

MINUTES OF REGULAR BOARD MEETING

MONDAY, NOVEMBER 8, 1982

17th 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, NOVEMBER 8, 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 8:40 P.M. by PRESIDENT JEANNE-LOIS SANTY, after both political parties had met in caucus.

INVOCATION: The Rev. Dennis G. Albrecht, of St. John's Lutheran Church, 884 Newfield Avenue, Stamford, gave the Invocation. President Santy thanked Rev. Albrecht for his services.

PLEDGE OF ALLEGIANCE TO THE FLAG: President Santy led the Pledge of Allegiance to the Flag.

ROLL CALL: Clerk of the Board ANNIE M. SUMMERVILLE called the attendance roll. There were 38 present and 2 absent. The absent members were Rep. Mary Jane Signore, who was excused due to illness; and Rep. Ann King Saxe, who was excused because she was out of the state.

PRESIDENT SANTY requested that any one who was not a member of this assembly to please leave the floor so that they may proceed with the order of business.

TEST VOTE ON MACHINE: President Santy conducted a test vote on the machine, voting yes, no, and abstain, in order to check the operation of the machine. The machine was declared in working order.

PAGES: None.

MOMENTS OF SILENCE:

For the late YVETTE CAMERON, by Rep. Dudley.

For the country's veterans, both alive and deceased, who made it possible to have this meeting here today, by Rep. Dudley.

For the late KAY SCINTO, who was the Chairperson of the Welfare Department, by Rep. DeLuca, and also by Rep. Stork.

For the late HELEN STRADA, by Rep. Boccuzzi.

For the late MORRIS WIDER, brother of Rep. Lathon Wider, by Rep. Zelinski and also Rep. Dixon.

For the late DR. SIDNEY SUSSMAN, by Rep. Maihock.

For the late STANLEY FILMER, by Rep. Maihock.

PRESIDENT SANTY: Seven of our members had October birthdays, and a belated Happy Birthday to Burt Flounders, Sandy Goldstein, Grace Guroian, John Hogan, Audrey Maihock, Mildred Perillo, and Mary Jane Signore, and you'll get your cake next time around. But, this month, we have four of our members who have happy birthdays: David Blum, Jim Bonner, Handy Dixon, and Barbara McInerney. We have a cake and wish a Happy Birthday to our November birthday celebrants this evening, so Happy Birthday all, November and belated October persons.

STANDING COMMITTEES

STEERING COMMITTEE - Chairwoman Jeanne-Lois Santy

MRS. McINERNEY Moved to Waive the reading of the Steering Committee report. Seconded. CARRIED.

MR. DeLUCA: Can we have a Recess now, to eat the cake, or must we wait?

PRESIDENT SANTY: A little later, but Ms. Summerville has graciously accepted the challenge to cut the cake, so whenever she feels that she wants to cut it, she will see that it is served to the members.

STEERING COMMITTEE REPORT

The STEERING COMMITTEE met on MONDAY, OCTOBER 18, 1982, in the Democratic Caucus Room, and the meeting was called to order at 7:35 P.M., in response to a CALL issued for 7:30 P.M. A Quorum was declared.

PRESENT AT THE MEETING

Jeanne-Lois Santy, Chairwoman	John Roos
Robert "Gabe" DeLuca	Donald Donahue
John J. Boccuzzi	Gerald Rybnick
Annie M. Summerville	Lathon Wider, Sr.
Mary Jane Signore	James Dudley
Marie Have	Michael Wiederlight
Anthony Conti	Jeremiah Livingston
Burtis Flounders	Cady Vos, Mayor's Exec. Aide
Paul Dziezyc	one citizen
Audrey Maihock	(no media)

(1) HEALTH AND PROTECTION MATTERS

ORDERED ON THE AGENDA were four items appearing on the Tentative Steering Agenda: (a) hazards of satellite transmission facilities; (b) workmen's compensation for heart and hypertension for police and fire chiefs and their deputies; (c) burglar and fire alarm connections; (d) prohibition of ear-phones and headphones on municipal streets and state roads. Ordered HELD IN COMMITTEE was the item of disturbances by motorcycle operators. Ordered removed from the agenda were four items: (i) drug paraphernalia sales to minors; (ii) fire escapes and fire alarms for rooming houses; (iii) reduction of falsefire alarms; (iv) material sold at "The Pleasure Nook".

STEERING COMMITTEE REPORT (continued)(2) LEGISLATIVE AND RULES MATTERS

ORDERED ON THE AGENDA were three items appearing on the Tentative Steering Agenda: (a) amended traffic and parking regulations; (b) veteran property tax exemptions; (c) exchange of easements between City and Abe Wexler. Ordered Held in Committee were two items: (i) pornographic material being available to minor children; (ii) tax relief for the elderly to be amended. Ordered moved to the Planning and Zoning Committee's agenda was the matter of conveying a parcel of land at the intersection of Hamilton Ave. and Main St. to the City by Soundview Plaza Associates.

(3) PERSONNEL MATTERS

ORDERED ON THE AGENDA were eight of the nine items appearing on the Tentative Steering Agenda. The item which was numbered eight was removed from the agenda by reason of it already being on the agenda as #3 on the same subject, the matter of medical and life insurance benefits.

(4) PLANNING AND ZONING MATTERS

ORDERED ON THE AGENDA were the three items appearing on the Tentative Steering Agenda, with the addition of the one item transferred to this committee from the Legislative and Rules Committee, being the conveyance of a parcel of land to the City by Soundview Plaza Associates.

(5) TRANSPORTATION MATTERS

ORDERED REMOVED FROM THE AGENDA was the one item appearing on the Tentative Steering Agenda: information requested on party held by Traffic Director for staff and other City officials.

(6) PUBLIC HOUSING AND COMMUNITY DEVELOPMENT MATTERS

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

(7) URBAN RENEWAL MATTERS

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

(8) EDUCATION, WELFARE & GOVERNMENT MATTERS

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

(9) ENVIRONMENTAL PROTECTION MATTERS

There were no items for this committee.

STEERING COMMITTEE REPORT (continued)

(10) APPOINTMENTS MATTERS

ORDERED ON THE AGENDA were five of the six names appearing on the Tentative Steering Agenda. One name, that of Mr. Joseph A. White, Jr. (as alternate for the Fair Rent Commission) was held to be returned to the Mayor due to failure to appear before the Appointments Committee three times.

(11) PUBLIC WORKS MATTERS

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

(12) FISCAL MATTERS

ORDERED ON THE AGENDA were the twelve items appearing on the Tentative Steering Agenda; plus one additional item being a resolution for the West Side Interceptor, relating to item #11 on the Fiscal Steering Agenda.

(13) CHARTER REVISION MATTERS

There were no items for this committee.

(14) PARKS AND RECREATION MATTERS

ORDERED ON THE AGENDA was one item, being Emmanuel Episcopal Church's request to hang a banner. The other four items were Held in Committee: (a) Tot-Lot matter; (b) Den Road Park matter; (c) a Parks Dept.'s matter concerning termination of a seasonal employee; (d) scheduling of Oscar Cowan American Legion Post baseball's team. Also Held in Committee was another item, the desecration of Veterans Park.

There were no other committee matters to come before the Steering Committee; also no resolutions, communications, or others.

ADJOURNMENT:

There being no further business to come before the STEERING COMMITTEE, on MOTION duly made, Seconded, and Carried, the meeting adjourned at 8:30 P.M., with the President and other members remaining until 8:55 p.m. for discussion.

JLS:HMM

JEANNE-LOIS SANTY, Chairwoman
Steering Committee
17th Board of Representatives

HEALTH AND PROTECTION COMMITTEE

MR. DZIEZYC: The Health and Protection Committee met on October 26th with the following members present: Michael Wiederlight, Barbara de-Gaetani, and myself. On Item #1, we voted 3-0 against the proposed ordinance without prejudice. We would like to have the proponents submit a revised ordinance which will withstand a court challenge. The Corporation Counsel's Office sent a five-page letter to this Board enumerating what was defective in this ordinance. In order for it to be a positive motion, as is customary, I Move that we approve this for final adoption.

PRESIDENT SANTY: Mr. Dziezyc, you are moving for final adoption, although the Committee report is to deny acceptance of this ordinance. Is there a Second to this Motion? Several Seconds. Discussion?

MRS. CONTI: I Move that this ordinance be Returned to Committee. If there is a Second, I will speak to this Motion. Several Seconds.

We are now in receipt of another ordinance that was prepared by StamCag which they wish us to consider. I would like to see this held in committee so that this new proposed ordinance may be considered as an alternate to the one we have. We are told that the attorneys for StamCag say that this second one will hold up in court, so I would like to keep this item in committee rather than have it die and start all over again.

PRESIDENT SANTY: If no one else wishes to speak on this item, we will vote on returning it to committee. Please use the machine in voting. Mr. Bonner will be noted as abstaining on this vote and he would like the record to so show. The item has been returned to committee by a vote of 24 Yes, 3 No, one Abstention, 10 non-votes.

MR. ESPOSITO: I had voted yes on that and my light was on, and it is not on now. Oh, you have the vote?

- (1) FOR FINAL ADOPTION - PROPOSED ORDINANCE REGARDING POSSIBLE HAZARDS IN SATELLITE TRANSMISSION FACILITIES - Submitted 4/19/82 by Reps. G. Guroian, B. Conti, W. Dennis White. Held in Committee 5/3, 5/24, 7/20, and 8/30/82. Approved for Publication 7/12. Held 9/20/82.

RETURNED TO COMMITTEE.

- (2) FOR PUBLICATION - PROPOSED ORDINANCE CONCERNING INCLUSION OF CHIEFS OF POLICE AND FIRE, AND THEIR DEPUTIES UNDER THE WORKMEN'S COMPENSATION HEART AND HYPERTENSION STATUTES OF CONNECTICUT, SEC. 7-433(c) General Statutes, as submitted by Sherwood Spelke, Asst. Corp. Counsel, letter 9/15/82. Held in Committee 9/20/82.

HELD IN COMMITTEE.

MR. DZIEZYC: Items 2, 3, and 4 are HELD IN COMMITTEE. That concludes my committee report.

HEALTH AND PROTECTION COMMITTEE (continued)

- (3) FOR PUBLICATION AND/OR FINAL ADOPTION - PROPOSED ORDINANCE, AS AMENDED, FOR BURGLAR AND FIRE ALARM CONNECTIONS TO A CENTRAL CITY TERMINAL - Amending Sec. 3.5 concerning the FEE as submitted by Reps. Gershman, Maihock, Bonner, McInerney; also from Barry Boodman 5/4/82; and Rep. Wiederlight's memo 5/10. Held in Committee 5/24, 8/2, 8/24, 9/20, and 10/4/82.

