I think we should all share the same information that Mr. Esposito, Mr. Flounders and Mrs. Hawe have. I refuse to vote on something that I don't have information on and I have to hear it hearsay. I'd like to see it in black-and-white and know what I'm voting on.

PRESIDENT SANTY: There has been a Motion made to commit this back to Fiscal. Is there a Second to that? SECONDED. All in favor of recommitting this item, please say aye. (Did not hear any response) Any discussion on it? Any discussion, first of all on recommitting it?

MR. WIEDERLIGHT: Mr. Flounders said this study will be done by firms that are eminently qualified with credentials and that's just about a quote. I don't know what firms are going to be considered to be chosen for this study, Mr. Flounders, and I'd like to know. I don't know what the credentials are of these firms and I'd like to know. I'd like to know what cities they've done; what municipalities; what States they've done? So, our \$50,000 will result in a net reduction in costs to the City and I this is some of the information that I feel we should have before we just give carte blanche of a \$50,000 check to somebody.

PRESIDENT SANTY: Thank you, Mr. Wiederlight. May I remind you, you are speaking whether you approve or disapprove this going back to Committee.

MRS. HAWE: Thank you. I would really urge the Board Members not to return this to Committee but to approve tonight. The only thing I can tell Mr. Wiederlight is that one proposal they received was from Jorgenson Associates which is a Public Works equipment management consultant firm. As to what other cities they have done work for, I'm afraid I can't answer that. I want to reiterate what Mr. Flounders said that this is something that is really, we're kind of down to the wire on this considering what the Board of Finance, in their wisdom or not in their wisdom, did in their vehicle maintenance accounts and there is going to be a lot of problems when there is no money to maintain these vehicles and I would urge the Board Members, given the information that we have given them tonight, which seems to me would enable them to make up their minds as to whether this is a worthwhile project or not, and I would urge them to vote on it and not recommit this item.

PRESIDENT SANTY: Thank you, Mrs. Hawe.

FISCAL COMMITTEE: (Continued)

MR. BLAIS: Thank you, Madam Chairman. Although I respect my fellow colleagues' desire to have this recommitted to Committee for proper bidding procedures, and, generally I do follow the same procedures requiring having managers come up with tasks and bidding specific item by item of consulting contract, I think in this case, we're already under the deadline because of the timing of the cuts of the Board of Finance. Come July 1, as been stated, these vehicles, we're going to have 400 vehicles running around town, that will no longer have any maintenance on them because there's no more funds for maintenance. Now, I think it's necessary that we move forward with this study tonight just to protect our investment in some 400 vehicles. I don't even know what the dollar amount is but it's got to be sizeable; and secondly, I think it's very apparent that there is consolidation that can be made in the city-wide fleet system. How many times do all of us see various seemingly wandering around the City with nothing to do?

PRESIDENT SANTY: Thank you, Mr. Blais.

MRS. GERSHMAN: Thank you. If we have not put this out to bid, how do we know that \$50,000 is going to be enough, or is it going to be too much? We don't know what such a study is going to cost. I see that it says "design the additional maintenance facilities." I question if all of this work plus a design can be done for \$50,000. I cannot see that if we send it back to Committee and wait one month, one month is not going to make that much difference and it will give us a lot more input to vote intelligently on this. Even if we voted for it tonight and they put it out to bid and got everything going, I don't see how by July 1, right now, this plan could be put into working order and so, I must agree with Mr. Wiederlight that we should return it to Committee and give ourselves a month to look at the figures and think about it intelligently. Thank you.

MR. ROOS: I don't quite know what the thinking was to eliminate all the funds for car repairs and dump them all on Public Works. A man just expresses an opinion that this would probably be a way to save money and suddenly, he's in instant repair. I don't think we have the months to spend on this while we consider all these figures. I think we do have to realize \$50,000 and perhaps it won't cost \$50,000; perhaps it would cost more, but I think we should get started on this. I don't think with the "fat's in the fire" more or less, there is no appropriations for repair. We have 400 vehicles that could get into a bad state of repair and I don't think we have the month to spend on this.

PRESIDENT SANTY: Thank you, Mr. Roos.

MR. BOCCUZZI: MOVE THE QUESTION.

PRESIDENT SANTY: A Motion has been made to Move the Question. Is there a Second? SECONDED. All in favor of Moving the Question, please say aye. Opposed? Would the no's please raise their hand. Sufficient votes to Move the Question. We are now voting on Moving the Question. Since the machine is already set-up for the Motion, I would please ask the Representatives to vote raise your hand. We're Moving the Question. I want to see the yes votes. Mr. Franchina, Mr. Wiederlight, I counted 24. We're Moving the Question.

MR. WIEDERLIGHT: We acknowledge.

PRESIDENT SANTY: The machine is set up to vote on returning this to Committee. You may vote. This is on returning it to Committee.

The Motion is DEFEATED to return to Committee 10 yes, 26 no, 0 abstentions and 0 notvoting.

FISCAL COMMITTEE: (Continued)

PRESIDENT SANTY: Now we are going back to the list of speakers on the original Motion to approve the funds.

MR. WIDER: Thank you, Madam Chairman. I have one question. Has there been a comparison with other cities who have consolidated their maintenance to see how it is working out? I don't think we have a bad program in Stamford so I would like to hear who has done an investigation on that.

PRESIDENT SANTY: Mrs. Hawe, could you answer that question?

MRS. HAWE: I really can't answer as to what savings other cities have gained by this. Madam Chairman, can I say something in response to Mrs. Gershman, now at this point, or can I only answer Mr. Wider?

PRESIDENT SANTY: I called on you to speak so you could answer Mrs. Gershman's question.

MRS. HAWE: Someone had mentioned the firm that was going to do it and would \$50,000 be sufficient. The \$50,000 is an amount that the Public Works Department feels will cover a study such as this. They have looked into it and they just didn't pick the number out of the air. They have checked into studies that were done and what they hoped to accomplish and how much it would cost. The study would take approximately 3 months; of course, it could not be implemented by the first of July but the longer we delay, the longer it is before it will be put into effect. Did I answer your question, Mr. Wider?

PRESIDENT SANTY: I think he has another question, Mrs. Hawe.

MR. WIDER: I'd just like a re-run; I didn't quite get it.

PRESIDENT SANTY: He didn't quite understand it, Mrs. Hawe.

MRS. HAWE: I forget what your question was. What was your question? No, we don't know a comparison with other cities; how much has been saved in other cities by consolidation like this. We don't have that information.

MRS. SIGNORE: Thank you. It's so long since I jotted this down I don't know if the point is moot at this point. To Mrs. Hawe or Mr. Esposito, as I look at this, the \$50,000 is not going to fix the cars or any of the trucks or rest of the equipment. What I don't understand and it may be simplistic, why can't the administrative staff of the department involved, do this study? No one knows their department of their needs better than the administrative staff within a department. I don't understand why we have to go outside for \$50,000 when we have a well-paid administrative staff to do it. Thank you.

PRESIDENT SANTY: Mrs. Hawe, would you like to address that question?

MRS. HAWE: Mrs. Signore, we did inquire of that. We did ask them why it couldn't be done and the answer was that the kind of firm that would do this, which is called a public works and equipment maintenance consulting firm, are really experts in this kind of thing and they can look at it with great objectivity whereas...

FISCAL COMMITTEE: (Continued)

PRESIDENT SANTY: Excuse me, Mrs. Hawe. There are several private conversations going on. I can even over-hear the caucus room. Please give Mrs. Hawe your attention. It is very difficult for the other Reps to hear what's going on with these microphones. Continue.

MRS. HAWE: An outside firm can come in and look very objectively at the various departments and see what the best solution is. You really can't have 11 different departments who maintain vehicles trying to solve this problem themselves. These are the people with the expertise.

MRS. MAIHOCK: I think Mrs. Signore has an interesting suggestion and I think that we certainly have well enough educated administrators to make a definitive study of their department's needs. I think this would be a great suggestion.

PRESIDENT SANTY: Thank you, Mrs. Maihock.

MRS. CONTI: Thank you, Madam President. To answer the last two questions. It is not only the needs of the Public Works Department. The maintenance budgets were cut out of the Traffic Department and out of numerous other departments where they have many vehicles. At this point in time, I think it would be penny-wise and pound-foolish not to go forward with this study because what will happen is, we will find ourselves with broken-down vehicles. We will find vehicles are not being properly taken care of. We will have no end of additional appropriations in the very beginning of the fiscal year to cover maintenance because there is no money in the account and we will also be replacing vehicles earlier than we should if they are not taken care of. Thank you.

PRESIDENT SANTY: Thank you, Mrs. Conti.

MR. TARZIA: Thank you, Madam Chairman. I think we're missing the whole point of this. When Commissioner Spaulding made this request, he had no idea that all of a sudden the Board of Finance was going to chop away at the maintenance accounts of all these other departments. They made it a de facto here. In other words, what they're saying is, "That's a great suggestion, now it's all in your ballpark." So, while the questions that are being raised by many of the Members here are legitimate and in a normal situation they make sense, we're talking about running the clock here. We've got less than 60 days when we're going to have a police department, a fire department and whatever, without any maintenance. What's going to happen? These are the questions we have to ask ourselves on this \$50,000. Although, I'm sure in 60 days we are not going to have a result coming in with what to do or not to do, but the point is we really have a deadline that has been thrown in our laps by the Board of Finance in order to say, yes, we chopped away at the budget but without being realistic as to where and when they should be cutting.

PRESIDENT SANTY: Thank you, Mr. Tarzia. I'd like to remind the Representatives at this time, it is almost 11 p.m. and we have a long Agenda. We have another meeting tomorrow night, unless you are going to bring up some new fact, why don't we just try to be very brief in the next comment. I don't mean that for the next person who is next to speak or whoever is on the list. I'd just like to bring up that point.

FISCAL COMMITTEE: (Continued)

MR. FLOUNDERS: MOVE THE QUESTION.

PRESIDENT SANTY: A Motion has been made to Move the Question. There's several SECONDS. All in favor of Moving the Question, please say aye. All opposed? We're Moving the Question. One moment, we will proceed to a vote. You may now vote. You're voting on approval of \$50,000 Public Works Department as recommended by the Fiscal Committee and approved by the Public Works Committee.

The appropriation has been APPROVED 30 yes, 4 no, 3 abstentions, 3 no vote.

- (7) \$100,000.00 - PUBLIC WORKS DEPARTMENT - AMEND THE CAPITAL PROJECTS BUDGET
 Contingent TO INCLUDE A PROJECT ENTITLED "MUNICIPAL OFFICE BUILDING -
 upon Board of REPLACEMENT OF MAIN SWITCHGEAR & ELECTRICAL SERVICE #320.108 -
 Finance replace existing switchgear which is an extreme fire & explosion
 approval hazard - requested by Mayor 4/8/82. Have received a very
competitive price. To be funded by transfer from #310.6661
South End Neighborhood Preservation Improvements which should
be closed out due to conditions outlined. Board of Finance
on 4/19/82 voted not to Suspend the Rules to consider this.

Above also referred to PUBLIC WORKS COMMITTEE.

MRS. HAWE: The Committee voted 7 in favor and none opposed to Hold until next month.

HELD IN COMMITTEE

I have an item that we would like to take up under Suspension of the Rules, but should I go through the Consent Agenda?

PRESIDENT SANTY: Why don't you go to Consent. Item 7 has been Held. We'll go back to the Consent Agenda.

MRS. HAWE: Item #5 which is \$68,000.00 for the Public Works Department to amend the Capital Projects budget to include a project entitled "Long Hill Drainage code 330.938."

PRESIDENT SANTY: That Motion has been made. Is there a Second to that? Several SECONDS. All in favor of #5 \$68,000.00 Public Works Department entitled "Long Hill Drainage," please say aye. Opposed? APPROVED. Mrs. Hawe, do you want to go back with the Suspension of the Rules?

MRS. HAWE: I would like to make a Motion, the Committee voted 7 in favor and none opposed, to recommend Suspending the Rule to take up an item \$2,500 for the Health Department for Indo-Chinese refugee screening and I so MOVE to Suspend the Rules. SECONDED.

PRESIDENT SANTY: There has been a Motion made and Seconded to Suspend the Rules to consider \$2,500. All in favor of Suspending the Rules; we have 40 present, we need 27 votes, please raise your hand. Mr. Wiederlight and Mr. Franchina, would you count the votes, please? We're Suspending the Rules to consider an item not on the Agenda. We need 27 votes. There are only 26 votes. Do we take another count to this? Who's opposed to this, raise your hand. All those opposed? 5 opposed and how many abstentions, 2. I'm sorry, the Motion has been DEFEATED. We cannot consider an item not on the Agenda. That concludes the Fiscal Committee report.

PLANNING AND ZONING COMMITTEE - Chairman Donald Donahue

MR. DONAHUE: Thank you, Madam President. Planning and Zoning Committee met on April 28, with Mr. Stork, Mrs. Guroian, Ms. Rinaldi, Mr. White and myself in attendance. I first would like to put item #3, a Resolution under Chapter 64 requesting acceptance of Pine Hill Terrace on the Consent Agenda. #4, Acceptance of Scott Place as a City-accepted street on the Consent Agenda.

PRESIDENT SANTY: Items 3 and 4 on the Consent Agenda.

- (1) ACCEPTANCE OF COACHLAMP LANE AS A CITY STREET - Application 10/19/81 from Petitioner L. Sansone & Sons, Inc. and Atty. John C. Fusaro of Strada, Fusaro, Scherban & Ventre. Held in Committee 11/16/81. Certified by City Engineer Wm. D. Sabia. Held in Steering 12/10/81. Held in Committee 1/18/82, 2/1/82, 3/1/82, and 4/5/82.

MR. DONAHUE: The application was filed sometime ago. After numerous inspections by myself, certification by the City Engineer and with letters from Mr. Risoli, who is the engineer appointed to supervise the entire project in agreement with the City of Stamford, the residents of the area and under the Superior Court, with citings from other engineers to the quality of the construction and the acceptability of the road itself, the Planning and Zoning Committee voted by 4 in favor and 1 opposed, and 1 abstention to accept Coachlamp Lane as a City Street I so MOVE. SECONDED.

PRESIDENT SANTY: A Motion has been made to accept Coachlamp Lane as a City Street and Seconded. Discussion?

MRS. GUROLIAN: I was one of the members of the Committee who abstained on this acceptance of Coachlamp Lane because I felt that with only four houses out of 20 plus houses to be constructed, I don't think we've had enough experience to judge whether this street is not going to suffer damage because of the area on which the whole development is being built. The area is marsh land; it's bog land. This particular part of the area is sounder than the surrounding parts of the area but I'm not in any hurry to accept a street which may, in the future, have some problems develop because of the type of land the constructions are going on. I would like to see us wait a little while to see how the street does for a couple of months before we consider to accept it because once we accept it, any damage that occurs to the street will have to be taken care of by the City and I'd like to see how the street holds up when all the heavy trucks and heavy equipment keep going in day after day to continue the construction of the other units and I'd like to see how the water level is being affected by this construction of the other units and for these reasons, I'd like to offer a Motion to Send it Back to Committee for further delay in accepting the street.

PRESIDENT SANTY: A Motion has been made and SECONDED to send this back to Committee. We are now addressing the Motion to send back to Committee.

MRS. McINERNEY: Yes, I certainly support the Motion to have this item Held. If we accepted it, and as the road construction or the home construction continued, the road deteriorated to some degree and had to be repaved, the developer would not be responsible for the repaving of that road. Once the road is fully accepted by this Board, the City is responsible for any kind of improvements to that road thereafter. I feel that with 27 homes specified for that total development, it would behoove us to at least guarantee that half or two-thirds of those homes are constructed and completed prior to accepting the road and giving the City an added possible responsibility of repaving in the future.

PLANNING AND ZONING COMMITTEE (Continued)

PRESIDENT SANTY: Thank you, Mrs. McInerney.

MR. TARZIA: Thank you, Madam Chairman. I agree with Mrs. Guroian now that she brings up the details of the problem there. I recall recently hearing that when they first started building, one of the homes started sinking, therefore, they had to move it to another location. I think we should wait. We have nothing to lose but a lot to gain by waiting and, therefore, let's be a little bit wise in this position. Thank you.

MR. FRANCHINA: Yes, I wanted to ask through the Chair to Mr. Donahue, how long is the street in question, Mr. Donahue?

PRESIDENT SANTY: Mr. Donahue is going through his notes. We'll wait, Mr. Donahue.

MR. FRANCHINA: Another question, how many homes totally will be put there? 27, is that the figure?

MR. DONAHUE: I believe it's less than that. I don't have that figure right in front of me, but if I may clear up a couple of things, maybe it will help answer your question.

PRESIDENT SANTY: Mr. Franchina, do you have any further questions?

MR. DONAHUE: I'm sorry, I don't have the length of the street right in front of me. The piece of property in question does have drainage properties that's been addressed by the Planning Board, the Environmental Protection Board and the office of the City Engineer. There was some litigation between area residents and Mr. Sansone and both parties agreed to the hiring of an engineer to supervise the entire project. The engineer that was hired, with both parties in agreement, was Mr. Joseph Risoli, Consulting Engineer, Hydrological Civil Engineering from Riverside, Connecticut and Mr. Risoli states that this is to advise you that I've been the hydrological engineer on the above caption project since construction began. The parties involved in the area, neighborhood residents and the City of Stamford entered into an agreement. Full consent of the City of Stamford was given placing this entire project under my direction and control. This I've done in meticulous fashion. Detailed reports of the projects on a regular basis are on file with the Environmental Protection Board and this office. Although additional work is required as specified in plans prepared by this office entitled "Detention and Environmental Plan for Westover Hollow Acres, Stamford, Connecticut," we are well satisfied with the environmentally sensitive construction features of this project. As per stipulation in reference to above, this office will continue to review the work progress and report directly to the Environmental Protection Board.

This agreement was entered into by the plaintiffs who are are residents in cooperation with the City of Stamford and the engineer continues to supervise this project. Concerning the length of time involved as far as the acceptance of this street is concerned, this street was finished and ready for acceptance by the City prior to last October. It was inspected at that time and there was a letter written by the City Engineer certifying that this street was ready for acceptance. Since that time, there's a performance bond that has been held by the City for about, I believe the amount is \$203,000. Upon acceptance of this street, while the performance bond is released, the developer must then agree to post a maintenance bond for a one-year period. So you have the months past where the street is still in good condition and it has been certified as so by various engineers; you have another year from the date of acceptance under which a maintenance agreement will

PLANNING AND ZONING COMMITTEE (Continued)

MR. DONAHUE: (Continuing) be filed with the City and the developer would be responsible for any maintenance in the future. So for the next year we are protected as far as the maintenance of that street.

PRESIDENT SANTY: I allowed Mr. Donahue to explain the Committee's position but we are speaking to the Motion to send it back to Committee but I felt that his information was very pertinent.