HELD IN COMMITTEE.

- (4) FOR PUBLICATION - PROPOSED ORDINANCE PROHIBITING THE USE OF EARPHONES AND HEADPHONES BY JOGGERS, BICYCLISTS AND OPERATORS OF MOTORIZED OR SELF-PROPELLED VEHICLES AND PEDESTRIANS ON MUNICIPAL STREETS AND STATE ROADS IN STAMFORD. Submitted by Rep. Stork 7/29/82. Held in Committee 9/20 and 10/4/82.

HELD IN COMMITTEE.

LEGISLATIVE AND RULES COMMITTEE

- (1) RE-SUBMISSION - FOR PUBLICATION AND/OR FINAL ADOPTION - PROPOSED REGULATIONS CONCERNING TRAFFIC AND PARKING. Same as previously submitted and which was defeated at 6/7/82 meeting of this Board. Held in Steering 6/28, 8/30; Held in Committee 8/2, 9/20. Amendments also submitted by Rep. Gershman.

MR. CONTI: Item #1 is a re-submission of the proposed regulations on parking and traffic. The Committee met, and present were: Conti, Bonner, McInerney, Dudley, Donahue, Maihock, and Saxe. My co-chairman, John Zelinski, was out of the country on vacation, and I hope he had a good time. We missed him sorely. We voted 7-0 in favor to incorporate changes that everyone has in front of them, and if you will, we must read these into the record. All of you received a copy in the past day or so in the mail.

Page #1 is all right. Page #2 has no changes. Page #3 no changes. Page #4 you have underlined under Sec. 20-4 Applicability of Article. The provisions of the article prohibiting the standing or parking of the vehicle shall apply at all times, or at those times herein specified, or as indicated on official signs, except when it is necessary to stop a vehicle, to avoid conflict with other traffic, or in compliance with the directions of a police officer or official traffic control device.

PRESIDENT SANTY: Excuse me, Mr. Conti, has everyone the ordinance in front of them? And everyone understands where we are going at this point? Please continue, Mr. Conti.

MR. CONTI: We must read these changes.

PRESIDENT: All the changes are underlined, Mr. Conti? Fine. Yes.

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. CONTI: Under Sec. 20-5 Parking Meters and Over-time Parking.

MR. WIEDERLIGHT: Why do these changes have to be read to us if this ordinance is being re-submitted for publication...

MR. CONTI: May I? It is not for publication....

PRESIDENT SANTY: Please listen to Mr. Conti....

MR. WIEDERLIGHT: I have been listening to Mr. Conti.

MR. CONTI: This is supposed to be for final adoption.

MR. WIEDERLIGHT: What about publication?

MR. CONTI: There is no re-publication. The changes don't warrant it. They are minor changes.

PRESIDENT SANTY: The changes are not substantial changes compared to the other version. Does that clarify it, Mr. Wiederlight? I don't think in the beginning that Mr. Conti had mentioned the waiving of publication, or that it would not be re-published since the changes were minor.

MR. CONTI: On Page 4, under Section 20-5 Parking Meters and Over-time Parking. Almost down to the bottom of the page, it says "to post signs stating meter rates and hours of operation", that is the only change in that one.

Then we go to Page 7, the following shall be Class III Parking Violations; (17) "In a handicapped space marked in accordance with State law without a permit," that is added.

On Page 8, we go down to Penalty Schedule, Section 20-7; (1) (a) A fine of Two Dollars (\$2.00) for a parking meter violation or for over-time parking where posted. That was changed from \$5.00 to \$2.00.

Then we go to Page 9, under #2, we will correct a typographical error at the end of the first line of item #2 where it states "shall apply if payment if" - this should read "shall apply if payment is".

Now, on Page 8, (3) If the penalties are not paid within seven (7) days of issuance of the citation, said penalties shall be as follows. Now there are quite a few changes here, so please bear with me.

Class of Violation - Days Elapsed from Date of Issuance and Penalty - 1-7 days, you have Class of Violation I, \$2.00; No. II, \$10.00; No. III, \$15.00; No. IV, \$25.00.

If they go to 8-15 days, it was changed to \$5.00 for Class I Violation. If it goes 16-45 days, Class I then becomes \$10.00; and if it goes 46-60 days, it becomes \$30.00; and if they then go from 61-90 days, all four classes are changed to read as follows: Class I, \$50.00; Class II, \$60.00; Class III, \$70.00; and Class IV, \$90.00.

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. CONTI (continuing): On Page 10, we go to the third paragraph down, "if the violator arrested under this section is found to be guilty, he is to be fined no more than one hundred dollars," and, (this is the change), "and, in addition, he shall pay the required penalty as herein set forth."

Down at the bottom, the last line, we have added three new words at the very end "or Police Department".

We go to Page 13 now, at the top of the page, the change has been made at the end of the paragraph by adding the words "and to immediately notify the Police Department of the same."

Now go to Page 14, article (b) Formal hearing procedure - Parking Violation Hearing Officer. (1) The Mayor shall appoint, with approval of the governing body, two or more parking violation hearing officers who shall not be employed by the Police Department or the Department of Traffic and Parking. Such officers shall serve for a term of two (2) years. Violations hearing officers may be compensated by the City with funds appropriated for this purpose as recommended by the traffic authority and approved by the governing body.

On Page 15, the numeral (4) has been added. It was missing before.

On Page 16, under (h) If such penalty is not paid on the date of its entry, the hearing officer shall send by first-class mail a notice of the penalty assessment to the person found liable and shall file, not less than thirty (30) days, nor more than twelve (12) months after such mailing, a certified copy of the notice of penalty assessment with the Clerk of the Superior Court for the geographical area in which the town, city or borough is located, together with an entry fee of Eight Dollars (\$8.00). The certified copy of the notice of penalty assessment shall constitute a record of assessment.

PRESIDENT SANTY: The changes are just the words that are under-lined?

MR. CONTI: That is right. We are now on Page 18 and there has been a change made here: State law reference - For similar provisions, see G.S., Sections 14-223, 53-182.

Under Section 20-14 Vehicles on Sidewalks. I may as well read the whole thing to make it sensible. "It shall be unlawful for any person to drive or propel any vehicle upon any sidewalk within the City or to allow any such vehicle to go or stand upon any such sidewalk, when such vehicle is prohibited pursuant to the requirements of State Statutes 14-250a, 14-286, 14-286a, and 14-286b." The 14,286a should have a dash there instead of the comma, 14-286a, so if you make those changes, we will all be in line.

On Page 19, third paragraph down, it reads as follows "It shall be unlawful for any motorist to fail to yield the right-of-way to any pedestrian in a crosswalk in accordance with the requirements of State law. State law reference - For similar provisions, see G. S., Section 14-300b and 14-300c."

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. CONTI (continuing): Going down a bit further to Section 20-16 under "Removal of Abandoned and Unregistered Motor Vehicles and Motor Vehicles which are a menace to traffic", in article (a) the word "City" has been changed.

And again, on Page 20, the word "City" is added on the first line.

And on Page 23, under Section 20-23 Penalty for Violation of Division. The word "division" is added to the second line.

The first two pages are new, to up-date the index.

And the last two pages are new, to include the current regulations that were omitted as per Mrs. Gershman's suggestions. That's where the changes come on Pages 1, 2, and 22 and 23.

The Motion was made and Seconded to recommend final adoption, as amended, and I so Move. Seconded by several.

PRESIDENT SANTY: There are several speakers to this ordinance. First is Mr. Dudley.

MR. DUDLEY: First of all, I would like to commend Rep. Gershman for attending the workshop. While I did not personally agree with all the changes that were made, I think they were constructive changes that I hope will help in passing this ordinance tonight. As I said, I am not fully pleased with all the changes that were made; however, I think that we all have to look at the total ordinance for what it's worth; and without delaying the issue too much tonight, I would just like to recommend that everyone look at the total ordinance as an over-all picture, and I fully recommend this ordinance.

MR. ZELINSKI: As my colleagues know, I was originally against this ordinance when it was first proposed to us because of the high fines, especially in the first part where it has Class I, the Meter Violations; and now that it has been changed from the original \$5.00 to \$2.00, and some other changes that I am in agreement with, even though I at this present time have some minor concerns, I think over-all it is a good improvement based on what we had first got, and I would be supporting this and would hope my colleagues would also.

MR. BLUM: I looked at this ordinance at home, and read it very thoroughly; and I received numerous calls from the merchants in town. In fact, we got some of their letters, saying how great this ordinance would be. At first, the merchants were against it; and I sometimes wonder now, riding down through this City of Stamford, whether really this ordinance will give us any improvement in as far as traffic is concerned. One of the reasons a merchant who came to me, told me that this ordinance, in a sense, will move traffic. Well, I don't see how getting a fine can move traffic, when today we're having the streetscape. We have one type of sidewalk; now we are going to have a smaller sidewalk. Lights are not working properly. I can take you to any part of this town and show you how the traffic is backed up for a considerable length of time. Are the people today getting to work on time? Are they getting in and out of stores? Are they getting parking spaces when they want them? And I say: No! I don't think this ordinance is going to give us any

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. BLUM (continuing)...improvement as far as traffic is concerned. Yes, I am very glad that we are going to be left with the \$2.00 fine, but you know, that ticket keeps coming any place you go. You can't even find a spot, and when you do, you stay there two minutes, and you have to run out to make sure here's the quarter, and here's the half-dollar, and here is two dimes, and you get the ticket anyway.

MRS. CONTI: I would like to propose an amendment on Page 9, and it is the last sentence on sub-section (2). It presently reads, the second sentence of that paragraph: "Payment is deemed to be made on the date it is received by the parking violations office." I would like to amend that to read: "Payment is deemed to be made on the date it is postmarked."

There were several Seconds at this point.

MRS. CONTI: (continuing) Given the track record of the post office, things are delivered anywhere from 10, 15, 20, 30 days late, and I don't think that the person who pays the bill should have to pay more because of that.

PRESIDENT SANTY: We are now addressing Mrs. Conti's amendment which has been Moved and Seconded. We are speaking just to that, to change the wording from "received" to "postmarked". Is there any discussion on that?

MR. DUDLEY: I Move the Question. Seconded.

PRESIDENT SANTY: All those in favor of Moving the Question, please say AYE. Opposed? Carried.

We will now vote on the main motion to change, on Page 9, instead of the word "received", "payment is deemed to be made on the date it is postmarked."

MRS. CONTI: And the rest of the sentence is deleted, it ends at "postmarked"; "by the parking violations office" is deleted.

PRESIDENT SANTY: Then that sentence is to read "Payment is deemed to be made on the date it is postmarked." We will now vote by machine on that amendment. APPROVED with 30 Yes votes, 4 No votes, zero Abstentions, and 4 Non-Votes.

MRS. CONTI: I have another one. I would like, on Page 14, to make another amendment and it is under sub-section (1), after the underlined (b), but this is in (1): "The Mayor shall appoint, with approval of the governing body, two or more parking violation hearing officers", and I would like to add at this point "who shall be unclassified employees"....

PRESIDENT SANTY: Adding the words "who shall be unclassified employees"?

MRS. CONTI: Yes, after the word "officers".

PRESIDENT SANTY: Wait a minute now, that's your amendment?

MRS. CONTI: I don't know but, "shall be unclassified".

PRESIDENT SANTY: Is there a second? Seconded by Mrs. Guroian.

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. BOCCUZZI: I don't know that these are going to be employees to start with. You are automatically deciding that they are going to be employees. I don't think the ordinance says that they are going to be employees. I think what it says is that any compensation shall be allowed to the people, it has to come before this Board, but if you put employees in there now, I assume that anyone taking the position would assume that they are employees and are going to get some kind of a compensation.

MRS. McINERNEY: The intent of this particular section was to appoint two or more parking violation hearings officers, much the same as the people who serve on the Jury Committee are appointed by the Mayor of the City. The only thing that this Board is saying that we will now have the approval, which we do not now have over the Jury Committee, and thus they will not be compensated for any of their time unless this Body deems it necessary to do so. So I would speak against the amendment.

PRESIDENT SANTY: There are no further speakers. We will proceed to a vote on the machine. We are now voting on Page 14, sub-section (1) The Mayor shall appoint, with the approval of the governing body, two or more parking violation hearing officers, who shall be unclassified employees, who shall not be employed by the Police Department or the Department of Traffic and Parking."

Please use the machine. Has everyone voted? The amendment was DEFEATED: 4 Yes, 29 No, and 5 Abstentions.

MR. STORK: The last time this ordinance was before this Board, I think I made my point very clear on how I felt about it. I would commend the L&R Committee because they have managed to increase my support from Zero to 50%. One of my areas of concern was the fine schedule, and I think that that's a tremendous improvement. I support that improvement wholeheartedly, although I still have doubts that that won't be sought to have serious increases in the future, but that doesn't affect us tonight. My other problem, which still exists, is Section 20-8, which is the removal or immobilization of motor vehicles against which there are outstanding parking citations. This hasn't had any movement whatsoever. I am still against anything that will cause potential damage to automobiles, either by the attachment of the Denver Boot, or towing, or anything that will lead to lawsuits against the City of Stamford, which could go into tremendous sums of money. Therefore, I would make a motion to delete Section 20-8. Seconded.

PRESIDENT SANTY: We will now have discussion on Mr. Stork's amendment.

MR. DONAHUE: In all the discussions that we have had of this ordinance, this is the first time I have heard anyone be critical of this specific section. In the many meetings we have had, and workshops we've held, the Committee itself has asked many questions concerning this section, and felt as a result of those discussions, that anyone who finds themselves in a position where they have a number of outstanding tickets, a number of delinquent tickets for a long period of time, is protected under this ordinance by the amount of warnings a person will receive. There are no less than 10 people right now that owe the City in excess of \$2,000. in over-due parking tickets. At this point in time, there is no means, especially if they live out of town, or out of state, to do anything to attach those persons' properties, or to get them to pay those fines. If they live out of state, there is no extradition for parking violations. Many cities around here

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. DONAHUE (continuing)....have looked at this same problem and have decided that the Denver Boot is a perfectly safe way, and legitimate way, of reaching those who will disregard the laws of this City; and any other city in the area. What we are trying to do here tonight is to create a real deterrent to those who will ignore the laws of this City. The best example of the uses of the so-called Denver Boot was the individual in Darien who was parking every day at the Darien Railroad Station in a space marked "15 minutes only". Every morning he would pull in, park his car and lock it, get on the train, go to New York, come back at five o'clock at night, take the parking ticket off and throw it on the dashboard. He accumulated over \$600 in fines, and Darien passed a law providing for the Denver Boot in Darien. Well, he came back one night on the train and there certainly was a Boot on his car, and Darien is \$600 richer. That is money they could not have gained any other way. And I guarantee you that that space is now available for any of you who want to park for 15 minutes on a daily basis, because the individual is no longer parking there. A person who falls into this category has disregarded the laws of the City of Stamford, not just once, not just twice, but many times. There are many protections built into this ordinance so that there is no way about somebody being falsely Booted, and there is no way to damage a car with the Denver Boot unless an individual were to get into the car and try to drive away; but their car would be well-marked, well-posted, and instructions would be on the car itself as to what to do if he should find himself, or herself, in that situation. An amendment of this type takes one of the main reasons for this ordinance, out of the ordinance itself, and that is to create a vitally needed deterrent to those who will ignore the law, so I would ask the members of this committee, of this board, after the committee has met for many, many months on this and discussed this quite thoroughly, and there were even suggestions at one time that we allow the Boot after five delinquent notices, and we kept it at ten, to leave this section in the ordinance and make it a vital part of the City's Code.

MR. WIEDERLIGHT: I have to agree with Rep. Donahue. The ordinance has got to have teeth to it. If the ordinance does not have teeth to it, it is not really worth passing in the first place. If there is no deterrent to the illegal parking; if we can't get these people to pay their fines, we might as well not have the ordinance in the first place; and therefore, I do not support this amendment.

MRS. McINERNEY: I would like to agree with both Mr. Wiederlight and Mr. Donahue that to take this particular section out of the ordinance would be to take anything worthwhile, anything that we are trying to accomplish with illegal parking, and to say, go ahead, Stamford is an open town. We have so many people, as Mr. Donahue has indicated, that owe the City so much money, there is no possible way we can collect any of the over-due tickets unless we have a means to try to stop them from doing so. If the Denver Boot is the only thing available to us at this time, it seems to me foolhardy to remove it. And as Mr. Donahue indicated, there would be stickers all over the car. You would be well aware that the Boot is on the car before you moved it. If you did it, it would obviously be at your own risk because you would be forewarned of the damage to your car, and you can redeem your car by contacting the Police Department at any time, seven days a week. So certainly, I would speak against this amendment, and I would urge the Representatives to support the move not to delete this item.

MR. FLOUNDERS: I Move the Question. Seconded.

PRESIDENT SANTY: The Motion is to Move the Question. Those in favor of Moving the Question, please say AYE. Opposed? CARRIED.

We will now vote on Mr. Stork's motion to delete the entire Section 20-8, on Page 10. If you are in favor of deleting it, vote Yes. If you are opposed to deleting it and want to go with the original section, vote No. The Motion is DEFEATED with 3 Yes, 25 No, Zero Abstentions, and 10 Non-Votes.

Next to speak on the Main Motion, which is the adoption of the Ordinance, as amended, is Mr. Bonner.

MR. BONNER: I originally voted against this ordinance. I have sat in on a number of meetings. I believe that the Board of Representatives have had comments, and they have prevailed. The City has listened. At this time, I feel that, although this certainly is not perfect, but I believe that it is a good ordinance; I believe that it is good for the shopper, the shop-owner, and also the taxpayers, and also has a good opportunity of dealing with the chronic violator. The merchants were out in force at least through their representatives, and I feel that we have probably as good an ordinance ^{right now} as we are able to get, and I, therefore, wish to vote for it.

MR. DEeLUCA: I'll yield to the next speaker. I was going to Move the Question.

MR. DONAHUE: I'll pass at this time.

MR. WHITE: It seems to me that you've put together two ordinances in one. You've got a traffic ordinance, and you've got a parking ordinance, and I don't think that is generally good legislation, frankly. Secondly, it has been justified on the basis of revenue. I don't think necessarily it's... it is supposed to be a regulatory ordinance, and when you take the attitude of producing revenues from regulatory ordinances, well, you get into certain kinds of problems there. And thirdly, my major objection to it is that I don't see any indication from the Traffic Department that, in fact, they are going to change on-the-street parking, which was my principal and original objection. You still don't have adequate on-the-street parking, so the shopper, or the parker in town is dealt with extremely capriciously, it seems to me. I mean, some streets take nickels, some streets take dimes, some streets take quarters in their parking meters. More than that, there are varying lengths of time for the various species that are used; ^{time} for each species, as a matter of fact, you can't get a uniform amount of parking, and generally the amount of time seems to be inadequate to begin with. And all this parking ordinance does, and it may be in itself a pretty ordinance, but it rests, it seems to me, on an unstable base. You don't have adequate on-the-street parking; and you don't have uniform on-the-street parking; you don't have sensible on-the-street parking; you don't have enough parking spaces on the street; so it seems to me that the ordinance rests on a very, very unstable basis, Madam President. Thank you.

MRS. GERSHMAN: I do agree with Mr. Bonner that, at first, I could not support this ordinance, and I can now. I also agree with Mr. White that there are problems with it, but so be it. I had promised that I would not make any more amendments, but I am going to break that promise. I have one more amendment I would like to make and it is very small.

LEGISLATIVE AND RULES COMMITTEE (continued)

MRS. GERSHMAN (continuing): It is on Page 17, Section 20-11 Traffic authority to implement. The traffic authority of the City is empowered to establish procedures implementing the provisions of Section 20-4 through 20-17 of the Code. The traffic authority may enter into contracts with firms to process citations, collect penalties, prepare reports and perform such services as may reasonably be necessary to effect the provisions of the Code. I would like to insert the word "clerical" between "such" and "services", so that it reads: "...collect penalties, prepare reports and perform such clerical services as may reasonably be necessary to effect the provisions of the Code." Several Seconds.

PRESIDENT SANTY: Mrs. Gershman, do you wish to speak to your motion now?

MRS. GERSHMAN: I would just like to explain that I feel that this does put a limitation on ^{an} outside contractor who could come in and possibly in the unforeseeable future even, begin to ticket, which is something that I want to prevent.