MR. GAIPA: Yes, I'd like to ask a question of Mr. Donahue through the Chair. How many houses are occupied at the present time; people living there?

PRESIDENT SANTY: Mr. Donahue, do you have that information?

MR. DONAHUE: I don't have anything definite on that. I know one is occupied; others are under construction.

PRESIDENT SANTY: Any further questions, Mr. Gaipa?

MR. FLOUNDERS: The number is four.

PRESIDENT SANTY: Mr. Flounders does have that number. There're four occupied houses.

MR. FLOUNDERS: At least three occupied. One is virtually completed. If it isn't occupied, it is very close to it.

PRESIDENT SANTY: Three, possibly four. Mrs. Saxe, do you have something to enlighten us with? This is your district; Mr. Flounders and Mrs. Saxe's district.

MRS. SAXE: Mr. Flounders, there is one occupied and there have been four constructed.

PRESIDENT SANTY: Any further questions, Mr. Gaipa?

MR. GAIPA: To Mr. Donahue, in his recollection, have we ever accepted a city street where one family has occupied a house?

MR. DONAHUE: Yes.

PRESIDENT SANTY: His answer is yes, Mr. Gaipa. Is there anyone else to speak on sending this back to Committee?

MRS. SAXE: Mr. Donahue, as you know I'm quite interested in this particular street and the reason I would like to correct you that this road was not finished in October because I took my bicycle over there when I got the original letter, to find that it was still a dirt-patch and that's when I contacted your Committee saying, "hey, wait a minute, this road isn't even constructed yet." It was finished, though, in November.

MR. DONAHUE: The date of application was October 19, 1981, and at that point, was when they asked to have it accepted.

PLANNING AND ZONING COMMITTEE (Continued)

MRS. SAXE: And at that point, it was still a dirt road.

MR. CONTI: Thank you, Madam Chairman. Through you to Mr. Donahue, I'd like to ask how much longer of a construction period is there to the street?

PRESIDENT SANTY: Mr. Donahue, do you have an answer to that question?

MR. DONAHUE: I have no idea. There is progress being completed everyday over there on construction; more and more progress is being made. I've seen an obvious amount of work done in the past few months that we've been involved in this.

PRESIDENT SANTY: Mr. Conti, any further question?

MR. CONTI: To continue with the same question, will the construction of the houses go beyond the one-year maintenance period that is in question?

MR. DONAHUE: I would have to say that I doubt it. I'm not a contractor; I don't know.

MR. GAIPA: Yes, I'd just like to amplify the question Mr. Conti asked. It would seem that the rate of construction of further houses on the street will be determined a great deal by how fast the ones that are constructed sell, and given the present market and the large floating supply of houses that are on the market, I don't know that they'll be selling that quickly.

PRESIDENT SANTY: Thank you, Mr. Gaipa.

MR. BLUM: MOVE THE QUESTION. SECONDED.

PRESIDENT SANTY: A Motion has been made and Seconded to Move the Question. All in favor of Moving the Question which is to send this item back to Committee for further study, please say aye. Opposed? Sending it back to Committee, please raise your hand. Mr. Franchina and Mr. Wiederlight, count. This is Moving the Question. We are now Moving the Question. We are going to vote by use of the machine whether to recommit this back to Committee. The machine is now ready to vote. You're voting whether to return this Committee. Up for yes, down for no.

The Motion PASSED to send back to Committee 22 yes, 14 no, 1 abstention and 3 no vote.

I would ask the Representatives to please give Mr. Donahue your attention.

- (2) REFERRAL CONCERNING PLANNING BOARD'S DECISION ON APPLICATION #MP-248 WHICH APPROVED APPLICANT'S (GEORGE BONGIORNO) REQUEST TO AMEND THE MASTER PLAN FOR PROPERTY ON WEST SIDE OF LONG RIDGE ROAD FROM residential single-family plots less than one acre to residential multi-family low density, pursuant to Section 522. 4 of the Stamford Charter. Mr. Wilde is the spokesman for the petitioners.

MR. DONAHUE: I would advise the Board that the Committee was split on this decision and 3 voted in favor of the amendment to the Master Plan and 3 voted in opposition. I mention that so that the members of the Committee may have the opportunity to address this as to their reasons for supporting it or wishing to over-turn the decision.

PLANNING AND ZONING COMMITTEE (Continued)

MR. DONAHUE: I will attempt to give a capsule view of some of the issues that have been raised.

PRESIDENT SANTY: Mr. Donahue, before you go into that, would you make the Motion stating the Committee vote and the Motion?

MR. DONAHUE: Yes, Madam President. I MOVE that the application of George Bongiorno for land described in the Master Plan Application #MP-248 to change the subject property on the west side of Long Ridge Road from residential single-family plots less than one acre to residential multi-family low-density classification be approved.

PRESIDENT SANTY: Mr. Donahue, since you have that in writing, may I please have a copy of that? Would you give that at the desk. Is there a Second to that Motion? SECONDED. Several Seconds. Mr. Donahue, you may now speak to it.

MR. DONAHUE: The parcel in question is located on Long Ridge Road about 6/10th of a mile north of Bull's Head on the west side. It is rather unique that it is a residential property located on a heavily trafficked State highway with access to public transportation. It is bounded by General Electric Credit Corporation and a gas station to the south, Long Ridge Road, and other commercial properties to the east and the Rippowam River to the west. There is a 100-foot flood encroachment line on the east side of the River and prohibitions exist that prevent construction in that space. Beyond this natural barrier is a residential area to the west and of the issues raised by area residents who brought this Referral to the Board, the most prominent were the following: The issue of down-zoning of a property now zoned for single-family use was a primary concern. The action of the Planning Board will allow the construction of low density multi-family housing on this spot but not without the site plan review and approval of both the Zoning Board and the Environmental Protection Board. Secondly, the issue of flooding was raised and in its review of the flooding situation, it was recognized over the two years this application has been pending, besides honoring the flood encroachment lines, the Planning Board had drawn a property line parallel to Long Ridge Road and 300' in from the right-of-way on the west side. No buildings as a result will be constructed in the floodplain with only one-half to two-thirds of an acre of the total 5.77 acres tract will be covered by buildings. The rest will be open space and parking. Currently, there is a potential to build without the sub-division line being drawn, approximately 29 single-family homes on this parcel. While under the current R-5 zoning regulations and the new lines drawn by the Planning Board, 40 to 45 units may be possible.

Traffic is, of course, an issue and both the single-family development and multi-family development will generate traffic certainly from this spot. The developer has agreed to design a right-turn lane for southbound traffic flow and it will allow, also, the design of a northbound lane to facilitate northbound traffic flow. I think this summarizes the major concerns that were raised at the Hearing and the responses that the Planning Board made in granting the application, and again, I would ask that the members of the Planning and Zoning Committee address it as to why they either support or deny this.

PRESIDENT SANTY: Thank you, Mr. Donahue.

PLANNING AND ZONING COMMITTEE (Continued)

MRS. GUROIAN: I'd like a few of the members of the Committee to speak first and then I reserve the right to speak later.

MR. WHITE: I believe, Madam President, that indeed the Planning Board's decision should indeed be overturned. The Planning Board's decision seems to be contrary to what we thought was a new spirit on land use that was sweeping over Stamford, but it's one of the many zig-zags that the Planning Board seems to take at times. First of all, this is spot-zoning. No question about it, this is spot zoning. Secondly, it is down-zoning. No question about that, also. Thirdly, it is down-zoning far north of Bull's Head and as far as I know, it's the first intrusion of multi-family housing into this area and, I believe, it will be a very serious precedent established and it will certainly be used as a precedent in the future, and, I believe, it may very well be the item that cracks zoning north of Bull's Head and possibly even north of the Parkway.

I think many people tend to go along with this sort of change on the grounds of providing housing here in Stamford. I really wish that we should consider this because we heard this story in the past. We've heard these sort of items used, in fact, to break zoning here in the past and a few years ago, it was the fact that we had to build a tax base and, of course, you saw how sort of false that was. And then it was, we had to build, we had to provide jobs and so on, and we saw how false that was. Now the whole big thing is housing. Remember we here in Stamford are not obligated to house the world. We are obligated, seems to me, to look after the general welfare and quality of life here in Stamford. We're well on the way of becoming another New York if we don't watch it, and I don't think the people of Stamford really want that. If, in fact, we're so concerned about housing, the way to go about it is to move into those areas, in the close to town areas, which have been foolishly zoned commercial and industrial, and, in fact, rezone them as residential districts and create a two and three-family housing zone and not go on the basis of density, and that way we can remove the speculative of quality out of property here in Stamford and drop the price of it and in fact, put this housing stock much of which is perhaps in dilapidated condition but still is pretty sound housing stock and in fact, we can start to take care of housing in that fashion. But, in fact, to run around down-zone and bring about greater density, many of them will be filled with people from out of Stamford is exactly the way not to do it. All you are going to do is bring more problems, more traffic, more density, a deteriorated quality of life, and I think that we'll all live to rue the day. Thank you.

PRESIDENT SANTY: Thank you, Mr. White.

MR. WIDER: Thank you, Madam Chairman. I listened to a great deal of comments on housing and where it should or shouldn't be. I'm a little fed up with them trying to stick all the housing in the inner-city. We are busting out at the seams. We are trying to stack some in the South End. We have already over-populated the West Side so we are going to have to go somewhere and the City isn't building any more housing. The Federal Government isn't building anymore housing. They have told you they are out of the housing business. So the private sector has to build some housing. This is a chance where the private sector is going to put together some housing. And I want to tell you right now, don't think that we can't live and buy housing out of the inner-city. We are going to buy housing in North Stamford. I want you to understand that it is no use for your feeling that we are not going to live there according to the price of the housing because we are going to live there.

PLANNING AND ZONING COMMITTEE (Continued)

MR. WIDER: (Continuing) The housing is going to be made available for everyone that comes to Stamford. I'm sorry that we have made Stamford a good place for people to live and work. We've encouraged these big office buildings to come into Stamford and the people want to live here and they are going to live. This is the place that we can put some housing and I think that condominiums would really be good for the location. I have observed it for years just looking down there at a plain area, undeveloped, going to waste and I think this would be good use of it. I would ask this Board to support the Planning Board. I think they were wise in their decision. Thank you, Madam Chairman.

PRESIDENT SANTY: Thank you, Mr. Wider.

MR. STORK: Thank you, Madam President. As a member of the Planning and Zoning Committee, my vote was to overturn the Planning Board's decision and my vote tonight would be to vote no on Mr. Donahue's motion. Keeping it brief, Mr. White explained my views pretty well. I certainly agree with everything he said and my basic philosophy and reason for being on the Planning and Zoning Committee is that I support anti-down-zoning. I don't think that we should step on the rights of those single-family home owners who have been there all these years and have put in their investments and their money and their time. Let's just have some respect for that, for a change. Thank you.

PRESIDENT SANTY: Thank you, Mr. Stork.

MRS. GOLDSTEIN: Thank you, Madam President. I believe the question before us with this application is one of spot-zoning and that is where you have an area that is zoned in one manner and then an applicant comes in with a petition to change an acre or a half-acre or two acres or you name the acreage within that area for a special purpose and you have that tiny area changed for a particular applicant. The City had been moving away from that. At least, hopefully, we thought the City was moving away from spot-zoning changes and here we are again right back where we were. The Planning Board has spent over a year meeting in every neighborhood across the City and updating the Master Plan. Their ideas for this area is to have it single-family dwellings. Why change that with this application now is beyond me. In addition, the residents in the surrounding areas are totally against this change and we have gone on Record as a Board to support the neighborhood concept of zoning and to vote any other way but in support of the people who are opposing this change would belie everything we have done this last year or two on this Board. I really hope the Members of this Board consider this very carefully and vote to oppose the Planning Board's decision in this case; as much as it hurts me to oppose the Planning Board, I believe they are dead-wrong. They are going back on the principles for which I thought they stood. I hope we vote tonight to support the residents of the area; to support those Reps of the residents of the area and to vote against the Planning Board's decision. Thank you.

PRESIDENT SANTY: Thank you.

MRS. GERSHMAN: I see by the Planning Board's minutes of February 22, 1982, second paragraph down, a conceptual plan for a 17 lot single-family development was reviewed as an alternative to approval of a change, etc. This says 17 not 29 single families. I think that there is a big difference between 17 single-family homes and 44 condominiums instead of 29 single-family homes and 44 condominiums. The other question I would like to ask someone more knowledgeable of the area than I; I looked it up on a map and it seemed to me that this area was very close to

PLANNING AND ZONING COMMITTEE (Continued)

MRS. GERSHMAN: (Continuing) the Longhill and Clover Hill area which, a few minutes ago, we voted \$68,000 to take care of the deteriorating drainage there and I wondered how this Clover Hill - Longhill drainage would impact on this particular piece of property. Would it impact very adversely or would this property again cause more drainage problems in the other areas? Does anyone have the answer to that?

PRESIDENT SANTY: Mr. Donahue, could you address that question? If you can, that's perfectly alright.

MR. DONAHUE: First of all, the reference that Mrs. Gershman cited was after the line which we spoke of before, 300 feet in from Long Ridge Road was drawn in. Then it was 17 units they could have put in there but as part of the Planning Board's presentation, they put the 300-foot line in and then considered the multi-family development. The 17 units would be outside, in between the 300-foot one and Long Ridge Road if, in fact, that was established O.K. but before that line was drawn in, there was at least a potential for about 29 units on the site.

As far as the drainage is concerned, over the course of the many years, the two years at least that this was being considered by the Planning Board, the drainage question came up quite often and what this has done is leave the flood encroachment line intact and also provides for a floodplain behind the 300-foot line that was drawn by the Planning Board. So, as far as the drainage in the Longhill area, I don't know that it would have an impact on this piece of property.

PRESIDENT SANTY: Thank you, Mr. Donahue.

MRS. GUROIAN: I'd like to address myself. I was one of the people who voted very strongly against this application and for several reasons that Denny White has mentioned and that Phil Stork has reiterated so I won't reiterate them but I will try and bring some other elements into that persuaded me that this is a bad application to pass.

First of all, I'd like to correct something Mr. Donahue may have implied but did not mean to imply. Even if this application is passed, the property behind it is zone R-7½ and an application can be put in and if so passed by the other Board, single-family houses can be constructed there without a Master Plan change. So the property is not set aside for no use at all. It's a question of whether other boards will grant the use for which it is presently zoned on the Master Plan map and on the Zoning map and that is R-7½ single-family construction. The other thing I'd like to address myself to, and I think I have been addressing myself to this issue for 17 years as a resident of Glenbrook and that is the need for housing. Let's remember that this application is proposing condominiums. It is not proposing rental apartments. It is not proposing low-cost housing. It is proposing condominiums and I think Betty and I probably have had more experience with condominiums in Glenbrook than many of you Representatives combined and the effects of condominium development in a given neighborhood. Am I right, Betty? So I think we offer a little bit of expertise in that respect.

PLANNING AND ZONING COMMITTEE (Continued)

MRS. GUROIAN: (Continuing) In the testimony before the Planning Zone, the developer offered the figure of \$75,000 to \$80,000 as a selling price for the condominiums he was proposing to build. I remind you that not too long ago, we passed a Willard School appropriation in which efficiency units with land donated free, were going to cost \$50,000 a unit and no profit was going to be made from it. I suggest to you and I remind you or offer the suggestion which I think you should consider, the latest condominium, the latest condominiums in Glenbrook are now selling for \$135,000 and although the testimony states Feiber and Lampke constructions for \$19,000 a unit doesn't tell you what year \$19,000 a unit, Feiber and Lampke have now divided and Feiber or Lampke, I think it's Feiber is constructing these latest units at \$135,000 a year. I ask you, "what person really in need of housing in the City of Stamford can afford to buy \$135,000 condominium?" I also defy anybody to come to Stamford after 17 years of down-zoning in Stamford, in 17 years of condominium structure, I defy you to prove to either Betty or me that it has even made one dent in the need for housing in this City. Why, because it offers housing to the wrong people. What does it end up doing? It ends up giving you traffic problems, drainage problems. It ends up taking children away from schools because the people who buy these condominiums and first you're tearing down a house and you're building condominiums and if that has housed children, I can guarantee you in all the condominiums that are placed in that area, there aren't as many children as was in that one house. So you are taking away school children that every community needs school children, neighborhood needs school children, young children, young teenagers in order to make that a viable community, and you're replacing them with what; singles, couples, community living of one sex, two sex and neuter sex and what happens, not only the schools get empty but also the churches get empty and even our main church, Union Memorial Church, has complained to us they no longer have family units in the quantities that they had attending their church services and they are afraid of the impact that this is having on the Glenbrook community as a whole. So you are not solving your problem; you're creating any number of other problems and I ask you to consider this because we know in Glenbrook that even the incursion of one development of multi-family housing has an effect on everything surrounding that area and one by one, first it's on open land, and then they tear houses down in order to put multi-family dwellings and this is what we know happens and I defy anybody to prove me to the contrary.

In so far as granting this application and the problems it is going to cause, we all know what the problem on Long Ridge Road is in regards to traffic. Anybody who is insane enough to choose to go down Long Ridge in peak hour is also insane. Nobody in his right mind chooses to go down Long Ridge Road in peak hours and the proposal is that this is only going to put 30 more cars on Long Ridge Road in the peak hour. It can't accommodate what it has. Not only are we considering now what it does to Glenbrook, the very fact that we bring in High Ridge which is the parallel avenue into the problem, means that not only Long Ridge is affected, High Ridge is affected. Every parallel road coming into the City is being affected by even one car on a daily basis joining that mad rush in peak hours to and from.

PLANNING AND ZONING COMMITTEE (Continued)

MRS. GUROIAN: (Continuing) The other thing about traffic I fail to understand; in the inner City, the Traffic Director narrows the streets to solve the traffic problem. Half a mile away he proposes to widen the streets to solve the traffic problems. I don't know anything about traffic control but I remember all the problems we have because sewer pipe line leading into the treatment plant, say 6" wide and leading into 3" pipe we have problems because 6" of pipe cannot feed into 3". But in traffic I understand wider lanes can lead into narrow lanes. This defies my imagination; never mind my logic. It defies my imagination. I don't see the sense behind this.

I called the Planning Board today and I couldn't understand why this application has been before them over a year. Why at this time when they are almost finalizing the Master Plan proposal, this application was passed and it was not inserted in the new Master Plan map. I couldn't understand the logic to it and the answer I got and I also ask how is this piece of land presently zoned in the Master Plan and what is the policy plan applying to that. There are no changes in the new Master Plan as it's still zoned 7- $\frac{1}{2}$ and nothing for the area as far as future development or policy new is being offered. It virtually exactly this is what I was told is the (inaudible) here.

The logic behind passing this as a special proposal was they would change, not change the Master Plan from R-7 $\frac{1}{2}$, if this Board decided against this application, but they were afraid to include it in the Master Plan because they were afraid that the residents and my own words, en masse, would challenge the full Master Plan because of what was being proposed to their own neighborhood. So, you know that the neighborhood itself, rightfully so, is very fearful of what is going to happen to their neighborhood when you introduce a new element into their neighborhood.

It's true that they already have commercial over there but R-5 $\frac{1}{2}$ is a new element in that neighborhood and as far as I've been able to..R5..determine, the nearest one R5 development is on Cold Spring Road which is a completely different neighborhood.

There are more reasons why I am against this but I don't want to bore you any further. I just hope that you'll consider everything I say. I would not like to see a neighborhood suffer as we have suffered in Glenbrook. I hope you'll vote against this application. Thank you.

PRESIDENT SANTY: Thank you, Mrs. Guroian.

MRS. DeGAETANI: I can't follow an act like that, I MOVE THE QUESTION.

PRESIDENT SANTY: There has been a Motion to Move the Question. Is there a Second? SECONDED. All in favor of Moving the Question, please say aye. Opposed? NO We'll have to have a division. Would my Tellers, Mr. Stork, we'll have three of them. Mr. Stork is here now. Please raise your hand if you want to Move the Question. Raise your hands high so they can see. The Motion is on Moving the Question. The Motion PASSED to Move the Question.

MR. DONAHUE: Would you like me to restate that Motion?

PRESIDENT SANTY: Yes, and I'd like a copy of that, too, Mr. Donahue, but would you read the Motion.

PLANNING AND ZONING COMMITTEE (Continued)

MR. ESPOSITO: Excuse me, did the Motion to Move the Question pass?

PRESIDENT SANTY: Yes.

MR. ESPOSITO: By two-thirds?

MR. WIEDERLIGHT: 22 affirmative, Madam President.

PRESIDENT SANTY: I'm sorry. Let's go back to that vote again. Raise your hands if you are opposed to Moving the Question. Let's go the opposition now. Opposed to Moving the Question? There're 15 opposed. The Question is NOT MOVED. I'm sorry. We'll go on to the next speaker.

MRS. McINERNEY: Thank you very much. I have in front of me a letter dated September 15, 1965 in which a Board of Director of the Castlewood Park Homeowners' Association quite eloquently listed four very substantial reasons why the Planning Board should reject any attempt to change the property on Long Ridge Road which is presently before us this evening to allow for down-zoning. I am surprised that after all of these years, the gentleman who wrote the letter and who now serves as Planning Board Chairman does not still see the problems that he stated in his letter of 1965 as being very real and very existing. I agree that the people in this area have worked hard and long and invested much money into the retention of their property and their property values. To thrust a development of this nature into that neighborhood, I feel would drastically affect the character of that entire area.

Certainly, anyone who travels as Mrs. Guroian mentioned earlier, on either one of the State Highways, Long Ridge or High Ridge, would realize the effects of down-zoning on those two Roads; selective zoning, perhaps that's a better term. From the Parkway down on High Ridge and Long Ridge, the area has been over-intensified with development. This over-intensification certainly had it benefits to the City of Stamford. It brought in more jobs. I would say 500 of those jobs were laid-off the other day from Texas Gulf so it's also creating unemployment as well. It brought in the need to widen High Ridge Road, widen Long Ridge Road, put in sewers in the High Ridge Road area, put in sewers in the Long Ridge Road area, extend water lines and it created a terrible mess as far as generating traffic. If you come out of either High Ridge or Long Ridge in the morning and attempt to go north on either one of those main arteries and are without a State light, you are lost until 9:30 or you can try to commit suicide by pulling out in front of the cars that are traveling down to the City. As a matter of fact, you would be lost coming from Milford into the City of Stamford because that is a bottleneck; that is a gridlock from 7 to 9:30 and in the evening from 5 until 7 you have great difficulty in moving your car. As a matter of fact, I drove on the Parkway one night at something like 40 miles an hour from Stamford to Bridgeport, and, certainly, Mr. DeLuca, I guess Mr. DeLuca cannot testify to that because he goes in the opposite direction at the opposite time.

A letter from Jim Ford dated December 5, 1980, suggests that Long Ridge Road could be widened to allow vehicles traveling north to by-pass other vehicles and turn left into the proposed access. It was their recommendation that widening slightly should be given consideration on this particular project. In a letter to Mr. Mackler on March 5, 1981, he was advised that the Executive Secretary of

PLANNING AND ZONING COMMITTEE (Continued)

MRS. McINERNEY: (Continuing) the State Traffic Commission indicated that if the amount of cars to be parked is less than 200, the State cannot impose any conditions on the developer for the widening of Long Ridge Road. So, it is clear that in your mind that you must ask yourself if in 5 years the widening of this road becomes a necessity to accomodate the cars turning into that project, who then must pay? The developer will not pay because he's generating 200 or less cars so I would probably assume that the person who would pay would be the same person who paid in part for the sewer, the widening, the water and the traffic congestion and the computerizing of the lights and the signalization up and down High Ridge Road. You know who they are. They are the poor slobs who live in the City. They're called taxpayers. They have bottom-less pockets. They just keep reaching and reaching and reaching but of course now you've seen it a little different; they can't reach anymore. So, you see these signs up in front of their former residences that say "For Sale."

To do anything, to add more chaos to an already chaotic situation would be a disaster for this City and I urge that this Board vote not for selective zoning but for the protection of the homeowners and the taxpayers within the City.

MR. GAIPA: I feel like the bride that was left at the church. First, I prepare a smashing address on the Longhill project and it gets on the Consent Agenda. Now I'm ready to talk about the Bongiorno matter, and we had to move to Move the Question. I almost got shut out twice there. I'd like to present, first of all, petitions from 231 residents in the area opposing the Planning Board's action. I wonder if you could (inaudible)

PRESIDENT SANTY: Thank you, Mr. Gaipa, that will go on Record.

MR. GAIPA: Thank you, the action of three members of the Planning Board; 'cause there were only three members of the Planning Board that voted that night. One of the members has just been mentioned by Mrs. McInerney as having a long history of opposal to down-zoning of this specific tract. Another member was quoted at the meeting as saying the traffic is backed up all the way to the Merritt Parkway now and yet that member voted in favor of this. These are matters that are hard to reconcile. The traffic data the Planning Board used, or the three members of the Planning Board used, was based on a study that was done a year and a half ago. Did not include all the traffic generated by the Tishman property, Xerox's additions and the soon to be opened Town Mall and all the other stores. We also have a situation where for the first time in the history of Stamford we're going to have a proposed condominium, a single driveway entrance-exit on a State Highway. There isn't one in the whole City of Stamford. It's amazing. You know this has been a very difficult matter for me because I've known the Bongiorno family for almost 50 years. As a kid, I used to go to their bakery on Diaz Street and for many, many years we've shopped in their store and I'm a very close friend of George's brother, John; so that's why I want to give them some good advice. Don't try to build condominiums on this property because this week, there are 284 condominiums on the market in the City of Stamford worth \$28,270,000 and they've been there on an average of 173 days; that's almost 6 months and we don't need another 44 condominiums selling for a \$100,000 apiece on top of the 284 we already have that have been sitting around for 6 months. This is a housing need? Sure we have a

PLANNING AND ZONING COMMITTEE (Continued)

MR. GAIPA: (Continuing) housing need but we don't have a condominium need. The figures don't lie; 284 have been sitting around for 6 months and nobody has bought them. So, George, I say to you, let me refer you to a couple of developers who are on the brink of bankruptcy and would love to unload their empty condominiums to you or anybody else that comes by. Thank you.

MR. WIEDERLIGHT: MOVE THE QUESTION. SECONDED.

PRESIDENT SANTY: A Motion has been made to Move the Question and Seconded. All in favor of Moving the Question, we need two-thirds, we need 27 votes; Mr. Wiederlight, Mr. Franchina and Mr. Stork. All in favor of Moving the Question, please, there are three people left to speak, Mrs. Maihock, Betty Conti, Mary Lou Rinaldi and Mr. Donahue. All in favor of Moving the Question, please raise your hand. Please, so the Tellers can count.

May I ask the Representatives to please take their seats except for the Clerk who is doing business. Please raise your hand if you want to Move the Question. Raise your hands high. Those opposed, please raise your hand. Opposed to Moving the Question, raise your hand. Any abstentions? We'll have to go back to Moving the Question. It LOST by 26 and I want to make sure; it's a pertinent vote, Mr. Boccuzzi. All in favor of Moving the Question, please raise your hand and let the Tellers count. Please raise your hands high.

The vote to Move the Question is LOST. We will continue.

MRS. MAIHOCK: I am one of those insane people who Mrs. Guroian mentioned who drive down Long Ridge Road in peak hours. The idea of extra turning lanes mentioned would prove probably more of a handicap than a help to the traffic situation on Long Ridge Road. These hour-glass bulges are potentially dangerous. We desperately need Long Ridge Road to be widened consistently to GECC before significant added traffic is introduced. I'm opposed to this application both on the basis that increasing the density in this area would reduce the quality of life here not only from traffic and congestion but even more so from air pollution. These cars crawl slowly to the Parkway. I am very familiar with the problems of traffic on Long Ridge Road for I have spent many years working on this problem with the Long Ridge Association.

PRESIDENT SANTY: Thank you, Mrs. Maihock.

MRS. CONTI: Thank you, Madam President. Having served as the President of a Homeowners' Association for quite a long time, I am opposed to down-zoning on general principles. Now, with regard to this argument about housing, we live in an R-7½ zone. The people that are opposing this application live in an R-7½ zone. That is housing. I don't know why anybody takes issue on 7-½ housing. It is a one-family house on 7,500 square feet of land and it is a very nice way to live and I don't understand why people don't consider that housing. Why is it only attached row housing or condominiums are considered housing? Why is not a one-family house on a small lot also considered housing? Thank you.

PLANNING AND ZONING COMMITTEE (Continued)

MS. RINALDI: I happen to be one of the members of the Planning and Zoning Committee who voted in favor of the application and I really just wanted to make a comment to Mrs. Guroian concerning her dissertation earlier. I just hope, Grace, that you weren't implying in anyway that only gay atheists buy condominiums and that traditional families buy homes.

PRESIDENT SANTY: Ms. Rinaldi has the Floor and please don't answer unless through the Chair. Ms. Rinaldi, do you want to continue?

MS. RINALDI: That's basically all I wanted to say.

MRS. GUROIAN: I would like a POINT OF PERSONAL PRIVILEGE.

PRESIDENT SANTY: In fact, you're next to speak, Mrs. Guroian.

MRS. GUROIAN: If, in anyway by saying that when you sell condominiums, you sell them to singles, married couples without children, people of one sex, communal living of one sex, communal living of two sex and neuter sex means that I excluded it only to the neuter sex, I apologize for that because that is not what I meant to say and I hope that it is not what anybody here understood.

PRESIDENT SANTY: Mrs. Guroian, is that what you wanted to say when you're down to speak?

MRS. GUROIAN: I got so angry, I forgot what I was going to say.

MR. DONAHUE: Not to belabor the point, Madam President, but there's just a few things I'd like to clear up. First of all, the widening of Long Ridge Road has been agreed to as part of the plans for the development of the site. Second of all, public sewers and water are both available to the site and the third thing is the issue of the letter that was presented tonight dated September 15, 1965, and the opposition of the Castlewood Park Homeowners' Association. In 1965, it appears that their main concern was for a large development to occur on Long Ridge Road in the area between Stark Place and Brook Run Lane...

PRESIDENT SANTY: Excuse me, Mr. Donahue. There are several private conversations going on and I think Mr. Donahue may answer some of your questions. Several have questions. Continue, Mr. Donahue.

MR. DONAHUE: They were concerned about development not only of this site but of the adjacent 20 acres which must be the General Electric Credit Corporation site. So there was more being addressed here than the 5.8 acres under discussion tonight. I just wanted to clarify that. I think that the questions that were raised about public sewers have been cleared up and that's all I really have to say. Thank you.

PRESIDENT SANTY: Thank you.

MR. OWENS: Thank you, Madam President. I was going to sit here and not say anything tonight but unfortunately, I have to say a few words here. As far as the traffic concern in this proposal or this zoning change or whatever, the traffic, I have no concern whatsoever because I have traveled Washington Boulevard, Canal Street, Newfield Avenue, Cove Road, Ann Street, Greenwich Avenue during these peak hours of the day that these people are very much concerned about, and they also have traffic congestion; so that hasn't been a big problem with me listening here tonight.

PLANNING AND ZONING COMMITTEE (Continued)

MR. OWENS: (Continuing) But I am concerned when someone wants to build condominiums when there is available property to build single-family homes. I mean if you can build single-family homes, let's build them. If you are talking about, getting back what Mrs. Conti said, if you are talking about housing, that is housing and I would be the first to say that I usually go along with what the Planning Board says because they've been sitting there; they've seen the outlook of the City, etc., etc. and I'm quite sure Mr. Donahue would agree that I appreciate whatever they do, and Mr. Grosso, if he's anywhere in the room, he would appreciate what I'm saying because I really appreciate what those gentlemen on the Planning Board are doing. I have to say that I'm totally against what they are doing now. I'm for people and if those people over there say they do not want it, who are we to say they should have it whether they want it or not. Personally, single-family housing is housing. Thank you.

PRESIDENT SANTY: Thank you, Mr. Owens. I just would like to remind the Members it is now midnight and we have another meeting tomorrow night and we still have a long Agenda. We will continue.

MRS. CONTI: I would like to clarify something that Mr. Donahue said. I understood him to say that the widening of Long Ridge Road has been agreed to with this application and I wanted to know who agreed to that.

PRESIDENT SANTY: Mrs. Guroian, could you answer that question?

MRS. GUROIAN: I have information on that because that was part of my discussion with Jon Smith. He said that if the application, if the decision of the Planning Board was confirmed, that they would include widening of that street in the policy plan neighborhood development of that particular neighborhood. My feeling about it is, if it is so important, why do you put the cart before the horse. Why don't they ask for the widening before they approve the application, but he had no response to that.

PRESIDENT SANTY: Excuse me, Mrs. Conti, any further question?

MRS. CONTI: Yes, is not Long Ridge Road a State Highway? How could Jon Smith agree to it? They would have to have agreement from the State level; that's a State Highway.

MR. BOCCUZZI: MOVE THE QUESTION. SECONDED.

PRESIDENT SANTY: A Motion has been made to Move the Question. It's been SECONDED. All in favor, please say aye. Opposed? We're going to Move the Question.

MR. BOCCUZZI: Roll Call Vote, please.

PRESIDENT SANTY: There's been a Motion for a Roll Call Vote, SECONDED. All in favor of a Roll Call Vote, please say aye. Opposed? I might remind the Members that the machine will not be taking a Roll Call Vote. It's not set-up; it will never be taking a Roll Call Vote. The machine, in essence, is a Roll Call Vote. If you want a Roll Call Vote as presented, Ms. Summerville and our Administrative Assistant will keep the tally. I would ask at this time for Mr. Wiederlight and Mr. Stork to also keep a tally because we are not going to be able to do a Roll Call Vote on the machine. So from this time forward and from now on, that's the only record we'll have. Mr. Wiederlight, do you have a record? (YES) and Mr. Stork, and after the Roll Call, I would like you to confer with Ms. Summerville and make sure that your tallies total.

PLANNING AND ZONING COMMITTEE (Continued)

MRS. CONTI: POINT OF ORDER: May we have the Resolution read?

PRESIDENT SANTY: That's next. Mr. Donahue, would you repeat your Motion?

MR. DONAHUE: The Motion has been made that the application of George Bongiorno for land described in Master Plan application MP-248 to change the subject property on the west side of Long Ridge Road from residential single-family plots less than one acre to the residential multi-family low density classification be approved.

PRESIDENT SANTY: You all heard the Motion. There were several Seconds. We're going to proceed. 21 votes are required.

MR. WIEDERLIGHT: Madam President, would you just verbally clear up what a yes and a no vote means, please?

PRESIDENT SANTY: A yes vote means that you are voting with Mr. Donahue's Motion to uphold the Planning Board; to vote with the Bongiorno appeal but against the appeal; we're going with the Planning Board.

MR. ESPOSITO: You mentioned 21 votes are needed. Is that 21 votes either/or.

PRESIDENT SANTY: 21 votes either/or.

MR. ESPOSITO: A failure to get 21 votes results means what? Sustains Planning Board.

PRESIDENT SANTY: Planning Board, although as I said, we had a ruling before on another item and it went to Court and they sent it back to us and we still didn't take action on it. So, it's a possibility of that, too. We do need 21 votes either way.

MRS. GOLDSTEIN: If we vote yes, we are voting for the Bongiorno application. If we vote no, we are voting against the Bongiorno application. Thank you.

PRESIDENT SANTY: Are there any other questions? Everyone knows how you're voting? If you are voting yes, you are voting for the Bongiorno application. If you vote no, you are voting against the Bongiorno application. You have heard all sides. We are going to go very slow because this is the only tally we have. Please, at this time I ask, no private conversations. Mr. Widerlight is at the back of the room and Mr. Stork are in their seats and they are keeping a tally.

MS. SUMMERVILLE: Called for the Roll Call Vote. Vote attached to back pages of Minutes.

PRESIDENT SANTY: I please ask Mr. Wiederlight and Mr. Stork to take a tally and come to the front desk and give me the totals with Ms. Summerville. I would ask the Representatives to please listen to the final tally.

The application has been DEFEATED 25 no, 12 yes, 1 abstention, and 2 not voting. Mr. Donahue, would you continue with your Consent Agenda?

PLANNING AND ZONING COMMITTEE (Continued)

- (3) RESOLUTION UNDER CHAPTER 64 REQUESTING ACCEPTANCE OF PINE HILL TERRACE.
Submitted by Rep. Barbara McInerney 4/13/82.

APPROVED ON CONSENT AGENDA

PRESIDENT SANTY: I know the hour is getting late and I know Representatives are leaving, but please stay to hear Mr. Donahue complete his Committee report.

- (4) ACCEPTANCE OF SCOTT PLACE AS A CITY ACCEPTED STREET - extending easterly from Clovelly Road approximately 485 ft. to a dead end as shown on Map #499 on file in Town Clerk's Office; per 4/12/82 letter from J. W. Roloff, Acting City Engineer.

APPROVED ON CONSENT AGENDA

MR. DONAHUE: That's the Consent Agenda and I so MOVE. SECONDED.

PRESIDENT SANTY: There's been a Motion and Seconded that we place #3 and 4 on the Consent Agenda. All in favor, say aye. AYE. Opposed. Fine, passed unanimously.

I'd like to take special note at this time, that Mrs. Howe has left, Mr. Dixon has left, Mr. Livingston has left; we now have 37 present and I would ask the Members to please take their seats.