MR. DONAHUE: I understand Mrs. Gershman's concerns, and the first thing I would state is that we have discussed this a number of months, and the concern has been raised in the past that the only person or persons who can give a parking ticket within the City of Stamford is an uniformed police officer, or a special police officer, having full police powers and working under the direction of the traffic authority. To insert such a change in the ordinance at this time would place limitations not on a contractor who is employed by the City to collect funds, which is the intent, but it would modify the traffic authority who could only perform clerical services. The problem here is the traffic authority, by this ordinance, is directed to perform many services, such as to provide a list of those vehicles that have been impounded to the Police Department. That is a service they must provide. While Mrs. Gershman's intent... I understand what she is doing by this motion is to limit the traffic authority, not limit the contractor. The contractor who would be hired by the traffic authority is limited already in the issuance of parking tickets as they would have to be uniformed policemen or special policemen under the direction of the Chief of Police or the traffic authority.

MR. WIEDERLIGHT: I think Mrs. Gershman's amendment is an excellent one, and specifically when you relate to the collection of penalties, just think of it for a second of how this can be abused. If it is contracted out, for example, to collect the penalties on a percentage basis, my, wouldn't the contractor work very hard, might even work overtime. This happens in some neighboring communities. I think that there is a process for collecting penalties right now, and that it simply should be adhered to. I do not want to see an independent contractor collecting penalties that are due to the City of Stamford only because of the method that might be used for which we, or the traffic authority, would have no control.

MR. WHITE: Point of Information. Is there any possibility that the contractor who prepared the original ordinance is also going to be the contractor given the award, perhaps, to do the collection? Is that a question? Is that a problem? Because it seems to me that that would raise a real conflict-of-interest question.

LEGISLATIVE AND RULES COMMITTEE (continued)

PRESIDENT SANTY: Mr. Donahue or Mr. Conti, would you like to answer that question, as members of the L&R Committee? Mr. White, would you repeat the question for Mr. Conti, please?

MR. WHITE: As I understand it, Mr. Conti, and correct me if I'm wrong, that the original ordinance was prepared by a contractor who specializesⁱⁿ enforcing such ordinances, is that not so?

MR. CONTI: I am not aware of that.

MR. WHITE: I understood that was the case. I may be wrong on that.

MR. DONAHUE: The ordinance itself was not prepared by any contractor. It was prepared by the Traffic Department with the advice, consent and final approval of the Law Department of the City of Stamford. The contractor that is mentioned in here is the provision for contracting services to collect over-due parking tickets and the fines that are thus owed. It has been demonstrated over the past six months that we could minimize any cost to the City by contracting those services out. If it remains that way over a period of time, that's all well and good; they would be under the control of the traffic authority and would be contracted to do specific things in a specific way. If the day comes that it is cheaper to do it in-house by hiring additional personnel, creating a department of collections within the Department of Traffic and Parking, then we would also have the ability to do that, once that day comes, but this has nothing to do with a contractor preparing this ordinance.

MR. WHITE: Just one point. In other words, the contractor mentioned in terms of enforcing the ordinance, collecting money and so on, he had nothing to do with the writing of this ordinance, is that it? Is that what you are telling me?

MR. DONAHUE: Absolutely not.

MR. CONTI: One bit of clarification for Mr. White. If he will read that, it says: "The traffic authority may enter into contracts..." It doesn't mean that they have to. And that will also clarify what Mr. Donahue said about the time coming when it may be cheaper for the City to do its own collections.

MRS. MAIHOCK: My thought would be that the wording "reasonably be necessary to effect the provisions of the Code" seems already to be somewhat limiting, so I just really wonder if we would be doing something that would not be as effective as we mean to, by changing that.

MR. FLOUNDERS: Speaking to Rep. Gershman's amendment, the word "clerical", I do not understand Mr. Donahue's objection. I don't see how the insertion of the word "clerical" after perform such clerical services as may reasonably be necessary to effect the provisions of the Code; I don't see how that limits the power of the traffic authority. The sentence doesn't read that way. I agree it is a little redundant, but I believe the reason for the recommendation of inserting the word "clerical" is to make it clear that this contractual firm is not going to issue the citations; that they are going to perform services after the fact, and so I do not understand Rep. Donahue's objection. The English is correct, and that it in no way limits the power of the Traffic Department.

LEGISLATIVE AND RULES COMMITTEE (continued)

PRESIDENT SANTY: Is that a question to Mr. Donahue, or just a statement.

MR. FLOUNDERS: A question or however he might like to accept it.

MR. DONAHUE: Once again, the sentence reads "The traffic authority may enter into contracts with firms to process citations"...and then it says "collect", but it is the traffic authority who may collect penalties, the traffic authority who prepares report, and performs such services as may be reasonably necessary to effect the provisions of the Code. Clerical services, and there are many more services that may be involved, than simply clerical services that have to be performed.

MR. FLOUNDERS: I think we should send it back to committee for clarification. If that's the case, it is a very misleading and distorted paragraph, and if that is correct, the English is quite poor. I make a Motion that we send it back to committee. Several Seconds.

MR. WIEDERLIGHT: I don't think, really, that this should be sent back to committee. I think that the L&R Committee has spent many hours working on this ordinance. I think that there can be a change to Section 20-11 which will be reasonable, with what everybody wants, and I think it should be left on the floor to vote upon.

MRS. McINERNEY: Yes, I would speak against sending the item back to committee. If we're are talking in terms of one word, "clerical", certainly that doesn't necessitate sending the entire ordinance back to committee to be re-worked. It was re-worked. We spent several months on this. The Corporation Counsel, former Corporation Counsel Cookney, spent several months working with the Traffic Director, Mr. Ford, on this, before it was even sent to the Board of Representatives. It's vital that this be in place, and certainly for those people who feel that traffic in Stamford is almost to a halt now because of parking and double-parking. The Christmas Holidays will be very interesting without any kind of a traffic ordinance, so I would speak against it, and urge everybody else to speak against it.

MR. DONAHUE: I read that sentence improperly. My fault. I withdraw any objection to the insertion of "clerical". I was reading two sentences at the same time and somehow it got confused. I would certainly support the word "clerical" being inserted in there, and I would recommend that we do that, and not send this back to committee again.

MS. SUMMERVILLE: No, I am not going to Move the Question. Point of Information. Would the Chairmen of the Committee please identify how they are using the word "authority" because it is my impression that there is no "Traffic Authority", so that the minutes will reflect what the intent of the word "Authority" as used in this debate?

PRESIDENT SANTY: That is correct. Mr. Conti, will you clarify this, or Mr. Zelinski?

MR. CONTI: I am lost on that. Now, we do have a Traffic Commission, and I don't know how the word "Authority" has been used because the "Traffic Authority" was changed many years back, and it just never came to mind until she just mentioned it.

LEGISLATIVE AND RULES COMMITTEE (continued)

MS. SUMMERVILLE: This is a legislative body, and we are approving something to go into the record as policy. I have heard the word "Authority" used by different members of the L&R Committee. For clarification only, and for purpose of the minutes being printed correctly, would the persons who use(d) the word, please tell what the intent of the word "Authority", if it is meant as the Traffic Commission, or whatever, it is also in the ordinance, so please answer just for clarification, because one could become very confused in reading the ordinance when you say there is an "Authority", when there is no such thing as a "Traffic Authority", there IS a Traffic Commission

MR. CONTI: At one time it was a Parking Authority but that was changed by referendum, in the 1977 election.

PRESIDENT SANTY: Next to speak to sending this back to committee, and also if anyone can shed light on Ms. Summerville's question.

MR. FLOUNDERS: If I may, I withdraw my motion to send it back to committee because the English has now been clarified.

PRESIDENT SANTY: Does the Seconder withdraw the Second to send it back to committee? Yes? Thank you. That Motion is off the floor.

MR. DUDLEY: This is a Point of Information. Concerning the "Authority" that Ms. Summerville was mentioning, on Page 3 of the ordinance, under the definitions, "Traffic Authority" is defined as "Stamford Traffic Commission or its designate", if that answers your question.

MS. SUMMERVILLE: For the purpose of the minutes, different members of the Committee have referred to the ordinance as the "Traffic Authority" ordinance. For the purpose of clarification, where you refer to the "Traffic Authority", do you actually mean the "Traffic and Parking Commission"; that is my question of the Committee?

MR. DUDLEY: As a member of that Committee, that is what I am saying. On Page 3, Traffic Authority is defined "Stamford Traffic Commission or its designate."

MS. SUMMERVILLE: I understand that, but suppose the blind were listening to the tape, and the minutes reflect authority and not commission? It is only for clarification. If you accept what I am saying, we can clear up the debate.

MR. DONAHUE: In any circumstance where we have referred to the "Traffic Authority" here this evening, or in past meetings, we refer to it under the terms specified on Page 3 of the ordinance that the "Traffic Authority" IS the Stamford Traffic Commission or its designee.

If ever ^{we've} used the term "Traffic Authority", it has meant the Traffic Commission or its designee as defined in the ordinance.

PRESIDENT SANTY: I think that is clarified. We are now addressing Mrs. Gersham's amendment to insert the word "clerical".

MR. WIDER: I Move the Question. Seconded. Carried.

LEGISLATIVE AND RULES COMMITTEE (continued)

PRESIDENT SANTY: We will now vote on Mrs. Gershman's amendment. Please use your machine. Has everyone voted? APPROVED with 28 Yes, 2 No, 3 Abstentions, and 4 Non-Votes.

We will now go back to the original motion, for final adoption, and the next speaker is Mrs. McInerney.

MRS. MCINERNEY: I would like to go back to Page 9, and it is just a matter of a practical problem that could be caused in receiving the payment of the parking violations. In item (2), the amended version reading ... "postmarked", I would like to extend that to read: "Payment is deemed to be made on the date it is postmarked, or received in person, by the parking violations officer," the new words being "or received in person". Seconded by several.

PRESIDENT SANTY: The new words are "or received in person by the parking violations officer" as those last five words had been eliminated by the previous amendment.

MRS. MCINERNEY: That is correct.

MR. DONAHUE: I Move the Question. Seconded. Carried.

PRESIDENT SANTY: We will now vote on Mrs. McInerney's amendment. It has been APPROVED, 35 Yes votes, Zero No votes, one Abstention, and 2 Non-Votes.

We are returning to the original motion, for final adoption, and first to speak now is Mr. Boccuzzi.

MR. BOCCUZZI: I Move the Question. Seconded. Carried.

PRESIDENT SANTY: The vote now is on final adoption of the ordinance as amended. Has everyone voted? The ordinance is ADOPTED with 28 Yes votes, 8 No votes, one Abstention, and one Non-Vote.