PUBLIC WORKS COMMITTEE - Co-Chairmen Alfred Perillo and Burtis Flounders

PRESIDENT SANTY: I'm sorry, Mr. Hogan has left; we are down to 36 Members. It is 12:10, we have a long Agenda yet. Please take your seat so we can continue with the business. Mr. Flounders, I'm sorry.

MR. FLOUNDERS: The Public Works Committee met on Thursday, April 29. Present were Mr. Perillo, Mrs. Saxe, Mr. Roos, Mr. Blais, Mr. Boccuzzi and myself. Also present at the meeting was Commissioner Spaulding.

- (1) CONDOMINIUM OWNERS' COMPENSATION IN LIEU OF GARBAGE COLLECTION - submitted by Rep. Burtis Flounders; also David Blum. Held in Committee 3/1 and 4/5/82.

We discussed the issue of the Condominium Owners' compensation in lieu of garbage collection and we decided that because there are so many questions, at this point, regarding the level of garbage collection which will be possible under the new Public Works budget that we would hold this in Committee and in the mean-time do our homework in terms of talking to the Law Department and other departments about the factors which must be ultimately considered in setting up some kind of a compensation plan. But, for the moment, we've held it in Committee.

HELD IN COMMITTEE

PRESIDENT SANTY: Thank you, Mr. Flounders. #1 on Public Works is Held in Committee. I'd like to make special note that Mr. Esposito has left, Mr. Wiederlight has left. We are down to, how many Ms. Summerville? We'll continue with Public Housing and Community Development.

PUBLIC HOUSING AND COMMUNITY DEVELOPMENT - Co-Chairmen David Blum & Lathon Wider

MR. WIDER: No report, Madam Chairman.

PRESIDENT SANTY: No report from Public Housing.

CHARTER REVISION AND ORDINANCE COMMITTEE - Co-Chairmen Robert Fauteux and Jeremiah Livingston

PRESIDENT SANTY: Mr. Livingston has left and Mr. Fauteux is no longer with us. Is there someone on that Committee who can give a report?

MS. SUMMERVILLE: Unfortunately, the Charter Revision Committee could not meet due to a lack of a Quorum. We are in the process of getting the Committee together to start the process going and you can assure the Mayor that we are working diligently. Without prejudice to my statement, all Democrats met and there were no Republicans due to a conflict of another meeting that night with Mr. Flounders in attendance.

PRESIDENT SANTY: Mr. Flounders was in attendance.

EDUCATION, WELFARE & GOVERNMENT - Co-Chairpersons Mary Lou Rinaldi and Robert Fauteux

MS. RINALDI: The E,W. & G Committee met on Thursday, April 29. Present were Representatives Fauteux, Blais, Gaipa and Rinaldi. Also invited to this meeting were Alice Perry, Henry Philips from United Appraisal, and Mr. Alter and Mr. Goldstein from the Board of Tax Review. They came specifically to discuss item #1.

- (1) REP. DeLUCA'S REQUEST OF 3/8/82 THAT FUTURE SYSTEM FAILURES BE AVOIDED BY DETERMINING WHAT CAUSED THE MAILING OF THE "BOGUS REASSESSMENT NOTICES" RECENTLY - REGARDING REAL ESTATE RE-EVALUATIONS AND NEW ASSESSMENTS.
Held in Committee 4/5/82.

Since we had already met with Mr. Hyland, they were invited to shed some further light on our investigation concerning the 17 "Bogus Reassessment Notices" that were sent out. Our Committee is currently in the process of preparing our final report which will be coming out within the next week.

PRESIDENT SANTY: Thank you, Ms. Rinaldi.

TRANSPORTATION COMMITTEE - Sandra Goldstein, Chairwoman

MRS. GOLDSTEIN: You'll be very happy to hear that I have No Report.

PRESIDENT SANTY: Thank you, Mrs. Goldstein.

LEGISLATIVE AND RULES COMMITTEE - Co-Chairmen John Zelinski & Anthony Conti

MR. CONTI: I'd like to defer to my esteemed colleague who took my place while I was ill, Mr. John Zelinski.

PRESIDENT SANTY: Thank you.

LEGISLATIVE AND RULES COMMITTEE (Continued)

MR. ZELINSKI: Thank you, Representative Conti, I appreciate those kind words.

PRESIDENT SANTY: I'm in doubt whether we have a Quorum on the Floor. I know the hour is late; if you take your seats, we can proceed with the business and we can get going. I'd like a total of how many are present. We have to enter it into the computer again because it's past midnight. We have a Quorum on the Floor, Mr. Zelinski. There are 35 members present, 5 absent.

MR. ZELINSKI: Legislative and Rules Committee met on the evening of April 26, at 7:30 p.m. Present at the meeting were Representative and Co-Chairman, John Zelinski, Representatives Ann King Saxe, Audrey Maihock, Barbara McInerney, and Donald Donahue. Absent were James Dudley, Robert Owens, Robert Fauteux and Co-Chairman, Tony Conti, excused because of illness. Also present were Attorney Michael Wells, attorney for the Stamford Hospital, and George Price, the Project Engineer.

- (1) FOR FINAL ADOPTION - PROPOSED ORDINANCE SUPPLEMENTAL UP-DATING ORD. #260 RE LEASHING OF DOGS - Submitted by Dog Warden Beverly Bowler. Approved by Police Chief Considine 1/6/82. Increases penalties for violators. Held in Steering 1/18/82; held in Committee 3/1/82. Approved for publication 4/5/82.

Our Committee vote to HOLD that item.

HELD IN COMMITTEE

- (2) FOR PUBLICATION - PROPOSED ORDINANCE SUPPLEMENTAL INCREASING ADOPTION FEES AT DOG POUND - submitted by Dog Warden Beverly Bowler. Approved by Police Chief Considine 1/6/82. Held in Steering 1/18/82. Held in Committee 3/1/82 and 4/5/82.

Also HELD, Madam President.

HELD IN COMMITTEE

- (3) FOR PUBLICATION - PROPOSED ORDINANCE SUPPLEMENTAL CONCERNING A TAX CREDIT FOR REFUSE COLLECTION TO OWNERS OF RESIDENTIAL UNITS IN MULTIPLE UNIT RESIDENTIAL COMPLEXES. Re-submission for February consideration. Held in Steering 1/18/82. Held 3/1/82 and 4/5/82 in Committee.

HELD IN COMMITTEE

- (4) FOR PUBLICATION - PROPOSED ORDINANCE SUPPLEMENTAL AMENDING CODE SECTION 8-18 ANNUAL PICK-UP OF HOUSEHOLD AND YARD DEBRIS - re-submission for February consideration. Held in Steering 1/18/82. Held in Committee 3/1/82 and 4/5/82.

LAI D ON THE TABLE

LEGISLATIVE AND RULES COMMITTEE (Continued)

MRS. GOLDSTEIN: Madam President, I'd like that explained, please.

PRESIDENT SANTY: Mrs. Goldstein and Mr. Blum both have a question through the Chair. They would like that explained, Mr. Zelinski.

MR. ZELINSKI: Yes, the Motion was made at our Committee meeting to Lay this item on the Table and as Robert's Rules dictates, which I believe is the case here, that if someone would care to discuss and vote on this, that it would be perfectly legal for them to do so at this point. And that was the Motion that was made; if no one wants to speak on it, we'll just go to the next item.

PRESIDENT SANTY: Mr. Zelinski, your Committee is aware also that you have to consider it at the next meeting or it is lost; it is off the Agenda permanently. You know that and you were charged with the Steering to have that on the Committee so I hope your Committee takes ^{it} into consideration. Any further questions on this?

MR. WIDER: Madam Chairman, item 4 is one of the items that I have had more questions about picking up that household debris and I don't think at this time that we should be putting that on the Table when people are looking forward to that project and that program in the Spring. I'm a little concerned with the action of the Committee on this.

MRS. SAXE: Through you to Mr. Wider, we can't do anything like that if we don't have the money in the budget to do it.

MR. DONAHUE: I'd like to raise a POINT OF ORDER at least at the question. This has been Tabled on two occasions already by the Legislative and Rules Committee. If I understand what was just stated, this is off the Agenda.

PRESIDENT SANTY: It is, if it's been on the Table; it wasn't just Held in Committee, it was laid on the Table two meetings ago, then it is off the Agenda.

MR. ZELINSKI: That's correct.

PRESIDENT SANTY: Out of your Committee then. All I can say at this time is whoever submitted this, has to be re-submitted through the Steering Committee again because it is now off the Agenda.

MR. ZELINSKI: It is also a moot point because if I understand correctly, the Board of Finance cut the funds out for this. So we are sort of moot anyway.

PRESIDENT SANTY: That clarifies that, Mr. Zelinski? Do you want to go on. Mr. Wider, it's just off the Agenda. It is out of Committee. They held it too long and it is out.

MR. WIDER: I'd just like to know what are we going to tell our constituents who have read this in the paper.

MR. ZELINSKI: There's no money.

PRESIDENT SANTY: Mr. Wider, you have the option of re-submitting this to the Steering Committee if you'd like but I would say you discuss this with the L&R Committee. Mr. Zelinski, do you want to continue?

LEGISLATIVE AND RULES COMMITTEE (Continued)

MR. ZELINSKI: Yes, thank you.

- (5) FOR PUBLICATION - PROPOSED AMENDMENT TO ORDINANCE NO. 429 OVER-NIGHT PARKING OF TRUCKS ON RESIDENTIAL STREETS - submitted by City Rep. Marie Hawe 2/8/82. Held in Committee 3/1/82 and 4/5/82.

HELD IN COMMITTEE

- (6) FOR FINAL ADOPTION - PROPOSED AMENDMENT TO CODE SECTION 18-50 TO INCLUDE CONSTRUCTION OF BRIDGES TO, OR FROM, ANOTHER MUNICIPALITY AND STAMFORD. Submitted by Reps. Betty Conti and Grace Guroian 1/19/82. Held in Committee 3/1/82. Approved for publication 4/5/82.

HELD IN COMMITTEE

- (7) FOR PUBLICATION - PROPOSED ORDINANCE SUPPLEMENTAL FOR TAX ABATEMENT for Bethany Assembly of God Church Lot #A1 (Card SW2) - their letter 1/18/82; and Tax Assessor James Hyland's note thereon. Held in Committee 3/1/82 and 4/5/82.

MR. ZELINSKI: Item #7 was approved for publication. On the Agenda for this month, it has the incorrect lot number and card number. The correct one was a letter which we all received from Mr. Hyland, the tax assessor, who had corrected that to read SW2 lot A1. We voted on it with that correction; 3 in favor and 1 against and 1 abstention and I so MOVE.

PRESIDENT SANTY: You are Moving for publication of #7 on the L&R Committee?

MR. ZELINSKI: Yes, Madam President.

PRESIDENT SANTY: Is there a Second to the publication. SECONDED.

MR. BLUM: On this lot, is there any building?

MR. ZELINSKI: Yes, Representative Blum. There is a church presently on the property.

PRESIDENT SANTY: Any further discussion? We'll Move right to a vote. All in favor of publication of #7 under L&R, please signify by saying aye. Opposed? It PASSED UNANIMOUSLY.

At this point, Mr. Esposito came back to the Meeting because there is a cream colored Monte Carlo blocking his car. If any one owns a Monte Carlo, cream colored, please remove it, and Mr. Esposito, if there isn't, I just don't know what we're going to do.

MR. ESPOSITO: It's right up against the wall. I can't see the license. The back is up against the building.

PRESIDENT SANTY: Continue with your Committee report.

MR. ZELINSKI: Yes, Madam President.

LEGISLATIVE AND RULES COMMITTEE (Continued)

- (8) FOR FINAL ADOPTION - PROPOSED AMENDMENT TO CODE SECTION 10-23 MAINTAINING IN A CLEAN CONDITION THE SHARED OR PUBLIC AREAS OF DWELLINGS AND PREMISES (PART OF ORD. #246 HOUSING CODE) - submitted by Rep. John Zelinski 2/10/82. Held in Committee 3/10/82. Approved for publication 4/5/82.

HELD IN COMMITTEE

- (9) REFUND OF BUILDING PERMIT FEE OF \$800.00 REQUESTED BY THE SALVATION ARMY FOR ALTERATIONS AND ADDITIONS TO INTERIOR OF ITS PREMISES AT 20 BEEHLER STREET. Permit #60021 dated 1/14/82 paid in sume of \$800.00. Letter 1/27/82 from Atty. William J. Murray. Held in Committee 4/5/82.

MR. ZELINSKI: The Committee vote was 5 in favor and I so MOVE.

PRESIDENT SANTY: Is there a Second to that Motion? SECONDED. All in favor of approving \$800.00 permit fee to Salvation Army, please signify by say aye. Opposed? PASSED UNANIMOUSLY. Continue, Mr. Zelinski.

- (10) FOR PUBLICATION - PROPOSED TECHNICAL AMENDMENT TO CODE OF ORDINANCES SEC. 6-17(3) - concerning definition of gross income, etc. - submitted by Asst. Corp. Counsel Alice Perry 1/11/82. Held in Steering 1/18 and 2/16/82. Held in Committee 4/5/82.

MR. ZELINSKI: Our Committee voted 5 in favor for publication and I so MOVE.

PRESIDENT SANTY: Is there a Second to publication of #10 under L&R. SECONDED. Any discussion? All in favor of publication of #10, proposed technical amendment to Code of Ordinances, please signify by saying aye. Opposed? PASSED UNANIMOUSLY. Continue, Mr. Zelinski.

MR. ZELINSKI: Yes, thank you.

- (11) REQUEST FOR PROPOSED ORDINANCE TO RESTRICT AND CONTROL THE AVAILABILITY OF UNDESIRABLE, PORNOGRAPHIC MATERIAL TO MINOR CHILDREN. Reps. Betty Conti and Grace Guroian submitted Norfolk, Virginia's local ordinance. Held in Committee 4/5/82.

HELD IN COMMITTEE at request of the two Representatives who originated, Betty Conti and Grace Guroian.

- (12) REQUEST FROM REGISTRARS OF VOTERS FOR APPROVAL OF VOTING POLLING PLACE DISTRICTS IN STAMFORD TO BE USED FOR STATE AND NATIONAL ELECTIONS AND PRIMARIES, PURSUANT TO STATE STATUTES SEC. 9-168B and 9-169. Held in Committee 4/5/82.

MR. ZELINSKI: We all received the Registrar of Voters' letter dated February 24, and then a follow-up which was March 31, which was one change and that was just for the Record so we are voting on correct places this evening; the change was only in District #20 which was originally Westhill High School and now is presently proposed Roxbury School. That would be the 20th District. The State Assembly District 147 and Senate District 36 and I so MOVE.

LEGISLATIVE AND RULES COMMITTEE (Continued)

PRESIDENT SANTY: There's been a Motion and Second to approve the Registrar of Voters' voting polling place districts as presented by Mr. Zelinski. Is there any discussion on this? All in favor, please say aye. Opposed?
PASSED UNANIMOUSLY. Continue, Mr. Zelinski.

- (13) FOR FINAL ADOPTION - PROPOSED ORDINANCE SUPPLEMENTAL - RELEASE OF EASEMENT BY CITY TO PITNEY BOWES, INC., AND GRANTING AN EQUIVALENT EASEMENT BY PITNEY-BOWES TO CITY ON PREMISES LOCATED ON SOUTHERLY SIDE OF ELMCROFT ROAD. Per Mayor Clapes' letter 3/10/82. Approved for publication 4/5/82.

HELD IN COMMITTEE

- (14) REQUEST FOR WAIVER OF BUILDING PERMIT FEE FOR THE STAMFORD HOSPITAL, A NON-PROFIT ORGANIZATION, from Philip D. Cusano, Exec. Vice-President, Shelburne Rd. and West Broad St., 06902.

MR. ZELINSKI: Our Committee did vote for approval on that and I so MOVE.

PRESIDENT SANTY: #13 is Held and a Motion has been made to approve a request for a waiver of a building permit for Stamford Hospital. Is there a Second to that Motion? SECONDED. Any discussion?

MRS. SAXE: I would like to see that Returned to Committee and have it come before the Board in the proper channels.

PRESIDENT SANTY: Mrs. Saxe made a Motion to Return this to Committee. Is there a Second to that Motion? There's a Second to that Motion. Any discussion on the Motion to Return it to Committee?

MR. BLAIS: Yes, Madam Chairman. I would like to have it Returned to Committee to see if the Committee has explored the possibility of reimbursement of that fee through third party reimbursement over the subsequent years after the addition or whatever is completed.

PRESIDENT SANTY: Thank you, Mr. Blais.

MR. ZELINSKI: Yes, thank you, Madam President. Our ordinance does specify clearly that any non-profit organization and charitable institutions are eligible for a waiver of a building permit fee because of that capacity. There were some questions raised...

PRESIDENT SANTY: Excuse me, Mr. Zelinski, we are speaking to the Motion to Return it to Committee. Is that what you're addressing? That's what we're addressing now.

MR. ZELINSKI: I'm sorry. I am against the Motion to put it back to Committee for the reasons being that they are eligible for this building permit fee waiver. I did speak to the building department, the assistant building inspector and another gentleman who also works in that department that handles these requests; there are only two ways in which someone who is making alterations on a building or building a new building and that is to come before them with the application and either a check for the correct amount or a waiver from this Board.

LEGISLATIVE AND RULES COMMITTEE (Continued)

MR. ZELINSKI: (Continuing) It's a matter of mechanics and all we would be doing would be making Stamford Hospital pay this fee and then get a reimbursement. It has been the practice of this Board, as long as I've been on it since 1977, that some cases have been where the fee was waived and other cases it was paid and refunded. In fact, one of the issues came to pass where it was requested that they not pay it so this way it would not have to be refunded. And, they're eligible, there's no problem, it's just a matter of technicality of coming before our Board and I can't see any reason to hold it up. We're holding up their applying for this because if we send this back to Committee; so I would be against it. Thank you.

MRS. McINERNEY: I would like, at this time, to ask Mrs. Maihock since she seems to have her exact verbiage written down as to the Motion made by the Committee when they agreed to pass this and then perhaps, after she reads that particular Motion, Mr. Zelinski could tell us how the building department answered him procedurally. I think that was our question last week, John.

PRESIDENT SANTY: Mrs. Maihock, I will allow you to read the Motion made in your Committee.

MRS. MAIHOCK: The Motion was made by Donald Donahue and the Motion was made to waive the permit fee pending approval from the Building Department to be sure that the procedure is correct. It was Seconded and passed unanimously.

MR. FLOUNDERS: I just wanted to ask the question, through the Chair to Mr. Zelinski, I think you've answered it but is the procedure correct; are there two procedures that are followed in different cases or is the fee paid in some cases and then refunded? Or, is it in other cases, the fee is excused from the outset?

PRESIDENT SANTY: Mr. Zelinski, will you answer that question?

MR. ZELINSKI: Yes, I will be happy to. Representative Flounders, as I thought I made clear, there are two ways in which a person who is applying for a waiver can do this: #1. They can apply and incorporate a check for the amount of the fee, or in lieu of that, they can apply with a waiver that we had already granted, thereby, necessitating them not having to deposit a check with the building department. I do have a letter that we all received dated January 27, from Mr. Hennessey from the Corporation Counsel and I'll quote which I thought I mentioned earlier, "Subject to the approval of the Board of Representatives of the City of Stamford, no fee shall be required for the issuance of any permit for the construction, alteration, repair, removal or demolition of any building structure to be used in connection with functions of any non-profit institution." So like I said, we are just going through the mechanics. If it is the wish of this Board to make them pay the fee and then have it refunded, they certainly can do that but it has been the past practice if someone did request it without having paid it, this Board has granted it. Now we are setting up a new precedent and I can't see it, I'm sorry.

PRESIDENT SANTY: Thank you.

MR. GAIPA: Yes, I would like to know the amount of money involved in this fee.

PRESIDENT SANTY: Mr. Zelinski, do you have the amount?

LEGISLATIVE AND RULES COMMITTEE (Continued)

MR. ZELINSKI: Well, I understand that when the attorney and the architect came before us that the amount, the cost of the renovation was in the vicinity of \$15 million and the fee according to the Building Department is \$ 4.00 per thousand dollars.

PRESIDENT SANTY: Would you like to give us a total on that, Mr. Zelinski?

MR. ZELINSKI: \$60,000.

PRESIDENT SANTY: We're talking about \$60,000.

MRS. CONTI: My question was the same as Mr. Flounders and Mr. Zelinski has answered it.

PRESIDENT SANTY: Thank you, Mrs. Conti.

MR. WIDER: Someone alluded to the proper procedure and I was wondering since this was not the proper procedure, what is the proper procedure?

PRESIDENT SANTY: Mr. Boccuzzi, you can answer that question.

MR. BOCCUZZI: Either procedure is correct. They can either apply for a waiver or if they want to save time, they pay for it and then they get it back. So if you make them pay for it, then we have to give it back to them. It's your prerogative, but in the long run, they are going to get it back anyway. I don't care what the amount is; whether it's \$ 5.00 or \$500,000; they're going to get it back and if you want the City to make a check out back to them, that's fine, don't give it to them now.

MR. WIDER: What really concerns me is how did we get an item on the Agenda when it isn't in proper procedure?

PRESIDENT SANTY: Mr. Wider, it's been explained. It is proper procedure what they're doing. The questions have been raised and answered. Being no further speakers, can we continue. Mr. Blum, would you like to address this question?

MR. BLUM: At one time about two Boards ago, I had brought up the fact in regard to these returns of fee from non-profit organizations. We are talking now of a budget, we're approaching the budget and we're talking about new revenues that we can extract from those who receive our services. Well, although some of these organizations are non-profit, they still receive services and I sometimes wonder if we ought to have a committee go over all these organizations and perhaps set some sort of a user fee because our inspectors establish safety, etc.

PRESIDENT SANTY: Thank you, Mr. Blum. Being no further speakers before we proceed to a vote, Mr. Esposito is still here. He's trying to get home. There's no other meetings here; it's 12:30, I'm going to have to have the car towed and I will unless VG115 can move. If you can move your car, he can move out. If VG115 moves, is that you, Mr. Zelinski? Mr. Zelinski, there is a Monte Carlo blocking him but if your car is moved, he can get out even though the Monte Carlo is still there but Mr. Zelinski is in the middle of his report, Mr. Esposito, can you wait until he finishes? Thank you. I'd just want to say at this time, it is 12:30; there are Representatives out of their seats, there are private conversations going on. We still have business to transact. Would you please take your seat and please get down to business, and Mr. Zelinski, would you continue with the report?

LEGISLATIVE AND RULES COMMITTEE (Continued)

MR. ZELINSKI: I had made a Motion to ...

PRESIDENT SANTY: Did you answer Mr. Blum's question? Mr. Blum, did you raise a question regarding this? We're going to continue to a vote and the vote is to waive a building permit fee for the Stamford Hospital. We'll now proceed to a vote. We are going to use the machine on this. Excuse me, yes.

MRS. SAXE: Were we not voting on sending it back to Committee?

PRESIDENT SANTY: We are voting on sending it back to Committee. The machine is ready. Please vote yes if you want to return it to Committee, no if you do not want to return it to Committee. Everyone voted?

The vote to send back to Committee is DEFEATED 25 no, 3 yes, 1 abstention and 7 no vote. We are now going to proceed to the main Motion.

MR. ZELINSKI: I make a Motion that we request the waiver.

PRESIDENT SANTY: The Motion has already been made and Seconded. We're going to proceed to a vote as soon as the machine tabulates this. Please vote if you approve waiving the building permit fee. Up for yes, down for no.

The Motion to waive the building permit fee is APPROVED 28 yes, zero no, 2 abstentions and 6 not voting. Does that conclude your report?

MR. ZELINSKI: No, yes, there were just two other things; 1. The Co-Chairman, Tony Conti, and I, as the other Co-Chairman, had discussed and decided to publish the ordinances that were approved for publication in the local Shopper Newspaper. We had checked with you, Madam President, and the Corporation Counsel at the time, Leonard Cookney, who also said it was legal for us to do so. There are two opinions, one dated December 14, 1981 and another one dated January 11, 1982, which are almost identical. On our desk this evening, I had copies of a letter I received that was sent here which I just opened this evening from Mr. Harry Rosenbaum who is the owner of the Weekly Mail and Shopper and he just basically states in his first paragraph that he was disturbed about the story in the paper pertaining to the decision of the Legislative and Rules Committee which even though, the Co-Chairmen had decided to put it in the Shopper, it was brought up under discussion and the vote was 3 in favor...

MR. DONAHUE: POINT OF ORDER, Madam President.

PRESIDENT SANTY: No, I'm letting him speak. Obviously, this is not on the Agenda, Mr. Zelinski. We need a two-thirds vote to Suspend the Rules to consider this. Can you go ahead and make a Motion to Suspend the Rules so we can consider this item not on the Agenda.

MR. ZELINSKI: Well, I think it doesn't have to be on the Agenda as an item because this is something that involves the publication and even though the two Co-Chairmen...

PRESIDENT SANTY: Now Mr. Zelinski, it has to be on the Agenda. It really does and we do need a two-thirds vote and it's not here. Although it pertains to your Committee, it's Committee matter; if you want to bring it out to the Floor, that's fine but you have to get a two-thirds vote of those...Mr. Esposito, is he back? Mr. Esposito is gone. Mr. Esposito, are you going to vote? Yes, you can. We have you back in. We put you back in the computer.

LEGISLATIVE AND RULES COMMITTEE (Continued)

MR. ZELINSKI: Madam President, if legally you have to, then I would make a Motion to Suspend the Rules to take this item up which is just simply the fact that I'd like to get the consensus of the other Board members as to why we can't publish it in the Shopper and save 20 to 25% as opposed to publishing it in the other newspaper.

PRESIDENT SANTY: Is there a Second to that Motion? Second to that Motion to use the Stamford Shopper for the L&R publications, official notices instead of the Advocate. It's been Seconded. We need 24 affirmative votes to Suspend the Rules.

I would now ask you to vote. We are voting to Suspend the Rules to consider an item not on the Agenda. Up for yes or down for no. 24 votes are needed. Has everyone voted? We are voting to Suspend the Rules to take an item not on the Agenda. The Motion to consider the Stamford Shopper instead of the Advocate for publications. You can vote now. Vote on the machine.

The Motion to Suspend the Rules is DEFEATED 20 yes, 12 no, no abstentions and the others not voting, and we needed 24 votes. Mr. Zelinski, do you have anything further?

MR. ZELINSKI: No.

PRESIDENT SANTY: Would you please move your car so Mr. Esposito may go home?

PERSONNEL COMMITTEE - Chairman Philip Stork

PRESIDENT SANTY: Excuse me, Mrs. Maihock, do you have a question?

MRS. MAIHOCK: A very important one concerning this meeting that was not mentioned. We had selected May 17 for the Public Hearing for the Traffic and Parking ordinance. I think we would like to inform the other Representatives about that.

PRESIDENT SANTY: We were notified about that but it is a good reminder. Thank you, Mrs. Maihock. Mr. Stork, will you continue?

MR. STORK: Thank you, Madam President. The Personnel Committee met on Thursday, April 29, at 8:00 p.m. in the Mayor's Conference Room. Members of the Committee in attendance were Representatives Dziezyc, Gaipa, Gershman, Hogan and myself. Other members of the Board of Representatives present were Representatives DeLuca, Boccuzzi, Blum, Livingston and Summerville.

- (1) PROPOSED RESOLUTION FROM CLASSIFIED EMPLOYEES' RETIREMENT FUND BOARD OF TRUSTEES - AMENDING RETIREMENT FUND SECTION 749(g) "Cost-of-Living Increments" authorizing Trustees to provide C-0-L increments for persons being paid pensions under (a) through (f) of said Section. Letter 2/4/82 Benefits Manager Mary Ann Kilgrow. Held in Steering 2/16/82 and 3/22/82.

I understand, Madam Chairman, that item #1 has already been dispensed with on tonight's Agenda?

MRS. McINERNEY: Yes, it has.

PERSONNEL COMMITTEE: (Continued)

MR. STORK: Thank you.

- (2) THE MATTER OF THE CHANGE OF INSURANCE CARRIER (MEDICAL/SURGICAL, ETC.) FROM BLUE CROSS/BLUE SHIELD TO TRAVELERS INSURANCE EFFECTIVE 1/1/82 WITH INCREASED PREMIUMS TO RETIREES, AND OTHER QUESTIONS AS TO BENEFITS.
Letter 1/18/82 Gerald Longo, Retiree. Held in Steering 2/16/82 & 3/22.

MRS. McINERNEY: Excuse me, Mr. Stork. Item #1 was also handled by Fiscal... alright then, Mr. Hogan, indicated earlier that he had given the Committee Report dealing with that item when Mr. Stork came in, therefore, I'm sorry, Mr. Stork, you will give your Committee Report.

MR. STORK: We will begin with #1 then?

MRS. McINERNEY: On #1.

MR. STORK: Item #1 on our Agenda is a proposed resolution from the Classified Employees' Retirement Fund Board of Trustees amending retirement fund Section 749(g) of the City Charter, Cost-of-living increments. Appearing to speak on this item was Mary Ann Kilgrow, the City Benefits Manager. This resolution is directed at the retired Classified employees which have not received an increase in their pension since 1972. This resolution would empower the Board of Trustee to grant increases from time to time as they see fit without approval from the Board of Representatives. Here are a couple of examples of what these potential pension increases would mean.

If the Board of Trustees granted a 5% across-the-board increase, the cost would be \$504,600, 10% would be double that or \$1,009,200. These increases would be funded by taxation. It was felt by the Committee that the financial impact of these pension increases should not be left to the Board of Trustees; hence it should remain status quo with the Board of Representatives. The Motion made to approve this resolution, Madam Chairman, was defeated by a vote of none in favor, 4 opposed and 1 abstention. Keeping in mind the negative report of the Personnel Committee, I MOVE for approval of this resolution to amend Sec. 749(g) of the Retirement Fund in the City Charter.

MRS. McINERNEY: Thank you, Mr. Stork. Is there a Second. SECONDED. All those in favor of amending the proposed resolution from Classified Employees' Retirement Fund Board of Trustees, amending the Retirement Fund Section 749(g) Cost-of-Living increments, please indicate by vote yes. Is there any discussion on item #1 under Personnel?

MR. TARZIA: Thank you, Madam Chairman. Just a Point of Information; A no vote would be to turn down the proposed resolution, if I understand that correctly, is that right?

MRS. McINERNEY: That is correct, and that supports the opinion of the Personnel Committee.

MR. WIDER: Thank you, Mrs. McInerney. Couldn't this have been kind of re-worded; I see some deficiency in the wording on this item giving the power to the Trustees. Couldn't that have been re-worded?

MRS. McINERNEY: Mr. Stork, could that have been clearly re-worded?

PERSONNEL COMMITTEE: (Continued)

MR. STORK: I don't understand the specific problem.

MR. WIDER: In order to have given the retirees a cost-of-living, couldn't the power been given to the Board of Finance or Board of Representatives rather than the Trustees? I think this is why it was turned down, wasn't it?

MRS. McINERNEY: It is presently that power is given to us under the Merit System regulations, Mr. Wider. This would be to take the power away as I understand what Mr. Stork indicated earlier in his report. Is that correct?

MR. STORK: Yes, Madam Chairman. What you are voting actually is to give us this power from the Board of Representatives and transfer it to the Board of Trustees. Our recommendation is not to do that.

MR. WIDER: Thank you.

MRS. McINERNEY: A yes vote would be to change and amend the Retirement Fund Section giving the cost-of-living increments to the Board of Trustees; a no vote would be in support of the recommendation of the Personnel Committee to keep the powers within the Board of Representatives. I'm sorry, Mr. Flounders, did you have something you wanted to say? Thank you. I don't think that's necessary. There appears to be no more speakers. We will proceed to a vote. A yes vote as I indicated was for the change, amending the Retirement Fund Sec. 749(g) Cost-of-Living increments. A no vote is in support of the Committee. Has everybody had the opportunity to vote? Mr. Donahue, are you voting on this item?

Ladies and Gentlemen, the vote was UNANIMOUS 31 votes no to DEFEAT the request before us this evening to change the amendments.

MRS. SIGNORE: Is it not possible that as the vote is tallied, recorded and locked in and then cleared from the machine, to set the machine in preparation for the next vote so we won't have this wait each time?

MRS. McINERNEY: I will defer that question to ... Mary Jane, we don't know what the Motion is. At one point in time, you can have a Motion to approve a certain item to put into the machine.

MRS. SIGNORE: You have to put the Motion in first before ...

MRS. McINERNEY: Yes, that's correct.

MRS. PERILLO: May I ask another question on that line? I noticed the machine doesn't tally anymore, is there a reason for that? On the bottom, it doesn't tally the votes.

PRESIDENT SANTY: They're broken.

MRS. McINERNEY: Any other questions on the machine? I think, Mr. Blum, it's pertinent to get along with the Agenda. Is this a question relating to item #2? May Mr. Stork make his Committee report first and then we'll put you down as the first speaker?

MR. BLUM: I just wanted to ask who presented that item where it went down so badly at this Board. Who presented, Mrs. Kilgrow?

PERSONNEL COMMITTEE: (Continued)

MRS. McINERNEY: We are on item #2, Mr. Blum. Mr. Stork, item #2, please.

- (2) THE MATTER OF THE CHANGE OF INSURANCE CARRIER (MEDICAL/SURGICAL, ETC.) FROM BLUE CROSS/BLUE SHIELD TO TRAVELERS INSURANCE EFFECTIVE 1/1/82 WITH INCREASED PREMIUMS TO RETIREES, AND OTHER QUESTIONS AS TO BENEFITS.
Letter 1/18/82 Gerald Longo, Retiree. Held in Steering 2/16/82 & 3/22.

MR. STORK: Appearing to speak on this item were Sim Bernstein, Personnel Director, Mr. Ketcham from the MAA, Mr. Lamberti from the IBT, Mrs. Yudain from the MEA, and Mrs. Kilgrow, the Benefits Manager. This item was brought before the Committee by a retired employee of the Traffic Department. It seems that when the City changed insurance carriers on January 1, 1982, from New York Blue Cross/Blue Shield to Travelers, his monthly premium increased by \$20.00. He was concerned how this could happen without the City consulting the various unions and he asked our Committee to investigate. We discovered that the change in insurance carrier was forced by the decision of New York Blue Cross/Blue Shield to cease doing business in Connecticut. The Travelers Insurance Company was awarded the new contract based on normal bidding procedures. This coverage is for all Classified and Civil Service employees of the City. It was found to be true that the unions had no input whatsoever with regards to the change of insurance carrier. The unions want the right to participate in this process so that they can look after the best interest of their membership.

The IBT did file a grievance which ran its course with no satisfaction awarded to the union. In short, the City has no obligation to notify the unions of the impending change of insurance carriers. It was the decision of the Personnel Committee to send a letter to the Personnel Director explaining the need for constructive dialogue between the City and the unions in this matter.

PRESIDENT SANTY: Thank you, Mr. Stork.

- (3) REP. JEREMIAH LIVINGSTON'S REQUEST OF 3/5/82 FOR AMENDMENT TO CODE OF ORDINANCES SECTION 11-4 (Ordinance 171, adopted 10/2/69 creating Human Rights Commission) - to change status of the Director from appointive status to civil service status, retroactive to original date of employment. Held in Steering 3/22/82. (Personnel Commission had this matter on their Agenda for their 3/24/82 meeting.)

MR. STORK: Appearing to speak on this amendment was its author, Representative Livingston. In his amendment, Mr. Livingston seeks to reverse the decision made by the Board of Representatives when the Human Rights Commission was created. Two items would be accomplished through approval of this amendment. First, it would de-politicize the position. Secondly, it would allow Mr. Woodrow Glover, Human Rights Director, the right to buy back into the pension fund. This would cost Mr. Glover 5% of his annual salary for each of the last 15 years. In addition, the City would have to fund its share estimated to be about triple Mr. Glover's share based on testimony from Mrs. Kilgrow.

PERSONNEL COMMITTEE: (Continued)

MR. STORK: (Continuing) The Personnel Committee decided to take three steps in order to resolve this matter. 1. I will send a letter to Mrs. Kilgrow to find out Mr. Glover's salary for each of the last 15 years and accordingly, the City's costs for funding. 2. I will send a letter to the Mayor's Blue Ribbon Panel investigating Personnel practices in the City of Stamford to see if they have determined the feasibility of incorporating the Unclassified employees into Civil Service, and if so, what is their finding; and 3. pending receipt of the above information, the Personnel Committee voted 5 in favor and none opposed to hold this item in Committee for final consideration.

HELD IN COMMITTEE

PRESIDENT SANTY: Thank you, Mr. Stork. We do appreciate your Committee report, but if you're going to hold them, can you be briefer with your reports, and I know you have worked long and hard only because it's a shame because we're going to rotate this Agenda. It is now 1 o'clock and I don't want to lose too many more people. So any items that you're going to hold, just be a little brief.

MR. STORK: It's going to be tough.

- (4) REP. ROBERT "GABE" DeLUCA'S LETTER 4/12/82, (REFERRING TO FINANCE COMMISSIONER PATRICK MARRA'S LETTER 3/24/82 RESPONDING TO REP. BETTY CONTI'S LETTER) REQUESTING THE FOLLOWING BE PLACED ON THE AGENDA:

"by what authority was Mr. Boland paid; the person responsible for this flagrant disregard of the Board of Representatives' intentions should be dismissed."