MR. CONTI: On Item #2 on our agenda, the L&R Committee voted to HOLD for further information.

- (2) FOR PUBLICATION - PROPOSED ORDINANCE CONCERNING VETERAN PROPERTY TAX EXEMPTIONS - 9/3/82 letter from State Sen. Thom Serrani enclosing P.A. 82-318 for additional property tax exemption for veterans, also for disabled. Held 9/20 for Oct. Steering. Also Rep. Goldstein's letter 10/15.

HELD IN COMMITTEE. (cannot take effect before July 1, 1983 tax bills; also need additional information.)

MR. CONTI: On Item #3, this was also HELD IN COMMITTEE. And that concludes my report.

- (3) FOR PUBLICATION - PROPOSED ORDINANCE REGARDING EXCHANGE OF EASEMENTS BETWEEN CITY AND ABE WEXLER ON PROPERTY LOCATED ON HILLDALE AVE. & GROVE ST. (The taking of 297 sq.ft. and the giving of 311 sq.ft.) Approved by Planning Board 6/30/82. Per Mayor's request of 7/1/82. Held in Committee 8/2, 9/20, and 10/4/82.

HELD IN COMMITTEE.

PRESIDENT SANTY: Thank you, Mr. Conti, and thanks to your Committee.

Next is Personnel Committee. Mr. Stork. And Mr. Stork, may I remind you now to make sure that all the members receive a list of your sub-committees. I am not sure that everyone has that list at this time.

MR. STORK: May I address that now, please? That was asked by our Clerk of the Board at our last monthly meeting, and that request was fulfilled within five minutes. I understand tonight that members have not received copies of that document.

PRESIDENT SANTY: Thank you, Mr. Stork. Just to make it easier at this time, if you will just make another list and we will run them off right now.

MR. STORK: The list was given to the Clerk of the Board.

PRESIDENT SANTY: To send to everyone, all right, we'll double check that. Please continue with your report.

PERSONNEL COMMITTEE

MR. STORK: The Personnel Committee met on Wednesday, October 27th, at 8:00 P.M. in the Republican Caucus Room. Members of the Committee in attendance were Reps. Dziezyc, Gaipa, Gershman, Dixon, Hogan, and myself. Mr. Dudley was excused so that he could attend the Planning and Zoning Committee meeting. I would like to place an item on the CONSENT AGENDA, Madam President, which would be Item #3.

- (1) CLARIFICATION OF THE CREATION OF THE POSITION OF "PROJECT MANAGER" FOR LUIS MAPPING SYSTEM - submitted by Rep. John J. Hogan, Jr. 8/23. Held in Committee 9/20 and 10/4/82.

MR. STORK: This item should be deleted from our agenda. It has been picked up by Rep. Peter Blais of the Education, Welfare and Government Committee, and he will be preparing the required guidelines. Our Committee, therefore, yields to EW&G on this item, and request that we be made secondary committee in order that we may offer our thoughts and in-put upon the completion of Mr. Blais' work.

- (2) REQUEST OF BOARD OF REPRESENTATIVES FOR APPROVAL OF PATRICK J. SCARELLA TO PAY INTO PENSION FUND PER SECTION 754 OF THE CHARTER - his letter 8/17/82. Returned to Committee 9/20. To be re-voted. Law Dept.'s opinion Sec. 754 requires 2/3 vote of entire Board for approval. 10/4/82 vote insufficient for passage.

MR. STORK: This item is now before this Board for the second and hopefully the last time. Last month this item was passed when it was believed only a simple majority was required. Since that time, however, Corporation Counsel has ruled that a two-thirds' majority is required for passage; therefore, we must vote again tonight on the same request. The Committee has seen no reason to alter its report on this item from last month; the arguments both for and against remain the same. The Personnel Committee voted 3 in favor, 2 against, and one abstention to approve Mr. Scarella's request, and I so Move. Seconded.

PERSONNEL COMMITTEE (continued)

PRESIDENT SANTY: We are now speaking to the Motion to approve Patrick J. Scarella's paying into the pension fund per Section 754 of the Charter. 27 votes are necessary. It is clearly stated in Section 754 of the Charter. Since this is the first time this has been brought before a Board of Representatives, we needed the clarification from the Law Department. Discussion? There is no discussion.

We will vote on this item. Please use the machine. Has everyone voted? We need 27 votes for passage. APPROVED with 30 Yes votes, 8 No votes, and no abstentions, and no non-votes.

- (3) PROPOSED RESOLUTION GRANTING MEDICAL BENEFITS TO YOUTH PLANNING AND COORDINATING AGENCY EMPLOYEES (3) - to be included in group life, dental, health, hospitalization, and major medical policies available to other City employees. Letter from Philip Stork 8/11/82; and Audrey Maihock 10/5/82. Returned to Committee 9/20 and 10/4/82.

PRESIDENT SANTY: This item is off the Consent Agenda and on the floor. First to speak is Mr. Bonner.

MR. BONNER: This item is for granting medical benefits, group life, etc., to Youth Planning and Coordinating Agency employees. Here again, the question is how selective is this group, what other groups might be included in this same program. This is additional cost to the City. It isn't very clear to me just how far we go, whether we are discriminatory or whether we're selective, whether we're not inclusive, whether we'll bring others into this, and how many. I would like to hear an explanation of why this particular group should be brought in. Thank you, Madam Chairman.

MR. STORK: I would like to say that this was moved on Consent, and there were no objections at the time I moved it on Consent. My report on Item #3 concerns the resolution granting these benefits involving three individuals. This is another item that has been before this Board for quite some time and nothing has changed. The only new information I can provide is that the SYPCA budget is \$40,000 and covers the same three individuals that we have been discussing for months. That \$40,000 budget will not fund any additional employees, so there should be no fear of that, but if we do not approve this resolution tonight, the Grants Director has informed our Committee that she will be forced to go out and purchase individual coverages for these employees at a higher cost to the City. Personnel voted to approve the SYPCA resolution unanimously by a vote of 6-0 and I so Move. Seconded by Mr. Wider.

MRS. MAIHOCK: Through you to Mr. Stork, Madam Chairman, I have asked the question similar to what Mr. Bonner was interested in finding out, namely, how do these people become eligible for these benefits; and the two members who are presently eligible, as well as how many in the future, although I guess he did say that they will not fund any additional employees under this particular \$40,000. But my other questions have not been answered, and I think we would like to understand precisely how inclusive this is.

MR. ESPOSITO: Perhaps I can shed some light on Mr. Bonner's questions. The City pays \$20,000 to SYPCA, and they receive a \$20,000 State grant. The City's money is a matching fund. Out of that \$40,000, there isn't budget money for group life, group health, hospitalization. Out of that money will come the funds, if they go onto the City rolls. The purpose of going on to the City plan is that it is cheaper, if they go into the City group program. If they have to

PERSONNEL COMMITTEE (continued)

MR. ESPOSITO (continuing)... go out and get an individual coverage policy for the three workers, it will cost more money, so there is no additional cost to the City for this. It is just that it is cheaper for them to go into the City's group plan than to do it individually.

MRS. CONTI: If I understand this situation correctly, Mr. Stork is saying that it would be cheaper if we give them the City plan, but they have to work within the \$20,000 that the City gives them. Apparently, then, if they wanted a more expensive plan, they would have to come to this Board for an additional appropriation, is that correct?

MR. STORK: I would imagine so, because their \$40,000 budget is just to carry them through what they're working with. To deviate from that would involve additional funds.

PRESIDENT: There being no further speakers on Item #3, we will move right to a vote. Just a moment, we are having some problems with the printer. It will take a few moments. Things went too well for too long. All right, please vote now. Would the Tellers also please record these votes temporarily, copying from the board on the wall. The printer is not working and we have to have this for the public record. Mr. Roos is our in-house fixer-upper on the computer and printer. The vote is 27 Yes, 8 No, no Abstentions, and 3 not voting. The Motion is APPROVED. Mr. Wiederlight and Mr. Franchina agree with those numbers.

MR. STORK: Items #4, #5, #6, and #7 are being HELD IN COMMITTEE, pending receipt of requested information. Letters seeking that information will be sent this week. Item #8 should also be DELETED FROM THE AGENDA, Madam President, as I will take that matter up personally with Corporation Counsel.

PRESIDENT SANTY: Let's go back for a little more clarification on that. This was charged to you by the Steering Committee, that you look into the request of Item #8, and I know it is your own request, but you're taking it off the Agenda. Just give us a report of what the Committee did.

MR. STORK: The Committee unanimously agreed that we can take care of it in-house.

PRESIDENT SANTY: So you're holding it to give us a report next month. You're just not taking it off without a report? You have to come out with some kind of a report, Mr. Stork. Something.

- (4) CONCERN ABOUT AVAILABILITY OF THE RISK MANAGEMENT OFFICE TO RESPOND AND SERVE THE PUBLIC REGARDING INSURANCE CLAIMS FOR DAMAGES - submitted by Rep. McInerney 9/15/82. Held 10/4/82.

HELD IN COMMITTEE.

PERSONNEL COMMITTEE (continued)

- (5) REQUEST FROM REP. GERSHMAN 10/13/82 FOR: "Investigation into the feasibility of freezing the entrance of all employees currently employed in any capacity by the City into the City Pension Plan, unless such employees are new employees and qualify for entrance. The freeze would be in effect until guidelines are agreed upon to allow or disallow entrance into the Plan.

HELD IN COMMITTEE.

- (6) REQUEST FROM REP. DeLUCA 10/7/82 requesting Personnel Committee to "explore the possibility of establishing rules whereby a person in the Classified Service with 15 years of service, can buy back approximately 3 or 5 years' time of service as a paid elected or paid appointed official."

HELD IN COMMITTEE.

- (7) REQUEST FROM REP. BLAIS 10/6/82 THAT the Personnel Committee review the possible conflict with the Freedom-of-Information Act of a letter instructing employees on the subject of "Release of Employee Information" dated 9/7/82 from the Public Works Commissioner.

HELD IN COMMITTEE.

- (8) REQUEST FROM REP. STORK 10/4/82 advising his Committee desires copies of signed contracts for temporary City employees such as the LUIS MAPPING Project Manager, and that a procedure be set up to secure same.

MR. STORK: My report is that I am going to write a letter to Corporation Counsel requesting that he regularly send us copies of these documents, and I just didn't see any reason to leave it on the agenda after we reached that decision.