MR. STORK: Appearing to speak on this matter was Representative DeLuca and Finance Commissioner Patrick Marra. Corporation Counsel P. Benedict Fraser appeared briefly to inform me that our Committee would be legally proper in proceeding on this matter and would in no way interfere with any investigation being conducted by the one-man Grand Jury on municipal corruption in Stamford. Mr. DeLuca revealed that Mr. Boland received the following salary increases over a 9-month period: On October 22, 1979, Mr. Boland was promoted from Technician to Assistant Personnel Director. His salary went from \$18,980 to \$20,200. On April 15, 1980, Mr. Boland's pay went from \$20,200 to \$21,996. On July 1, 1980, Mr. Boland's pay went from \$21,...

MR. ZELINSKI: Madam President, POINT OF PERSONAL PRIVILEGE.

PRESIDENT SANTY: Yes, Mr. Zelinski.

MR. ZELINSKI: Are we going to be voting on anything on this item, if not, I can't see why we're going to be getting all this information that at a later date we are going to be voting on again. Seems to me unless we are going to be taking action, it's not necessary to give all that information until we ask for a vote on that.

PRESIDENT SANTY: I understand that and, Mr. Zelinski, you have to understand the Personnel Committee has put in long hours as your Committee has and every other Committee has and it's unfair because the hour is late and we are here at this hour to have to cut-off any Chairman and I just ask him to be brief and I understand what you mean. I think we're going to lose, we're not going to have a quorum, please. Mr. Stork, I'm going to make you next month, first on the Agenda. You can understand that.

PERSONNEL COMMITTEE: (Continued)

PRESIDENT SANTY: (Continuing) Can you just give me the increases over the period of time and just be as brief as you can and what the intent.

MR. STORK: I am leading up to a Motion, Madam President, if I'd be allowed to finish my report.

PRESIDENT SANTY: Why don't you make the Motion first, O.K., try that.

MR. STORK: I'd really would rather not.

MR. BOCCUZZI: Madam President, he's the Chairman, he's giving his report, he should be allowed to give it and if he is not going to give it, then make a Motion to adjourn and we'll go home.

PRESIDENT SANTY: Continue with the report, Mr. Stork.

MR. STORK: Thank you, Madam President. The third salary structure I was discussing was on July 1, 1980, from \$21,996 to \$23,756. These salaries when broken down, show that over the 9-month period in question, Mr. Boland annual salary increased by \$4,776 or 25.16%. Mr. DeLuca referred to a Personnel Commission guideline that says, "persons promoted within an evaluation period who receive a 12% increase, will not be eligible for merit until at least one year from the date of such promotions." Members of the Board of Representatives, the numbers speak for themselves.

Mr. Marra informed our Committee that his internal auditor is investigating the Boland situation and that we will be provided with a copy of his findings. Additionally, the Personnel Committee deliberated on Mr. DeLuca's request that the Personnel Committee ask for a complete audit of the Personnel Department to see if any other unauthorized or unwarranted salary increases have been granted. Mr. Marra advised that if such an audit were requested, it would take approximately two months to perform at no expense to the City other than the two salaried auditing employees already on the payroll.

The Personnel Committee voted unanimously 5 in favor and none opposed to request a full audit of the Personnel Department. However, Madam President, due to the seriousness of this issue, it is this Chairman's desire that the weight of this request carry the support of the full Board of Representatives; therefore, I make a Motion that this Board approve of the President of the Board of Representatives sending a letter to Commissioner Marra requesting a complete audit of the Personnel Department.

PRESIDENT SANTY: The seriousness of this matter; there's been a Second, I would ask all the Representatives in the Caucus room to please take their seats. This is an important issue to come before this Board. I would ask the Minority Republican Leader and Democratic Leader...Mr. Stork, would you please repeat the Motion?

MR. STORK: Yes, Madam President. Again, the Personnel Committee voted 5 in favor and none opposed to request a full audit of the Personnel Department. However, due to the seriousness of the issue, it is our desire that the request carry the support of the full Board, therefore, my Motion is that this Board approve of the President of the Board of Representatives sending a letter to Commissioner Marra requesting a complete audit of the Personnel Department.

PERSONNEL COMMITTEE: (Continued)

PRESIDENT SANTY: Several Seconds. Is there any discussion on this Motion?

MR. TARZIA: Thank you, Madam President. I Move to amend the Motion made by Mr. Stork that we, in my amendment, I propose that we appoint a Committee of this Board to monitor the investigation and to audit the Personnel Department and that the internal auditor report directly and periodically to this Committee of the Board of Representatives and that Mr. Bernstein be suspended following a full investigation of this Committee. Thank you.

PRESIDENT SANTY: Is there a Second to that. This is an amendment. Mr. Tarzia, you want to amend that? It's an amendment, not a separate Motion?

MR. TARZIA: Yes, Madam President.

PRESIDENT SANTY: Is there a Second to that Motion? There's a Second to that amendment. We have a Motion for a full audit of the Personnel Department, a letter going from the President of the Board, representing the Board and now we have an amendment. You're asking for a special investigating sub-committee? Is that what your Motion is? Or another Committee, not the Personnel Committee.

MR. TARZIA: It can be a sub-committee of the Personnel Committee or...

PRESIDENT SANTY: You're asking the Chair to appoint a sub-committee to oversee this audit and report back to the Personnel Committee or report back to the full Board?

MR. TARZIA: I think the full Board.

PRESIDENT SANTY: It has been Seconded. Those to speak:

MR. FLOUNDERS: I would like a clarification of the Motion. I think Mr. Tarzia said that we want to send a letter to Commissioner Marra requesting the audit, and then we want a sub-committee of this Board to monitor the audit and we want the suspension of Mr. Bernstein. As far as I'm concerned, that's Motion #3, pending the full investigation by this Board. Is that exact language?

MR. TARZIA: Yes, that's correct.

MR. FLOUNDERS: Suspension pending, in other words, suspend Director Bernstein pending the outcome of the investigation?

MR. TARZIA: Yes, Mr. Flounders, correct.

PRESIDENT SANTY: Mr. Tarzia, you have several Motions there in one but we can incorporate in one Motion. For that type of a sub-committee to be appointed, we need a two-thirds vote of this Board and I'd like to ask how many Members we have present now. 35, we need 24 for that amendment. We are now addressing the amendment to the main motion.

MRS. GERSHMAN: Madam President, I believe that this is much too strong a Motion at this time. I believe that we must have the internal audit give us the facts first. I think that this would be prejudicial to any case to appoint such a very strong committee now, before we have facts to go on or for that matter, a specific point or two or three, as many as there are, to investigate.

PERSONNEL COMMITTEE: (Continued)

MRS. GERSHMAN: (Continuing) I would recommend that this Motion be turned down, Mr. Tarzia's amendment be turned down and when it is turned down by the Board, I would have another Motion to put in its place. I think that we cannot rush this. There is nothing to be gained by inaugurating a full investigative committee at this point. We have only hearsay, some inflammatory statements by some Members of the Board and I think that we must act judicially in this point. We are the legislative body, we are not the judicial system. Thank you.

PRESIDENT SANTY: Thank you, Mrs. Gershman. Point of Information for you. According to the Charter, Sec. 204.2, we need a two-thirds vote of the entire Membership for any investigation; so we need 27 votes. We now have 33 Members present to approve that amendment to the Motion. We are now speaking to the amendment.

MRS. CONTI: Thank you, Madam President. I wonder if Mr. Tarzia would consider deleting the portion of his amendment with regard to the suspension of Director Bernstein because of the possibility of legal liability to this Board in the event the audit turns out to be there is no problem. Also, another point I wanted to make was with regard to this committee. I don't think Mr. Tarzia suggested an investigating committee. He suggested a monitoring committee that would meet periodically with the internal auditor to monitor the progress of the audit. I don't think that that would be an investigating committee under the Chapter of the Charter that you quoted.

PRESIDENT SANTY: We'll continue with the speakers before making a decision on that.

MR. WIDER: Thank you, Madam Chairman. Mr. Stork in making his report was talking about audit. Then we led into investigation.

PRESIDENT SANTY: As an amendment to his Motion.

MR. WIDER: I'm afraid that this would have to be a separate project altogether; the investigation against the audit. I think we better get the audit get done first and then look into the investigation.

PRESIDENT SANTY: Thank you, Mr. Wider.

MR. BLAIS: Thank you, Madam Chairman. In all due respect to Mr. Tarzia, I'd like to know, Mr. Tarzia, do you have specific reasons for an immediate suspension of the Personnel Director?

MR. TARZIA: No, I don't except that I think it's proper procedure in a case like this where you have very serious concerns about the integrity of the Civil Service system which is the life and blood of the City of Stamford. I think we have to know what we are doing and where we are going and I want to caution you that I said this Board was to monitor the investigation. This was not an investigatory type the way some of you people think. This is not the McCarthy era, believe me. Thank you.

PERSONNEL COMMITTEE: (Continued)

PRESIDENT SANTY: Mr. Tarzia, a question from the Chair. You do not feel the Personnel Committee can handle it because of their workload, that you would like a sub-committee appointed from the Personnel Committee. Is this your intent?

MR. TARZIA: Perhaps. That's one of the reasons but the matter is serious enough that it requires an indepth look into the matter.

PRESIDENT SANTY: A sub-committee not an investigating committee.

MR. BLAIS: Thank you, Madam Chairman. Thank you, Mr. Tarzia. I would remind all of the Board of Representative Members here that we are now considering very, very, very weighty steps. First of all, to suspend an administrator before an audit is even conducted is to prejudice that audit in my opinion. The second thing is, you got to remember that this guy came to the City of Stamford with many years of credentials, has worked in the City of Stamford, has worked very hard. To suspend him before an investigation or audit is conducted and he is found guilty of wrongdoing, I think we're unduly tainting his career and I don't think would be fair at all. Thank you.

PRESIDENT SANTY: Thank you, Mr. Blais.

MRS. GUROIAN: I'd like to emphasize what Betty said and now what Mr. Blais said. You're treading on very dangerous ground when you suspend someone without substantial cause and I don't think, as yet, there is substantial cause to take this step. Further than that, I'd like to offer my opinion as to whether it requires a two-thirds vote.

PRESIDENT SANTY: Thank you, Mrs. Guroian, because you are Parliamentarian.

MRS. GUROIAN: I don't think it requires a two-thirds vote unless we are intending to establish a committee with full subpoena powers, with full access to money to be spent either for legal fees or recording fees and I don't think we're ready for that kind of a step yet. I would agree that a sub-committee could be set up by the Personnel Committee and an investigation by Members of this Board are fully in order but not the kind of investigating Committee that the Charter refers to; a special investigating committee. I think the time for that would be if the audit pointed to certain allegations, credibility of certain allegations or if there was some areas of concern that were partially substantiated. This is not the time and because I feel like this, I would like to have a clarification if we are voting on a special committee as described in the Charter with full powers or we are just voting for a plain investigating committee and I would like to ask for a division of the amendment; a vote on the committee and then a separate vote on whether we should suspend Mr. Bernstein.

MR. ROOS: I think we're not giving enough thought to this. There are some legal implications here. We'd have to have some basis of fact if we are going to suspend a man from his job, is he to be suspended without wages or with wages; there's an awful lot of things to consider here. If we suspend him without wages, or even with wages without even an investigation, he could sue for damage to his career and what have you. I think this is too large a step to take and I don't think it's proper to do it at this time. I don't think we're empowered to do it either.

PERSONNEL COMMITTEE: (Continued)

MR. DeLUCA: I would just like to make an amendment to Joe's amendment to include some of the comments that were already mentioned. Rather than use the word investigation, I would recommend that we set-up a sub-committee to monitor the audit of the Personnel Department and this sub-committee will report back to the full Board and it seems from the consensus here this evening, that we should not recommend suspension of Sim Bernstein which my earlier indications, and I had even mentioned this at the Personnel Committee meeting last week, that the integrity of the Personnel Department has left a cloud of suspicion on many people in the City in the recent actions as noted by the Boland case. Recent actions of changing job specifications dating back to 1978 regarding the deputy corporation counsel, which a law suit is now pending and to sit here and say that the integrity of the Personnel Department is now clouded, then we are living in a dream world to think otherwise. What I would definitely recommend and I do make an amendment that we do set-up a sub-committee with a note that the internal audit department immediately begin their investigation starting tomorrow or today and that they go in and impound certain records in order to avoid any alterations or distortions or anything of that sort.

PRESIDENT SANTY: Mr. DeLuca, you're making a Motion to amend Mr. Tarzia's. Mr. Tarzia, I want to be clear; you want to appoint a sub-committee, not investigating committee to monitor the auditor and the audit to start tomorrow, is this what you are saying? Today, it's ten after one. You're right. Is this what you are saying? Is there a Second to that amendment? There is a Second to that amendment. Mr. Tarzia, do you accept that amendment to change your amendment?

MR. TARZIA: Madam Chairman, after listening to my colleagues here, I think that is the wise thing to do. Thank you.

PRESIDENT SANTY: We are now speaking to the second amendment which amends Mr. Stork's original Motion for a full audit of the Personnel Department as recommended by the Personnel Committee to also appoint a sub-committee to work with the Personnel Committee to monitor the audit and the audit done with specific directions as stated by Mr. DeLuca. It's been Seconded. We're discussing the amendment.

MRS. McINERNEY: Yes, thank you. I, for one, feel that the Personnel Committee of this Board should be commended for the efforts that they have put into their research dealing with not only this item, but every item that has come before them. They have been methodical; they have always looked out for the best interest of the City as well as the best legal interest of this Board. I, personally, find no problem with the suggestion of the Personnel Committee to undergo a full audit. However, I do feel since they have initiated this, worked with it, that they should be the Committee that is responsible for any monitoring work that is done with the auditor and I would not support this set-up of another sub-committee. I would support the continuation of the Personnel Committee working on this item.

PRESIDENT SANTY: Thank you, Mrs. McInerney.

MR. DONAHUE: I think that the report of the Personnel Committee was well-handled. I don't think, however, that the amendments that have been suggested are necessary. I think it's presumptuous to go on from the original report of the Personnel Committee and I think the Personnel Committee is perfectly capable of serving as any oversight committee or the responsible committee at this time. I don't think we have to go much further than that. I'd be opposed to the amendments.

PERSONNEL COMMITTEE: (Continued)

PRESIDENT SANTY: Thank you, Mr. Donahue.

MRS. SIGNORE: No, I feel that a monitoring committee is advisable. When I originally asked for my name to be placed on the list to speak, it was primarily to voice my opinion and I feel it highly inadvisable to talk about suspension of any person before guilt is established. I think that's a very dangerous precedent and I'm delighted that Mr. Tarzia withdrew it. Thank you.

PRESIDENT SANTY: Thank you, Mrs. Signore.

MR. FLOUNDERS: POINT OF ORDER, Madam President. Seems to me that we have a Motion on the Floor on which we haven't voted. Which was really a four-part Motion by Representative Tarzia and then we have an amendment by Representative DeLuca on top of that. Don't we have to dispense with the four-part Motion before we...

PRESIDENT SANTY: Mr. Tarzia withdrew his amendment in favor of Mr...

MR. FLOUNDERS: His amendment, Mr. Tarzia didn't have an amendment. Mr. Tarzia made a four-part Motion.

MR. TARZIA: Amendment.

PRESIDENT SANTY: Which Mr. DeLuca amended and Mr. Tarzia, the amendment is just a sub-committee now to monitor the audit and the audit with specific directions when the audit would start. Amendment to the original Motion that the Personnel Department undergo a full audit. That's what we're discussing now. Mr. DeLuca's amendment which was fully accepted by Mr. Tarzia, the suspension of the Personnel Director has been removed from that.

MS. DeGAETANI: I'd just like to say I do think that we have serious problems here and I certainly am fully in favor of having the internal audit done and also am certainly in favor of having an oversight committee although I don't think it should go beyond that but I agree with Mrs. McInerney. I think the oversight committee should be composed of all of the members of the Personnel Committee. They are the most familiar with it and I think we should have the benefit of all of their thinking on it and I certainly would like to see periodic reports back to the Board.

PRESIDENT SANTY: Your suggestion is not a sub-committee, that the Personnel Committee act in their same capacity as what they're acting now.

MR. ZELINSKI: MOVE THE QUESTION. SECONDED.

PRESIDENT SANTY: There's a Motion to Move the Question. All in favor of Moving the Question which is considering Mr. DeLuca's amendment as accepted by Mr. Tarzia, please signify by saying aye. Opposed NO. Would the nos please raise their hand. We're going to Move the Question. It's been PASSED. We are now going to vote on Mr. DeLuca's amendment and we're going to use the machine.

MRS. CONTI: POINT OF ORDER: Would he read the amendment?

PRESIDENT SANTY: Yes, this is one of the reasons when we get this technical that the Chair would like to have these Motions in writing as Mr. Donahue had done earlier and I hope Mr. DeLuca can remember what his Motion is. I think I have it down here. Mr. DeLuca, would you like to state it?

PERSONNEL COMMITTEE: (Continued)

PRESIDENT SANTY: (Continuing) And I think as a Point of Information for all of us at this point, when you have a Motion with this complexity, I wish that you would put it in writing. It's very important.

MR. DeLUCA: The amendment that I made was that we would set up a sub-committee to monitor the audit of the Personnel Department and report back to the full Board, and that the audit is to begin effective May 4, 1982.

MRS. CONTI: POINT OF ORDER: Is that a sub-committee of the Personnel Committee?

MR. DeLUCA: (inaudible) I recommended a sub-committee because in my judgement, the Personnel Committee has a tremendous workload, not unless the Chairman of the Personnel Committee feels that his Committee can handle this without presenting any undue hardship on his Committee, then I would be willing to amend my amendment.

PRESIDENT SANTY: No, we're just discussing your amendment (inaudible) but the other situation is to work with the auditor?

MR. DeLUCA: To monitor the audit.

PRESIDENT SANTY: That's the amendment and that's what we are voting on now.

MR. BOCCUZZI: I think Mr. DeLuca had another sentence in there; something about impounding the records as of this morning.

PRESIDENT SANTY: Impounding the records as of May 4th.

MR. DeLUCA: May 4th, right.

PRESIDENT SANTY: Impounding the records as of May 4, 1982. The sub-committee to impound the records, is that what you're reading into your Motion?

MR. DeLUCA: The audit, the internal auditor.

PRESIDENT SANTY: The internal auditor to impound the records as of today.

MR. DeLUCA: Right.

PRESIDENT SANTY: No discussion across the Floor.

MR. DONAHUE: POINT OF INFORMATION, Madam President.

PRESIDENT SANTY: Yes, Mr. Donahue.

MR. DONAHUE: One Point of Information: 1. Does this Board have that power?
2. Is there anyone on this Board who can say that that will not conflict with any investigations that are being conducted either on a local or State level?

PRESIDENT SANTY: Can those questions be answered, Mr. Stork or Mr. DeLuca?

MR. DeLUCA: I believe already. Chairman Stork already mentioned that; he already has an opinion from the Corporation Counsel that any investigation or audit will not jeopardize any investigations going on by the State and this was confirmed verbally and Corporation Counsel Ben Fraser stated that he would even submit it in writing with his opinion.

PERSONNEL COMMITTEE: (Continued)

MRS. GOLDSTEIN: POINT OF INFORMATION.

PRESIDENT SANTY: Now, we're having all these points, it has been moved to Move the Question...We are Moving the Question right now; that is the Motion and that is what we're going to vote on. We're going to use the machine. We're going to vote on Mr. DeLuca's amendment as stated. Vote yes if you want the amendment, if you approved the amendment. No, if you do not. No, we voted on Moving the Question. We are voting on Mr. DeLuca's amendment. So many Points of Order and Information have popped up in-between our voting.

The amendment is DEFEATED by 7 yes, 17 no, 6 abstentions and 7 not voting. We now are going to go back to the original Motion made by Mr. Stork and we have a list of speakers, if you want to speak to the original Motion. Would you state your original Motion, Mr. Stork?

MR. STORK: Yes, Madam President. Again, reminding Members of the Board, the Personnel Committee voted 5 in favor and none opposed to request a full audit of the Personnel Department. However, due to the seriousness of the issue, it is the Chair's desire that the weight of this request carry the support of the full Board of Representatives; therefore, the Motion is that this Board approve of the President of the Board of Representatives sending a letter to Commissioner Marra requesting a complete audit of the Personnel Department.

PRESIDENT SANTY: A Motion has been made and Seconded and you heard the Motion. Is there any discussion on this Motion. Mrs. Goldstein, you're the first to speak.

MRS. GOLDSTEIN: Yes, there is discussion. First of all, the reason I can support this Motion is because it doesn't presume guilt the way other Motions did. We're asking for a legitimate inquiry into a department, a legitimate audit. As a matter of fact, the internal audit auditor should always be doing audits of City departments. It's part of his job and you are asking for a legitimate thing; we are not acting as a kangaroo court and deeming anyone guilty before proven, #1. #2. We are saying to the internal auditor, "do your job." We're not saying we're going to be hanging around your neck and watching you and investigating you at the same time. To have it this way is a legitimate use of power by the Board of Representatives and this I can support.

MRS. MAIHOCK: Well, I certainly concur with this as does Mrs. Goldstein. I was totally against the idea that we would take such drastic actions before we really had any substantiation.

MR. BLUM: You passed me by.

PRESIDENT SANTY: No, I didn't pass you by, Mr. Blum. Would you like to speak, Mr. Blum?

MR. WIDER: I'd like to MOVE THE QUESTION, Madam President.

PRESIDENT SANTY: The Motion to Move the Question on Mr. Stork's Motion, is there a Second? SECONDED. All in favor of Moving the Question, say aye. Opposed? We're going to vote on the Question. We're going to use the machine whether the President of the Board of Representatives will direct a letter to Commissioner Marra asking for a full audit of the Personnel Department as ordered by the Board of Reps at 1:30 on May 4th. You can vote now. The machine is ready. The Motion has PASSED 29 yes and 6 not voting. I will do that letter in the morning. Mr. Stork, continue with your report.

PERSONNEL COMMITTEE: (Continued)

- (5) REP. DAVID BLUM'S 4/13/82 REQUEST THAT IN COMPLIANCE WITH THE CIVIL SERVICE REGULATION (a/k/a Merit Rules System) that any compensation paid to City employees, whether elected officials, appointed officials, non-classified, part-time, contractual, classified but not unionized, etc. (except those incorporated in Union contract agreements) be submitted to the Board of Representatives for their prior approval before such proposed salaries or wage scales or compensation plans, whether new or amend^{ed}, etc., are offered or implemented in any way. Since the Personnel Commission and Department are limited to classified employees, this compliance requirement applies to those others concerned with such compensation, as well.

MR. STORK: Thank you, Madam President. #5 is a request that any compensation plan, new or amended be submitted to the Board of Representatives for their prior approval before implementation. Appearing to speak on this matter was Representative Blum and Mr. Bernstein. After sifting through much discussion, it was decided by a vote of 5 in favor and none opposed to write the Corporation Counsel and ask his opinion in this matter. We will Hold this item in Committee pending the Corporation Counsel's response.

HELD IN COMMITTEE

- (6) FOLLOW-UP DISCUSSION WITH DR. GOFSTEIN AND DR. JONES, EDUCATION SUPT. REGARDING SCHOOL NURSES' SERVICES AS ADMINISTERED BY THE HEALTH DEPT. submitted by Rep. Stork 4/19/82 as a matter discussed at one of their committee meetings.

MR. STORK: Item #6 was a follow-up discussion with Dr. Gofstein and Dr. Jones regarding school health services as administered by the Health Department. Appearing to speak on this matter was Dr. Gofstein and Mr. Grafton, representing Dr. Jones. The basic premise behind this dialogue was to determine if the school health services could be run more cost effective by the Board of Education than by the Health Department. We learned that the Board of Education transferred the school health services to the Health Department in 1973. It would not be cheaper to switch back again unless there were staff cuts and at present, there is only one nurse per 734 students. It would also cause the Board of Education to incur administrative costs which are already built into the Health Department.

- (7) REQUEST FROM REPS. BETTY CONTI AND GRACE GUROIAN 4/16/82 FOR "STUDY AND EVALUATION OF MUNICIPAL PERSONNEL PRODUCTIVITY" stating that 'Perusing the '82-83 Operating Budget, there are some 23 new positions requested by the Mayor, which raises the question whether the City has ever reviewed and/or evaluated municipal personnel productivity. Has the possibility of cross-utilization between various departments ever been given consideration. It is requested that the Personnel Committee explore the entire question with appropriate City department heads.

HELD IN COMMITTEE

PERSONNEL COMMITTEE: (Continued)

- (8) REQUEST FROM REPS. DeLUCA AND BOCCUZZI DATED 4/14/82 FOR A BREAKDOWN OF TOTAL FRINGE BENEFITS, BY UNION, PRESENTLY IN EFFECT FOR MUNICIPAL EMPLOYEES INCLUDING SUCH ITEMS AS MEDICAL AND LIFE INSURANCE; CLOTHING, TOOL AND CAR ALLOWANCE; VACATION IN DETAIL; PERSONAL DAYS; LONGEVITY; PAID TUITION, ETC.

HELD IN COMMITTEEENVIRONMENTAL PROTECTION COMMITTEE - Chairwoman Audrey Maihock

MRS. MAIHOCK: I wanted to make a brief note here about the gypsy moth situation, if I may, please.

PRESIDENT SANTY: Yes, it's not on the Agenda, Mrs. Maihock, and we really should have a Suspension to consider that.

MRS. MAIHOCK: It's more or less a report.

PRESIDENT SANTY: But there is nothing on the Agenda, Dear. You have to ask for a Suspension of the Rules if you want to do that. You can Move to Suspend the Rules and with 28 Members present, we need 19 yes votes. Do you want to make a Motion to Suspend the Rules to hear about the gypsy moths?

MRS. MAIHOCK: I make a Motion to Suspend the Rules.

PRESIDENT SANTY: A Motion is made to Suspend the Rules. Is there a Second? And there's a Second. There are several Members in the Caucus room and I need 19 votes to Suspend the Rules. We have 28 Members. I don't think we have a quorum on the Floor. Would you please take your seats. There's a Motion to Suspend the Rules to hear a report about the gypsy moths. All in favor, please raise your hands. Mr. Stork and I would ask Mr. Donahue to act as a Teller. We're not going to discuss it, I'm sorry, the Motion is not to Suspend the Rules. Mrs. Maihock, it's important. Why don't you put that in written form and maybe tomorrow night because we have a Meeting, pass it out at that time 'cause this is the time. Thank you for your interest.

PARKS AND RECREATION COMMITTEE - Chairman Robert "Gabe" DeLuca

MR. DeLUCA: Parks and Recreation Committee met on April 26. Committee members in attendance were Gaipa, Owens and Rybnick, myself.

- (1) CONSIDERATION OF REQUEST FOR \$300,000 - AMEND CAPITAL PROJECTS BUDGET - PARKS DEPARTMENT - BY ADDING A PROJECT TO BE KNOWN AS #610.891 VETERANS PARK MODIFICATION - to be financed by taxation. Board of Finance approved 3/11/82. Held in Committee by Fiscal Committee 4/5/82 for consideration by both these Committees. Also this issue submitted by Rep. Gabe DeLuca, and held in Committee 4/5/82.

MR. DeLUCA: Item #1 we have already discussed the consideration request for \$300,000 for Veterans Park.

PRESIDENT SANTY: Before you continue, Mr. DeLuca, Mr. Conti has left the Meeting. We are down to 27 Members present. Mrs. Goldstein, are you leaving the Meeting?

MRS. GOLDSTEIN: No, I'm just standing.

PARKS AND RECREATION COMMITTEE: (Continued)

- (2) REQUEST FOR APPROVAL OF ICE SKATING RINK FEES - submitted by Supt. of Parks Robert Cook 4/13/82.

MR. DeLUCA: HELD IN COMMITTEE, fees never presented to us.

PRESIDENT SANTY: This is very important, Parks and Recreation Committee; everything is important but please pay attention.

- (3) REQUEST TO HANG BANNERS AT BOTH SUMMER STREET SITE AND AT BEDFORD STREET SITE ON MAY 12TH TO PUBLICIZE AID FOR THE RETARDED'S STAMFORD SPECIAL OLYMPICS being held at Westhill High School on 5/22/82.

APPROVED ON CONSENT AGENDA

- (4) REQUEST FOR PERMISSION TO CONDUCT A WALKATHON ON MAY 16TH FROM THE UNITED JEWISH FEDERATION OF STAMFORD, Ms. Alida Putterman.

APPROVED ON CONSENT AGENDA

- (5) REQUEST FOR PERMISSION TO ERECT GOSPEL TENT AT JACKIE ROBINSON PARK FROM JULY 21-28, 1982 - from Miracle Faith Outreach, 91 Hope Street.

APPROVED ON CONSENT AGENDA

MR. DeLUCA: Items #3, 4 and 5 were put on the Consent Agenda.

PRESIDENT SANTY: 3, 4 and 5, Mr. DeLuca?

MR. DeLUCA: Yes, by a vote of 4 in favor and none opposed and I so MOVE. SECONDED.

PRESIDENT SANTY: Like to go back to #1, they're all on the Consent?

MR. DeLUCA: Item #1 was already discussed under Fiscal. Item #2 is Held because the fees were never presented.

PRESIDENT SANTY: Then you're going back to your Consent Agenda.

MR. DeLUCA: Item #3, request to hang banners at both Summer Street site and Bedford Street site on May 12 to publicize Aid for the Retarded Stamford Special Olympics. Item #4, request for permission to conduct a Walkathon on May 16, from United Jewish Federation of Stamford. Item #5, request for permission to erect a Gospel Tent at Jackie Robinson Park from July 21 to 28, 1982 and I so MOVE.

PRESIDENT SANTY: Is there a Second to placing those three items on the Consent Agenda. SECONDED. Any discussion? All in favor of 3, 4 and 5 on the Consent Agenda under Parks and Recs, please say aye. Opposed? PASSED UNANIMOUSLY.

MR. DeLUCA: Madam President, I realize the hour is late, we have only about 27 people here but there are two items that I feel are of vital interest to the City of Stamford and in view of the fact that our next meeting isn't until June 7th, I'd like to place an item under Suspension of the Rules, a request

PARKS AND RECREATION COMMITTEE: (Continued)

MR. DeLUCA: (Continuing) from the Patriotic and Special Events Commission for permission to hold a parade on Sunday, May 30th, Memorial Day observance. SECONDED.

PRESIDENT SANTY: #1, Mr. DeLuca, I'm sorry. Mr. Blais, make this Motion at this point before you make your Motion, there's a Mercury Lynx blocking Mr. Blais. PRS 68, would you please move it?

Mr. DeLuca, you have to Move to Suspend the Rules to consider something.

MR. DeLUCA: Yes, I Moved to Suspend the Rules.

PRESIDENT SANTY: And it has been Seconded. All in favor of Suspending the Rules to consider this item, please say aye. Opposed? PASSED.

(6) REQUEST FROM PATRIOTIC AND SPECIAL EVENTS COMMISSION TO HOLD PARADE, ON SUNDAY, MAY 30, 1982 to observe Memorial Day.

MR. DeLUCA: I now MOVE that we grant permission to the Patriotic and Special Events Commission granting them permission to hold the Memorial Day observance parade on Sunday, May 30.

PRESIDENT SANTY: There's a Second to that. Any discussion? All in favor...

MR. BOCCUZZI: I don't have any problems with it, but don't they know when this date is coming? They have to wait until the last minute? May be we should send Mr. Pia a calendar and tell him when the holidays come.

PRESIDENT SANTY: I think that Mr. DeLuca can take care of that through communication with that Committee.

MR. DeLUCA: You're right, I agree with you.

PRESIDENT SANTY: All in favor, please signify by saying aye. Opposed? CARRIED. Another Suspension.

MR. DeLUCA: Also under Suspension of the Rules. I have to agree with Mr. Boccuzzi, these people should have known the date in advance. This morning, I received a phone call from Mr. Fred Judd, the Marketing Manager for People's Savings Bank and this is the bank that sponsors the J. Walter Kennedy Golf Tournament, and they are requesting permission to hang a banner from May 30 to June 11 to advertise the 7th annual J. Walter Kennedy Golf Tournament which will begin on June 12.

PRESIDENT SANTY: There's been a Motion to Suspend the Rules. It's been SECONDED. All in favor of Suspending the Rules. Opposed? Continue with your Motion.

(7) REQUEST FROM PEOPLE'S SAVINGS BANK FOR PERMISSION TO HANG BANNER RE J. WALTER KENNEDY GOLF TOURNAMENT, MAY 30 - JUNE 11. Tournament to start June 12, 1981.

PARKS AND RECREATION COMMITTEE: (Continued)

MR. DeLUCA: I'll make a Motion to grant permission to the People's Savings Bank to hang their banner at Bedford Street from May 30 to June 11th for the purpose of advertising the 7th Annual J. Walter Kennedy Golf Tournament. SECONDED.

PRESIDENT SANTY: All in favor, please say aye. Opposed? PASSED CARRIED UNANIMOUSLY.

MR. DeLUCA: I want to thank everyone for their cooperation and that ends our report.

PRESIDENT SANTY: Thank you and your Committee, Mr. DeLuca. And thank you for being so patient at twenty to two in the morning, Mr. Dziezyc.

HEALTH AND PROTECTION COMMITTEE - Co-Chairmen Michael Wiederlight & Paul Dziezyc

MR. DZIEZYC: The Health and Protection Committee met on April 27 with the following Committee members present: Barbara DeGaetani, Joseph Tarzia, and myself.

- (1) PROPOSED CREATION OF A DEPARTMENT OF EMERGENCY MEDICAL SERVICES FOR THE PURPOSES OF INSTITUTING ADVANCED LIFE SUPPORT IN STAMFORD - submitted by Rep. Wiederlight 12/3/81. Held in Steering 12/10/81. Held in Committee Special Meeting 1/19/82. Held 2/1/82, 3/1/82, and 4/5/82.

HELD IN COMMITTEE

- (2) THE MATTER OF THE MUNICIPAL OFFICE BUILDING, 429 Atlantic Street concerning fire alarm system - from Fire Marshal Carmine Sperenza 12/31/81 letter; also Buildings and Grounds Supt. John Strat's response. Held in Committee 2/1/82, 3/1/82 and 4/5/82.

MR. DZIEZYC: Because Commissioner of Public Works, Bruce Spaulding, requested a transfer of \$100,000 from the South End Neighborhood Preservation Improvement fund but the Planning Board turned this down and the Finance Board didn't work on it yet so that's being Held also.

HELD IN COMMITTEE

- (3) THE MATTER OF PROPER PUBLIC FACILITIES TO ACCOMMODATE THE HANDICAPPED - LETTER FROM MS. ZWERLING CONCERNING LOCAL HOTEL AT WHICH SHE STAYED AND THE ACCOMMODATIONS THEREIN. Submitted by Rep. Dziezyc. Held 3/1 and 4/5.

HELD IN COMMITTEE

- (4) THE MATTER OF THE HAZARDOUS CONDITIONS OF THE STAMFORD PUBLIC SCHOOL PARKING LOTS DURING THE RECENT WINTER STORMS - request from Rep. Tarzia that H&P Committee go into this problem. Held in Committee 3/1 and 4/5.

MR. DZIEZYC: We recommend that Mr. Spaulding send a letter to the Superintendent of Schools that he would be responsible for the removal of snow and ice from all driveways and parking areas in the Stamford School system that the Superintendent of Schools would agree to the following conditions:

HEALTH AND PROTECTION COMMITTEE (Continued)

MR. DZIEZYC: (Continuing) That the Department of Public Works be totally responsible for all driveways and parking areas which means that the individual in Public Works responsible for fighting storms will have full discretion as to equipment, salting, sanding, plowing and so forth.

2. That the Board of Education make sufficient personnel available to serve under the direction of Public Works in time of a storm for purposes of operating or assisting in the operation of our equipment.

3. An appropriate and fair method is established to allocate the cost connected with this work and I make a Motion that we send a letter to Superintendent of Schools, Dr. Jones, stating what Public Works wants. **SECONDED.**

PRESIDENT SANTY: Do you want this letter to come from the Chair, the President, or from the Committee?

MR. DZIEZYC: From the Chair.

PRESIDENT SANTY: I would appreciate all the things that you want contained in that letter to ^{be} given to me. There's a Motion made regarding item 4 and there has been a Second to send a letter from this Board to Mr. Jones regarding this item. All in favor, please say aye. Opposed? Alright, Mr. Dziezyc, get me that information.

- (5) REQUEST BY REP. AUDREY MAIHOCK THAT SOMETHING BE DONE ABOUT AVAILABILITY OF DRUG PARAPHERNALIA TO MINORS IN STAMFORD. Held in Committee 4/5/82.

HELD IN COMMITTEE

- (6) REQUEST FOR APPROVAL OF PROPOSED FEE SCHEDULE FOR HEALTH DEPARTMENT - submitted by Director Ralph Gofstein (no date). Held in Committee 4/5/82.

MR. DZIEZYC: A Public Hearing was held on the same day, April 27, with Dr. Gofstein and five of his members present with three members of the Health Commission, Dr. Sabia, Dr. Mastrangelo, and Ken Williams present. Item 6 which is the proposed fee schedule is part of item 8, 9, and 10.