PRESIDENT SANTY: It is on the agenda, but your final disposition is that you were going to send a letter that you are to receive contracts on a regular basis. So this is your Committee report on Item #8?

Mr. Blum, we are now discussing #8 under Personnel.

MR. BLUM: I would like to ask a question in regard to Item #4. I know that it is being Held, but...

PRESIDENT SANTY: I'm sorry, Mr. Blum, but that item is not on the floor and therefore, we cannot discuss it. There is no motion on the floor; it is being held.

MR. BLUM: I would just like to know how this pertains to Personnel.

PRESIDENT SANTY: I'm sorry. There is no Motion.

MR. BOCCUZZI: I still don't understand what the final outcome of #8 is going to be. I wish Mr. Stork would elaborate a little more on what he intends to do, where the reports are going to go, who is going to get them, who is going to know what is going on? We still have an item on the agenda, and then some-

PERSONNEL COMMITTEE (continued)

MR. BOCCUZZI (continuing)...body says, all of a sudden, I am going to take it off and I'll take care of it. I think, Steering...

PRESIDENT SANTY: No, no, he is giving a report. Mr. Stork, why don't you give a more detailed report?

MR. STORK: Well, the report was made. I'll try to say it again. A letter is going to be sent....

MR. BLUM: Point of Order.

PRESIDENT SANTY: There is no Point of Order except on #8, Mr. Blum. When we finish #8, we will go back to #4 for you.

MR. STORK: One more time. I am writing a letter to Corporation Counsel, probably through you, Madam President, requesting that our Committee, the Personnel Committee, regularly receive copies of contracts in the future. That's all there is to it.

PRESIDENT SANTY: Your committee agreed to this?

MR. STORK: Unanimously.

PRESIDENT SANTY: Would you put that in writing to me and I will then forward it to Corporation Counsel.

MR. STORK: Very good.

PRESIDENT SANTY: Any further questions, Mr. Boccuzzi?

MR. BOCCUZZI: As long as the whole Board gets all the information of all communications and all feed-back from Corporation Counsel.

PRESIDENT SANTY: Definitely, Mr. Boccuzzi. Everything that comes through this Board, I make sure it is sent to every member. Mr. Stork, then this concludes your report on #8? Right.

We are going back to #4. Mr. Blum, you have a question, and you are making a motion to move #4 out of committee?

MR. BLUM: I make a motion to move #4 out of committee and on to the floor. Several Seconds.

PRESIDENT SANTY: You may now discuss why you want to bring it out of committee. Not a question, but why you want to bring it out of committee.

MR. BLUM: My reason for bringing this out of committee is because I'd like to ask some questions on how this particular item pertains to Personnel. Let me read the item to you: "Concern about the availability of the Risk Management Office to respond and serve the public regarding insurance claims for damages." What does that mean exactly, and what does it have to do with Personnel, or employees in this building.

PRESIDENT SANTY: This was put on the agenda through the Steering Committee.

PERSONNEL COMMITTEE (continued)

MR. BLUM: I believe that sometimes the Steering Committee ought to really look into the fact of what they are putting on the Agenda, and whether it is in the right committee. I didn't get anything in the mail on this.

PRESIDENT SANTY: We need 21 votes to bring this out of committee. The Motion has been moved and seconded. Discussion?

MR. DUDLEY: Move the Question. Seconded.

PRESIDENT SANTY: We'll vote on Mr. Dudley's Motion to Move the Question. We'll use the machine. Motion DEFEATED with 12 Yes votes, 23 No votes, zero Abstentions, and 3 non-votes.

PLANNING AND ZONING COMMITTEE

MR. DONAHUE: Item #1 is Held for this month. We should have something before the full Board for the December meeting on Dec. 6th. Item #2. This is Held for the time being, and may be taken, in fact, off the agenda altogether. There is some possibility that this street will not meet City standards, and in fact, the developer will remove his request to have it accepted. I should know by next Steering on that. Item #3 is in Committee and we are awaiting more information on this, and hopefully we will have a report on this for the next meeting.

- (1) ACCEPTANCE OF LeROY PLACE AS A CITY STREET - Reps. Donahue and Blais 8/17/82. Held in Committee 9/20 and 10/4/82.

HELD IN COMMITTEE.

- (2) ACCEPTANCE OF STRAWBERRY PATCH LANE AS A CITY STREET - Requested by Frank J. Mercede, Mercede Plaza Enterprises, 72 Little Hill Drive.

HELD IN COMMITTEE.

- (3) SALE OF CITY-OWNED PROPERTY - List received from Planning Board 9/20/82 with recommendations. Board of Finance to send their opinion.

HELD IN COMMITTEE.

MR. DONAHUE: On Item #4, we have a situation where we are running short of time for construction to be done on this intersection before winter sets in and the asphalt plant closes. We have a portion of Hamilton Ave. which must be connected with the new parcel that is being given to the City by the developer. In order to do this, (some dialogue lost at end of tape). I would now move for waiver of publication to expedite this. The Committee voted 5 in favor and none opposed, and I so Move. Seconded.

PRESIDENT SANTY: We will vote on Waiver of Publication on #4. All those in favor, please say AYE. Opposed? APPROVED UNANIMOUSLY.

PLANNING AND ZONING COMMITTEE (continued)

- (4) FOR PUBLICATION - PROPOSED ORDINANCE CONVEYING A PARCEL OF LAND (3,873 sq. ft.) AT INTERSECTION OF HAMILTON AVE. AND MAIN ST. TO CITY BY SOUNDVIEW PLAZA ASSOCIATES - per Mayor's letter 10/12/82.

MR. DONAHUE: I would now Move to recommend the acceptance of the proposed ordinance, for final adoption. The Committee voted 5 in favor, and none opposed to do this, and I so Move. Seconded.

PRESIDENT SANTY: Any discussion? We will then vote on the final adoption of #4 under P&Z. Please use the machine. Has everyone voted? The Motion is APPROVED with 37 Yes votes, zero No votes, one Abstention, and zero Non-Votes. The printer works and I thank Mr. Roos for his able assistance.

MR. ZELINSKI: I would like to make a Motion that we take up #6 under Fiscal, Human Rights Commission salaries. We have the Executive Director and the Assistant Director here, and rather than have them wait until possibly the wee hours of the morning, I'd like to take that up now, please.

PRESIDENT SANTY: So you want to make a Motion to Suspend the Rules to take an item out of order. Is there a Second? Yes, thank you. All in favor of this motion, please say AYE. Opposed? APPROVED.

FISCAL ITEM OUT OF ORDER ON THE AGENDA

- (6) \$ 9,000.00 - HUMAN RIGHTS COMMISSION - Code 113.1110 SALARIES - Additional Appropriation required to maintain staffing level, the 1982/83 budget request having been reduced by the Board of Representatives. Mayor's letter 9/24/82. Approved by Board of Finance 10/7/82.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

MRS. HAWE: The Fiscal Committee met on Wednesday evening, Nov. 3rd. Present were Committee members Burt Flounders, John Roos, Paul Esposito, and myself. For lack of a quorum, we were unable to take a vote on any of these items. Therefore, I would like to make a Motion to take Item #6 under Fiscal out of committee. Seconded.

PRESIDENT SANTY: We need 21 votes to take out of committee. All in favor, say AYE. Opposed? PASSED UNANIMOUSLY. Mrs. Hawe, will you give your report, please.

MS. RINALDI: EW&G concurs; we voted favorably.

MRS. HAWE: Item #6. At budget time, in an attempt ^{to force} departments to reorganize and thus effect savings, the Fiscal Committee and this Board made cuts in the salary account of various departments. The Human Rights Commission was one of these. It appears that this is the only department where a current employee will have to be laid off. The Human Rights Commission has four personnel. The Human Rights Commission feels that their heavy workload, including their responsibility for monitoring and implementing the City's Affirmative Action Employment Plans, makes these four people essential. And I have no vote on it; and I so Move. I Move to approve. Seconded.

FISCAL ITEM OUT OF ORDER ON THE AGENDA (continued)Fiscal #6 \$9,000 HUMAN RIGHTS COMMISSION (continued)

MR. ZELINSKI: The Human Rights Commission does a great deal of good work in the community for citizens who are not in a position in some situations, to help themselves, and I think Rep. Have mentioned the reason for this, and I would sincerely hope this is approved tonight so they can continue the good work they are doing in the community.

MR. BLAIS: I would like to point out that many of the items that we cut out of the budget originally, we have reinstated, and I think that some of those that we reinstated, in my opinion, had less good cause than this particular item and I would encourage my fellow Board members to vote positive on this.

MR. PERILLO: Move the Question. Seconded.

PRESIDENT SANTY: Those in favor of moving the question, please say AYE. Opposed? CARRIED UNANIMOUSLY.

We will now vote on the main item, \$9,000, and two-thirds, or 26 votes are required for passage. Has everyone voted? APPROVED, with 33 Yes votes, 4 No votes, one Abstention, zero Non-Votes.

TRANSPORTATION COMMITTEE

MRS. GOLDSTEIN: No report.

PUBLIC HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

MR. WIDER: Our Committee met at 7:45 on Oct. 27th. Present were John Roman, Barry Hirsch, Annie Summerville, Anne King Saxe, John Roos, David Blum, and Lathon Wider. We voted 4-1 to Hold Item #1 in Committee. Item #2 was voted 4-1 to Hold in Committee. Item #3, reluctantly, was voted 4-0 to Hold in Committee because the Chairmen of our Zoning Board and our Planning Board did not appear. So all our items are being HELD IN COMMITTEE.

- (1) QUESTION OF FINANCE BOARD POLICY #6-1 TO BE REVIEWED BY COMMUNITY DEVELOPMENT REGARDING AUDITING POLICY. Submitted by Rep. Lathon Wider at Steering 2/16/82. Held in Committee. Rep. Blum requested this receive Committee's attention 9/14/82. Held 10/4/82.

HELD IN COMMITTEE.

- (2) THE MATTER OF PERSONNEL POLICIES OF COMMUNITY DEVELOPMENT DEPARTMENT - Held in Committee. Rep. Blum requested this item receive Committee's attention 9/14 and 10/4/82.

HELD IN COMMITTEE.

- (3) SET UP WORKSHOPS WITH THE PLANNING BOARD AND ZONING BOARD TO DISCUSS STATUS AND FUTURE PLANS FOR RENTAL HOUSING DEVELOPMENTS IN THE CITY. Submitted by Rep. A. M. Summerville 9/14/82. Held 10/4/82.

Above also referred to PLANNING AND ZONING COMMITTEE.