- (7) PROPOSED NEW NOISE ORDINANCE - submitted by Health Director Ralph Gofstein 3/15/82. Held in Steering 3/22/82.

HELD IN COMMITTEE Public Hearing to be scheduled for that.

PRESIDENT SANTY: You're considering 6, 8, 9, and 10 in one Motion.

MR. DZIEZYC: One at a time.

- (8) FOR PUBLICATION REQUEST FOR APPROVAL OF FEE SCHEDULE FOR ENVIRONMENTAL HEALTH SERVICES - submitted by Health Director Ralph Gofstein 3/15/82. Held in Steering 3/22/82.

MR. DZIEZYC: The Committee voted unanimously to publish with the following exception.

HEALTH AND PROTECTION COMMITTEE (Continued)

MR. DZIEZYC: (Continuing) On page 3, where the septic systems, we are removing the additional inspections beyond three applications. We're taking that out; everything else we approved. All the fee schedules. We're removing the Markets because that's being held.

PRESIDENT SANTY: I would ask Mr. Franchina and Mr. Zelinski to count, please and see if we have 21 on the Floor. They have to be on the Floor. Yes, there is a quorum on the Floor. Continue, Mr. Dziezyc.

MR. DZIEZYC: Thank you. On page 4, we're removing the Food Service, the inspection fee beyond the four per year inspection and everything else as is.

PRESIDENT SANTY: Mr. Dziezyc, are you putting that in form of a Motion?

MR. DZIEZYC: Yes, to eliminate those items.

PRESIDENT SANTY: To eliminate those items but approve the rest of the fee schedule as proposed as we received in the mail?

MR. DZIEZYC: For publication.

PRESIDENT SANTY: For publication. Is there a Second to that? SECONDED.

MR. ZELINSKI: Which items are these, Madam Chairman; we kind of rushed now.

MR. DZIEZYC: These are the ones that are additional inspections.

MR. ZELINSKI: What number?

PRESIDENT SANTY: Would you clarify it? Mr. Dziezyc already gave it, Mr. Zelinski

MR. ZELINSKI: Combining all of them? (inaudible)

PRESIDENT SANTY: We're just on 8 now.

MR. ZELINSKI: I'm sorry.

PRESIDENT SANTY: 6 is just an overall umbrella for everything else; all the fees. We're on 8 now. It's been Moved and Seconded to approve them with the changes for publication. Is there any discussion?

MRS. GERSHMAN: I'm sorry at this late hour but I do have a couple of questions. On page 2, under Bacterial tests, there is...

MR. DZIEZYC: That's the laboratory fees.

MRS. GERSHMAN: O.K., sorry.

PRESIDENT SANTY: No question on #8; all in favor of approving for publication stated by Mr. Dziezyc, please say aye. AYE. Opposed. APPROVED, Mr. Dziezyc, continue.

HEALTH AND PROTECTION COMMITTEE (Continued)

- (9) FOR PUBLICATION REQUEST FOR APPROVAL OF FEE SCHEDULE FOR LABORATORY SERVICES - submitted by Health Director Ralph Gofstein 3/15/82. Held in Steering 3/22/82.

MR. DZIEZYC: The Committee voted unanimously to publish the lab fees with the following exception.

PRESIDENT SANTY: Pay attention if you have your fee schedules in front of you.

MR. DZIEZYC: Everything as proposed.

PRESIDENT SANTY: Everything in 9 as stated. Now, Mrs. Gershman has a question. on #9, bacterial testing?

MRS. GERSHMAN: Yes, I see that the old fee is zero, nothing, it was free. The new fees are \$3 and \$5.00; most of them \$5.00. I want to know if any of these fees might possibly preclude someone from getting the necessary tests and thereby endangering others and perhaps, Madam Chairman, as a nurse, you could answer this?

PRESIDENT SANTY: This is Dr. Gofstein's fee schedule. I prefer the Committee Chairman address this.

MR. DZIEZYC: I'm sure that if they can't afford it, he'll perform the lab (inaudible). Dr. Gofstein stated that.

PRESIDENT SANTY: Ms. DeGaetani, would you like to answer that? You're a member of this Committee.

MS. DeGAETANI: When Dr. Gofstein appeared before the Committee, he assured us that in no way would anyone who absolutely could not afford to pay it, be deprived of the shots.

PRESIDENT SANTY: Dr. Gofstein stated that to me in many other instances.

MRS. SIGNORE: I think the fee is a nominal one and anyone in need that would come to the Health Department would not be turned away.

PRESIDENT SANTY: For that type of fee. Thank you. A Motion was made by Mr. Dziezyc. Is there a Second to that Motion to approve the fees for publication. There is a Second. Any discussion. All in favor for publication of #9, please say aye. Opposed? Continue with your report. PASSED UNANIMOUSLY, Mr. Dziezyc, #10.

- (10) FOR PUBLICATION REQUEST FOR APPROVAL OF ONE PROPOSED FEE SCHEDULE FOR MULTIPLE DWELLINGS, ROOMING HOUSES AND HOTEL LICENSE FEES. Submitted by Health Director Ralph Gofstein 3/15/82. Held in Steering 3/22/82.

MR. DZIEZYC: We voted unanimously to publish.

PRESIDENT SANTY: Mr. Dziezyc, on our Agenda on #10, there's a blank there. Shouldn't the word "one" be inserted there? I spoke to Dr. Gofstein on that. It says, "request for approval of one proposed fee schedule for Multiple... He stated to me on the phone that he gave you one, originally, he had given four, but there's one. Representatives, you can change your Agenda. There is one proposed fee and not a multitude.

HEALTH AND PROTECTION COMMITTEE (Continued)

MR. DZIEZYC: With the following exceptions...

PRESIDENT SANTY: Mr. Dziezyc is explaining it, Mr. Zelinski.

MR. DZIEZYC: With the following exceptions: The certificate of occupancy for the apartments, the re-inspection fee; that is out.

PRESIDENT SANTY: Mr. Dziezyc, will you speak to the microphone. There's a question which number is that to delete from #10. #11 on page, no number on the page but it is page 2 of the pamphlet you have. You're requesting approval for publication with the exception?

MR. DZIEZYC: Yes.

PRESIDENT SANTY: Is there a Second to that Motion? SECONDED. Now questions.

MRS. CONTI: I don't understand what this re-inspection fee is and why the Committee is eliminating it.

PRESIDENT SANTY: Mr. Dziezyc, can you explain that statement?

MR. DZIEZYC: What they do, they inspect the apartments. They have four inspections a year and if they find something wrong, they ask the apartment owner to repair, correct the violation. He comes back and if he doesn't correct the violation, he states he might find something else so he tells him to correct the violation, he comes back again so what he wants, he's proposing to charge every additional inspection and I don't think that's.....

MRS. CONTI: But, obviously, they're only going back because the owner is not complying and if the owner's lack of compliance compels him to go back, it does seem that they should pay for it.

MR. DZIEZYC: But, if the Health Department finds something wrong and the owner does not correct it, Dr. Gofstein could shut the place down. He has that power. So, he doesn't have to keep on going back and back and back.

MRS. CONTI: Wait a minute, if you have people living there, you can't just shut it down.

PRESIDENT SANTY: Excuse me, Mrs. Conti, would you direct your questions through the Chair? Further question, Mr. Dziezyc.

MRS. CONTI: You say you can shut it down but if you have people living in a building, you can't just shut it down. I mean you have to just keep going back and re-inspecting to see that the work is done.

PRESIDENT SANTY: Mr. Dziezyc, would you answer that question?

MR. DZIEZYC: Like I said, that's what the Committee....

MR. WIDER: I see a number of items here that should be done by ordinance. These fees and so forth and I haven't seen any ordinance to go with them.

HEALTH AND PROTECTION COMMITTEE (Continued)

MR. DZIEZYC: I'm proposing the ordinance.

MR. WIDER: You are proposing the ordinance by reading us the item before we even read the ordinance.

MR. DZIEZYC: The ordinance is to propose fees you see.

PRESIDENT SANTY: The ordinance is the fee schedule.

MR. DZIEZYC: We're going to amend Section 10-52 entitled, "Schedule of Fees." You got a copy of this, didn't you?

PRESIDENT SANTY: Everyone received copies. You received these approximately two weeks ago, March 17th, no, it wasn't March, Mr. Zelinski. Was it March 17? That long ago? You all received these in the mail. You should have read them. This is the proposed fee schedule. This is part of Dr. Gofstein's attempt to increase revenue into the City and he said we can do it through this scheduling. The Committee has given its report. Any further questions regarding #10 on the Agenda?

MS. DeGAETANI: I would just like to clarify one thing on this Certificate of Apartment Occupancy. That is not a four-time-a-year inspection. That is inspected when the apartment is empty and for rent and that is when the owner would have an opportunity to correct any problems that the Health Department might find and they would have to go back for repeat inspections, but there's no problem because of somebody living there because there isn't anybody living there and it behooves the owner to fix it correctly so that he can get someone in there and collect his rent.

PRESIDENT SANTY: Thank you, Ms. DeGaetani.

MRS. PERILLO: I have some questions through you, Madam Chairman to Mr. Dziezyc. Is there any provision in here ^{for} owner-occupied family living in a three-family?

MR. DZIEZYC: That question didn't come up and I don't know what the ordinance or ordinance on the books ^{is} now, I have no idea.

PRESIDENT SANTY: May I remind the Members that we are voting for publication. If you have questions, the time to bring these up is at the publication at the open Hearing, raise the questions with the Committee for discussion at that point. This is just merely for publication, not for approval.

MR. ZELINSKI: I think I can answer Mrs. Perillo's question. In the Code of Ordinances 10-52, it says that presently number of dwelling units if it's one to five units, it doesn't say regardless if it's relatives or not, the fee is \$ 5.00.

PRESIDENT SANTY: Thank you.

MR. FRANCHINA: MOVE THE QUESTION.

PRESIDENT SANTY: There's a Motion made and Seconded to Move the Question. All in favor of Moving the Question, please say aye. Opposed? We'll Move the Question. We're voting on publication of #10 as stated by Mr. Dziezyc. All in favor of publication, please say aye. Opposed No. Would the no votes please raise their hand. Everyone except Mr. Wider and Mrs. Perillo, and Ms. Summerville.

HEALTH AND PROTECTION COMMITTEE (Continued)

MR. BLUM: (inaudible)

PRESIDENT SANTY: There's a Motion to adjourn. It's been Seconded to adjourn this Meeting. Reminding you that we're right in middle of Mr. Dziezyc's report. He had three other items on the Agenda and there is no other, nothing else on the Agenda except one resolution which we received. I remind you before you vote this is what we're doing.

You withdraw your Second? Is there a Second to adjourn? No Second. It's been withdrawn. We'll continue with the report.

- (11) REQUEST FOR APPROVAL OF PROPOSED ORDINANCE FOR PUBLICATION REQUIRING A PERMIT FOR HAIRDRESSING AND COSMETOLOGY ESTABLISHMENTS - submitted by Health Director Ralph Gofstein 3/15/82.

HELD IN COMMITTEE

- (12) REQUEST FOR APPROVAL OF PROPOSED NEW RETAIL MARKET ORDINANCE FOR PUBLICATION INCORPORATING FOOD AND DRUG ADMINISTRATION AND PUBLIC HEALTH SERVICE AND STATE'S BUILDING CODE. Submitted by Health Director Ralph Gofstein 3/15/82. Held in Steering 3/22/82.

HELD IN COMMITTEE

- (13) REQUEST FROM REPS. GRACE GUROIAN AND BETTY CONTI TO INVESTIGATE HEALTH HAZARD INVOLVED IN SATELLITE TRANSMISSION FACILITIES AND POSSIBLE LEGISLATION REGARDING SAME - submitted by Reps. Guroian and Conti 4/19/82.

HELD IN COMMITTEE

MR. DZIEZYC: That's the end of my report.

PRESIDENT SANTY: Thank you.

HOUSE COMMITTEE - Chairman Gerald Rybnick - NO REPORT

COMMUNICATIONS FROM THE MAYOR - NONE

PETITIONS - NONE

RESOLUTIONS

- (1) PROPOSED RESOLUTION ENABLING LEGISLATION FOR MUNICIPALITIES CONCERNING A BILL FOR A LOCAL HOTEL ROOM TAX - submitted by City Rep. Barbara McInerney 4/18/82.

PRESIDENT SANTY: Barbara, would you like to speak to that Resolution?

MRS. McINERNEY: No, it's on the Agenda. Everybody received a copy of it and it explains itself pretty much and I think we can just proceed to a vote.

RESOLUTIONS: (Continued)

PRESIDENT SANTY: It was brought to my attention, three petitions were received tonight but they are always on record, but nothing else further than that. We have to vote on this Resolution submitted by Barbara McInerney.

MR. BLUM: May I just speak on the Resolution? In this local hotel room tax, that was brought up as a means of when they were talking about the Arts Center that in order to get this hotel room tax, you must have this authority; that must go along with it. What do they call it? A Coliseum Authority?

PRESIDENT SANTY: Thank you, Mr. Blum.

MR. BLUM: I don't know why we're passing on this Resolution for enabling. Wednesday is the last day of the General Assembly.

PRESIDENT SANTY: Mr. Blum, Mrs. McInerney would like to address that question.

MRS. McINERNEY: Mr. Blum, that is an entirely different piece of legislation. That is legislation under a different section of the State law that indicates clearly that if you have a town of over 85,000 people, or you are a regional municipality, you may, in fact, set up a Coliseum Commission or a Tourist Commission and ...

PRESIDENT SANTY: Excuse me one moment, there is a lot of rustling of papers. I think the microphones are getting louder, or my head is just getting larger; I'm not sure at this point. Would you please give Mrs. McInerney, this is an important Resolution and she has submitted it in the proper time, and I think we owe her this attention and there are only 27 of us left. So let's just give her the attention for a few more minutes. We've carried on this long, let's keep going.

MRS. McINERNEY: Thank you. Mr. Blum, that particular legislation could have been passed anytime by the City of Stamford. What it allows is the Mayor to set up an Authority and out of your 7½% State tax which is presently charged on your hotel room, 4½% is held back, returned to the City by the State but it is only to be put towards a Tourist entity. It has nothing to do with this. This is entirely something different. This is a local tax put on by the City of Stamford in addition to the 7½% tax and it would mean that whatever money you could generate from this tax would go back to your coffers and it would be an addition to your general revenues that you presently receive as you do with any other grant within the State and it has been tried in other cities. It has been tried in other states and it has been successful. It's just a way to help the taxpayer and it has nothing to do with the particular legislation that you were talking about and as far as it going up to Hartford, obviously, it will not be put before the Legislature until January and it needs research by the Stamford group; this is up there presently in order to properly get the material that's needed to back it up and to present it to the Finance Committee and have them work on it. That's all.

PRESIDENT SANTY: Any further discussion on the Resolution? Mr. DeLuca is Moving...I'm sorry. Mrs. Maihock has requested; would you withdraw your....

MRS. MAIHOCK: Mrs. McInerney is to be commended for her excellent suggestion to attempt to raise additional revenues for the City. However, I, too, had read about the Mayor's Coliseum plan and I just wonder if this Resolution should be held until we can determine which would be looked upon more favorably by a

RESOLUTIONS: (Continued)

MRS. MAIHOCK: (Continuing) State Assembly, our State Assembly, to give Stamford the greater tax revenue.

MR. ZELINSKI: Through you, Madam President, to Representative McInerney. I was wondering where, Barbara, you got the figure, I believe it's 2% in the Resolution? Why not 4% or 5. Where did you get the figure?

MRS. McINERNEY: 4% I felt would have been too high. 1% I felt would have been too low, and I thought 2% was a fair assessment and I was going on the hotel rooms that were in the City of Stamford now and it would generate a revenue of \$200,000. Now, we know that's not much money but when you look at the proposals of 3 or 4 other large hotels coming into this town, it may be something that the City could use as an option instead of coming in for a \$300,000 appropriation for a Veterans Park. There might be other entities and this is something that the State should have considered as far as allowing municipalities local options and it seems to me that this is fairly cut and dried, and is not as involved as everybody would like to think.

PRESIDENT SANTY: Thank you.

MR. DeLUCA: MOVE THE QUESTION.

PRESIDENT SANTY: There's a Motion to Move the Question. Is there a Second to that? SECONDED. All in favor of Moving the Question, please say aye. Opposed? We're going to Move the Question and vote on the proposed Resolution. 21 votes are required to pass this Resolution. We have 27 Members present. All in favor of the Resolution, we better use the machine. We're going to vote on the machine regarding Mrs. McInerney's Resolution. And I also want it mentioned in the Minutes, the Members who stayed until 2:00 a.m. tonight for this Meeting. I want it special at the bottom of the Minutes who lasted until 2:00 a.m. Vote yes if you are in favor of the Resolution and no if you are opposed. Has everyone voted? Everyone voted, are they in their seats and voting?

The Resolution DID NOT PASS by a vote of 20 yes, 1 no, 6 abstentions and 8 no votes. One moment, I'm going to check that. Mrs. Guroian, would you come forward please as Parliamentarian? Is it a majority of those present, or is it a 21 vote for resolution without an appropriation?

MRS. GUROIAN: Resolution is 21, you have to (inaudible) ordinance.

PRESIDENT SANTY: Yes, two-thirds for appropriation resolutions.

MRS. GUROIAN: Resolution is majority. If it's an ordinance,.....

PRESIDENT SANTY: And I would go along with that decision as stated. This Resolution has been APPROVED with 20 Yes, 1 No, 6 Abstentions, and 8 Non-Votes.

(Someone made a Motion to adjourn)

PRESIDENT SANTY: Before you go into that, we have Acceptance of the Minutes. SO MOVED.

ACCEPTANCE OF THE MINUTES

January 11, 1982 Regular Board Meeting. - HELD

January 19, 1982 Special Board Meeting. - HELD

February 1, 1982 Regular Board Meeting. - HELD

March 1, 1982 Regular Board Meeting. - HELD

April 5, 1982 Regular Board Meeting. - HELD

PRESIDENT SANTY: There's only, on the Agenda, there's two Minutes we received in the mail, the 11th and the 19th. The other three...you Move...I just want to make a statement. The other three are typed but they're not final proof-read. Therefore we have Acceptance of January 11th and 19th Minutes, which you all received.

MR. BOCCUZZI: Madam President, I make a Motion that we Hold all the Minutes. I don't think people really had enough time to read them. We just got them the other day and no way am I going to vote to approve them.

PRESIDENT SANTY: There's a Motion to Hold the Acceptance of the Minutes. All in favor, Aye. It was a Second to that. All opposed? Is there a Motion to adjourn.

ADJOURNMENT:

There being no further business to come before the Board, the meeting was ADJOURNED AT 2:05 A.M.

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

APPROVED:

Jeanne Lois Santy
Jeanne-Lois Santy, President
17th Board of Representatives