HELD IN COMMITTEE.

URBAN RENEWAL COMMITTEE

- (1) PROPOSED RESOLUTION APPROVING THE CONTRACT FOR THE SALE OF LAND IN THE SOUTHEAST QUADRANT (EXTENDED) URBAN RENEWAL PROJECT FOR PRIVATE REDEVELOPMENT TO THE "STAMFORD NEW URBAN ASSOCIATES" OF RE-USE PARCEL #10 for the sum of \$307,000, comprising approximately 9,793 sq.ft., including easement(s). Mayor's letter 9/14/82. Held in Steering 9/20/82 for October Steering. Also Held 10/4/82.

MR. ROOS: The Committee met on Oct. 18th. Present were Betty Gershman, Annie Summerville, Jim Dudley, and myself. The discussion was on Parcel #10. I want to answer the questions that were asked last week, and I will just continue on that.

The parcel has two easements, consisting of sanitary sewers and utility feeders for two buildings located on the old Worth Street and backing to Atlantic Street. It is an odd-shaped lot, partly pie-shaped as your maps will show. It is 9,793 sq. ft. total. Of that, 4,268 ft. is burdened with easements. The cost of this property is \$307,000, and in figuring it out, it comes out to \$31.35 per sq. ft. The land is odd-shaped and encumbered with easements, and URC constraints, and bringing in \$31.00 plus. Unencumbered land in the same area brings in \$30.00 to \$31.50 per sq. ft. Land with URC constraints usually brings in \$27.00 per sq. ft. United Appraisers appraised this at \$205,650. I was also asked who appraised for URC. It was Mr. Karl Kappenberger who appraised for URC. He does all their appraisals. Land has no minimum requirements but it is subject to URC controls. It could be used for commercial retail building with offices, maybe a hotel. Stamford New Urban is Rich Associates, and probably Mr. Taubman. It owns adjoining Parcels 9A and 9B.

The payment for this land purchase will be made to the URC, who will in turn deliver it to the Community Development office, who will in turn credit it towards URC's Letter of Credit for their completion budget.

The Committee voted for this resolution, approving the contract for the sale, with 4 yes, and none against. I so Move. Seconded.

MR. BLUM: I don't know the worth of this land, but I know one time here, one of my colleagues on this Board asked for a re-appraisal on a piece of land by another appraiser. That was that famous Tot-Lot. And they got another one. And we got some more money on it. The question that I am asking Mr. Roos, is it possible that we can get another appraisal for that particular land? It could be worth more.

MR. ROOS: The property as it is, is appraised more than \$4.00 higher than other property in the area went for. This land is land-locked and only the ones who want to buy it is Mr. Rich because it adjoins Parcels 9A and 9B which they own. I don't see how any other appraiser could come in, as it is now the highest price paid for land there, because \$31.50 per sq. ft. has been the standard price paid. This looks to me like we're getting top price now, and I don't see where the appraisal could be questioned at all.

URBAN RENEWAL COMMITTEE (continued)

MR. WIEDERLIGHT: Could you, Mr. Roos, go over that again where the funds are going to go? It was pretty fast, you know.

MR. ROOS: The payment for this land will be made to the URC, who will in turn deliver it to Community Development office - this is a recent development that they handle it this way - who will in turn credit it towards URC's Letter of Credit for their completion budget.

MR. WIEDERLIGHT: My question then is why....if the City owns the land, why isn't the money for the land going right into the General Fund.

MR. ROOS: Well, the City bought the land with Federal money, and that is being credited towards the completion of the URC project. In other words, we in the City never bought that land. It was bought through URC. It is going to URC to complete the URC project.

MR. WIEDERLIGHT: I'm still not clear. Want to run it by me one more time?

MR. ROOS: I'll read it again. The payment for this land purchase will be made to the URC, who will in turn deliver it to the Community Development office.

MR. WIEDERLIGHT: I understand that part. It's the "why" that I don't understand.

MR. ROOS: Who will, in turn, credit it towards URC's Letter of Credit.

MR. WIEDERLIGHT: Why?

MR. ROOS: For their completion budget.

MR. WIEDERLIGHT: But my question again is, why doesn't it go into the City's General Fund?

MR. ROOS: The City never paid for it, never bought it.

MR. WIEDERLIGHT: Then how come we sell something we don't own?

MR. ROOS: The URC bought it. And we sold it through URC. We have a complete letter which was given to us, describing the change, the URC was closed out... wait a moment, maybe I have something more here. It says here, paragraph 1 on page 3 of this Agreement, that the proceeds from the disposition of such property shall be treated as program income of the City.

PRESIDENT SANTY: Mr. Wiederlight, do you understand? Is it clear to you? I know you understand, but is it clearer.

MR. WIEDERLIGHT: It's so clear, Madam President. Yes, thank you.

MR. BOCCUZZI: I Move the Question. Seconded.

PRESIDENT SANTY: Those in favor of Moving the Question, please say AYE. Opposed? CARRIED. We will now vote on the Main Motion, for approval of the Resolution. Please use your machine. MR. BLAIS IS OFF THE FLOOR AND WILL NOT PARTAKE IN THIS VOTE. Motion is APPROVED: 30 Yes, 5 No, one Abstention, and 2 Non-Votes.

EDUCATION, WELFARE AND GOVERNMENT COMMITTEE

MS. RINALDI: Item #1 concerns a request for detailed information on tax abatements. Mrs. Gershman, who is a member of our committee, has received quite a bit of information on abatements, and at this point she is satisfied with the information that she has received, so it was the vote of our Committee to move this item off the agenda.

- (1) LETTER OF 6/8/82 FROM REP. GERSHMAN REQUESTING DETAILED INFORMATION ON TAX ABATEMENTS GRANTED FOR 1980 and 1981, and broken down as specified in her letter. Held in Committee 7/12, 8/2, 8/30, and 10/4/82.

REMOVED FROM AGENDA.

MS. RINALDI: Item #2 concerns \$45,000 in taxes levied against the City by IRS. At this point, this item will have to remain in committee. The person from IRS, who is handling this particular case, has been out ill for the past month, and there is no one who is handling her caseload, so until she returns, there is nothing the City can do.

- (2) INTERNAL REVENUE SERVICE IS LEVYING \$45,000 IN FINES AGAINST THE CITY BECAUSE OF OVER-DUE PAYMENTS. STEERING COMMITTEE VOTED UNANIMOUSLY TO DETERMINE HOW AND WHY THIS OCCURRED, WHERE THE RESPONSIBILITY LIES, AND THAT ANSWERS TO THESE QUESTIONS AND ANY OTHERS PERTAINING THERETO MUST BE ANSWERED.

HELD IN COMMITTEE.

MS. RINALDI: Item #3 concerning roads brought up to City acceptance under Chapter 64, it was the unanimous vote of our Committee that they had delivered their final report on this item last month. At this point, we have nothing further to add, and it was also their unanimous opinion, to take this off the agenda.

- (3) REQUEST FROM REP. McINERNEY and REP. DeLUCA AS TO WHY ROADS BROUGHT UP TO CITY ACCEPTANCE have never been invoiced for a period of the past ten (10) years. Report made 6/7 and 9/13. Held in Committee 7/12, 8/2 and 10/4/82.

PRESIDENT SANTY: Do you want to give the same report as last month? Do you remember it?

MS. RINALDI: Well, essentially we were asked by the Board to look into this problem, why the bills had not been sent, and to take corrective measures. We met several times with Commissioner Marra and he explained the problem. They have put corrective procedure on line, and we feel that we have done what the Board has asked us to do. There is really nothing further for us to report. I believe that the full Board did receive a written report from Mr. Gaipa in my absence last month.

PRESIDENT SANTY: That's right, Ms. Rinaldi. That report did come in.

EDUCATION, WELFARE AND GOVERNMENT COMMITTEE (continued)

- (4) PROCEDURES TO CONTRACT OUTSIDE LEGAL COUNSEL AND CONSULTANTS - Requested by Rep. Walter Gaipa 7/9/82 REFERRING TO THE LAW DEPT.'S REQUEST FOR \$75,000 FOR OUTSIDE LEGAL COUNSEL. Held in Committee 8/2, 9/20, and 10/4/82.

HELD IN COMMITTEE.

MS. RINALDI: Item #4 concerns outside counsel and consultants for the Law Dept., and Mr. Blais, who is a member of our Committee, is putting together a standard procedure and he will be working on that for the next several weeks. So that will also be Held.

- (5) PROCEDURE THAT CAUSED TWO TAX BILLS TO BE MAILED TO THOSE TAXPAYERS WHO HAVE A "FREEZE IN EFFECT" - requested by Rep. DeLuca 8/13/82. Held 9/20 and 10/4/82.

MS. RINALDI: We feel that on Item #5, we have also taken care of that item. I spoke to Mr. DeLuca and he is satisfied that we have taken care of that duplicate billing. So we are taking that off the agenda as well.

- (6) REQUEST FROM REP. DeLUCA 9/28/82 that this Board receive data on a regular basis of approved grants, their status, when the governmental grant money is received, and if any are outstanding at the present time, such as occurred with the Lawn Avenue Park grant funds. Since grants from the State and Federal Governments are uncertain, this is of particular importance.

HELD IN COMMITTEE.

MS. RINALDI: On Item #6, I spoke to Sandy Gilbane, our Grants Officer, and she is in the process of putting together information on the status of all the grants and she will report back to us at our next Committee meeting next month. This is being Held.

PRESIDENT SANTY: At this time I would like to say that I accept, with regret, Mr. Gaipa's resignation as Co-Chairman of this Committee. I want to thank him for his service with Ms. Rinaldi as head of this committee. He will still serve on the other two very active committees.

MS. BARBARA deGAETANI will be the new Co-Chairwoman of this Committee. Barbara McInerney will be a member of this Committee, also.

ENVIRONMENTAL PROTECTION COMMITTEE

MS. MAIHOCK: There were no items before our committee.

APPOINTMENTS COMMITTEE

MR. DIXON: The Appointments Committee met on Thursday, Oct. 28th, at 8:00 P.M. in the Democratic Caucus Room. Present and participating in the meeting were Reps. John Boccuzzi, Anthony Conti, Barbara deGaetani, Mildred Perillo, Robert "Gabe" DeLuca, Joseph Tarzia, and myself, Handy Dixon. I would at this time, Madam President, Move to the CONSENT AGENDA, Items #1 and #4. Item #2 is being HELD IN COMMITTEE for reasons of no interview. Item #3, has been WITHDRAWN. The decision to withdraw was entirely Dr. Nemoitin's, for personal reasons.

APPOINTMENTS COMMITTEE (continued)

MR. DeLUCA: The reason why there was no interview for Item #2, Mr. Allen Kaltman for the Board of Ethics, was the fact that his mother had passed away. Otherwise, he would have shown up.

PRESIDENT SANTY: I think that is pertinent information. Thank you.

MR. DIXON: Item #5 is the re-appointment of Dr. Ralph Gofstein. By a vote of 4 yes and 1 no, the Committee decided to hold this item at the request of the Chairman of the Personnel Committee to give that Committee time to seek, study, and evaluate the personnel files of Dr. Gofstein, including a copy of his original contract with the City. I would like to say again, for the record, that only those members who participated in the actual interview of Dr. Gofstein, have been involved in any subsequent action of the Committee in this regard. I have been informed that much of the request, or many of the requests that have been made, will be forthcoming and should be in our hands very shortly. Item #5 is, therefore, being HELD.

I Move on to the CONSENT AGENDA, Items #1, and #4, both having received the unanimous approval of the Committee.

PERSONNEL APPEALS BOARDTerm Expires

- (1) MR. C. RAYMOND GREBEY, JR. Re-Appointment Dec. 1, 1986
(Unaffiliated)
20 Round Hill Drive
Held in Committee 8/30 & 9/20/82.

APPROVED ON CONSENT AGENDA.BOARD OF ETHICS

- (2) MR. ALLEN KALTMAN (D) Re-Appointment June 30, 1987
Mill Stream Road
Held in Committee 8/30 & 9/20/82.

HELD IN COMMITTEE.SOUTHWESTERN REGIONAL PLANNING AGENCY

- (3) DR. BERNARD NEMOITIN (D) Replacing E. Berets March 15, 1983
1318 Long Ridge Road whose term expired
Held in Committee 9/20/82.

WITHDRAWN BY DR. NEMOITIN.PERSONNEL APPEALS BOARD

- (4) MR. JOHN GRAUBARD (D) Replacing Janet Gare- Dec. 1, 1984
1034 Westover Road lik who resigned.
Held in Committee 9/20/82.

APPROVED ON CONSENT AGENDA.

APPOINTMENTS COMMITTEE (continued)DIRECTOR OF DEPARTMENT OF HEALTHTerm Expires

- (5) DR. RALPH M. GOFSTEIN Re-Appointment of 5-yr. July 31, 1987
(Unaffiliated) contract per resolution.
235 Den Road
Held 7/20, 9/20 and 10/4/82.

HELD IN COMMITTEE.PUBLIC WORKS COMMITTEE

MR. FLOUNDERS: The Public Works Committee met on Thursday, November 4th. Present were John Boccuzzi, James Bonner, Alfred Perillo, and myself, Burt Flounders. I would like to Move on the CONSENT AGENDA Items #5, #7, and #8.

Item #1 is HELD pending an appropriation request from the Public Works Department and that will be forthcoming very shortly.

- (1) REQUEST FOR RE-PAVING OF DERWIN STREET, RUTZ ROAD, GLEN AVENUE, AND DeLEO DRIVE. Submitted by 15th Dist. Rep. Paul Dziezyc. Held in Committee 7/12/82. Report made 8/2 that DPW will submit their report and request appropriation. Held in Committee 9/20 and 10/4/82.

HELD IN COMMITTEE.

MR. FLOUNDERS: #2 is HELD pending the additional information that was requested by the Committee.

- (2) FINAL ADOPTION - PROPOSED ORDINANCE AMENDING SECTION 21-49, and Ordinance 462 entitled "Disposal of Sludge, etc., Change in Disposal Fee." Held 5/24, 6/28, 7/20/82. Submitted by DPW Comm. Spaulding. Awaiting final text. Text received 8/30/82 from Law Dept. Approved for Publication 9/20/82. Held 10/4/82.

Above also referred to LEGISLATIVE AND RULES COMMITTEE.

HELD IN COMMITTEE.

MR. FLOUNDERS: #3, related to #2, is HELD for the same reason.

- (3) FINAL ADOPTION - PROPOSED ORDINANCE DELETING SECTIONS 21-47 and 21-48 entitled "Disposal of Septic Tank Contents, Permit Required, and Issuance of Permit." Held 5/24, 6/28, and 7/20. Submitted by DPW Comm. Spaulding 5/19/82. Awaiting final text. Text received 8/30 from Law Dept. Approved for Publication 9/20/82. Held 10/4/82.

Above also referred to LEGISLATIVE AND RULES COMMITTEE.

HELD IN COMMITTEE.

PUBLIC WORKS COMMITTEE (continued)

MR. FLOUNDERS: #4 is also HELD. This concerns Street Openings and Excavations.

- (4) FINAL ADOPTION - A PROPOSAL TO RE-WRITE CHAPTER 18, ARTICLE II, DIVISION 2 - of the Code of Ordinances concerning STREET OPENINGS; also DELETING Section 18-67 with this provision being included in proposed Section 18-64. Submitted by DPW Comm. Spaulding 5/19/82. Held 6/28 and 7/20 awaiting final text. (Sections 18-60 thru 18-66 "Permits - Excavation and Construction".) Approved for Publication 9/20/82. Held 10/4/82.

Above also referred to LEGISLATIVE AND RULES COMMITTEE.

HELD IN COMMITTEE.

- (5) FINAL ADOPTION - PROPOSED ORDINANCE, AMENDING ORDINANCE 80.20 SUPPLEMENTAL, ENTITLED BUILDING, PERMITS AND FEES, CHANGE IN FEE SCHEDULE. Repeals Ord. 80.20 in its entirety. New text submitted by Public Works Dept. and Corp. Counsel Fraser 7/20/82. Approved for Publication 9/20. Held 10/4/82.

Above also referred to LEGISLATIVE AND RULES COMMITTEE.

APPROVED ON CONSENT AGENDA.

MR. FLOUNDERS: Item #6 is HELD, re Ord. 80.21 Electrical.

- (6) FINAL ADOPTION - PROPOSED ORDINANCE AMENDING ORD. #80.21 SUPPLEMENTAL, SEC. 5, "PERMITS AND FEES", CHANGE IN FEE SCHEDULE. Repeals Ord. 80.21, and sets new fees. Submitted by DPW and Corp. Counsel Fraser 7/20/82. Approved for Publication 9/20/82. Held 10/4/82.

Above also referred to LEGISLATIVE AND RULES COMMITTEE.

HELD IN COMMITTEE.

- (7) FINAL ADOPTION - PROPOSED ORDINANCE AMENDING ORD. #80.22 SUPPLEMENTAL, ENTITLED HEATING AND AIR CONDITIONING, "PERMITS AND FEES"; CHANGE IN FEE SCHEDULE. Repeals Ord. 80.21, and sets new fees. Submitted by DPW and Corp. Counsel Fraser 7/20. Approved for Publication 9/20/82. Held 10/4.

Above also referred to LEGISLATIVE AND RULES COMMITTEE.

APPROVED ON CONSENT AGENDA.

- (8) FINAL ADOPTION - PROPOSED ORDINANCE AMENDING ORD. #80.23 SUPPLEMENTAL, ENTITLED PLUMBING, SECTION 5, "PERMITS AND FEES"; CHANGE IN FEE SCHEDULE. Repeals Ord. 80.23, and sets new fees. Submitted by DPW and Corp. Counsel 7/20/82. Approved for Publication 9/20/82. Held in Committee 10/4/82.

Above also referred to LEGISLATIVE AND RULES COMMITTEE.

APPROVED ON CONSENT AGENDA.

MR. FLOUNDERS: I Move for approval of the Consent Agenda Items #5, #7, and #8, all of which were voted 4-0 at our Thursday night meeting, and I so Move for their approval. Seconded. Carried.

MRS. GUROIAN: Do we have the secondary committee report on them?

MR. CONTI: We did not meet on these, and I would Move to waive the secondary committee reports. Seconded. Carried.

PRESIDENT SANTY: All in favor of final adoption of #5, #7, and #8, please say AYE. Opposed? CARRIED UNANIMOUSLY on Consent.

FISCAL COMMITTEE

MRS. HAWE: Thank you. As I mentioned before, the Fiscal Committee met on last Wednesday with four members present, and therefore, we did not have a Quorum. I will Move to bring all the items on the Fiscal agenda out of committee. Seconded.

PRESIDENT SANTY: All in favor of taking all the Fiscal items out of committee because of a lack of a quorum, please say AYE. Opposed? Mr. Wiederlight, Mr. Dziezyc, Mrs. Guroian, and Mrs. Conti, and Mr. Blum voting No.

MRS. HAWE: Item #1 is the Tot-Lot matter and we are HOLDING IN COMMITTEE.

MR. BOCCUZZI: I Move Item #1 Back into Committee. Seconded. APPROVED UNANIMOUSLY.

MR. DeLUCA: Parks & Rec. Moves to Waive report. Seconded. Carried.

- (1) \$ 13,300.00 - Request for Additional Appropriation from Grants Director S. Gilbane 6/24/82 to be funded from TAXATION to repay Federal Government due to changed circumstances enumerated in Mayor Clapes' letter 3/24. Board of Finance approved this item previously; and it was withdrawn at Board of Representatives level. Held in Committee 8/2, 9/13, 10/4/82 .

Above also referred to PARKS AND RECREATION COMMITTEE.

PRESIDENT SANTY: All those in favor of returning back to committee, please say AYE. Opposed? Passed unanimously. Item #1 is HELD IN COMMITTEE.

- (2) RE-SUBMISSION OF PROPOSED RESOLUTION AUTHORIZING APPLICATION FOR \$500,000 for which State funds have already been reserved for a variety of programs, per Mayor Clapes' letter 8/19/82. Held in Committee 9/13/82. Defeated 10/4/82.

Above also referred to PUBLIC HOUSING & COMMUNITY DEVELOPMENT COMMITTEE.

MRS. HAWE: This item was defeated last month. A question, however, arose concerning how many votes were needed for its passage. We now have a ruling from the Law Department stating the number of votes necessary for the passage of grant resolutions, and I believe that is on your desk tonight, where the money comes into the General Fund, a two-thirds vote is required. However, if the money does not go into the General Fund, as in this case it goes directly into Community Development, then a majority is required.

You have a letter on your desk from Nancy Mitchell of Community Development verifying the fact that these funds will indeed NOT go into the General Fund; therefore, the vote taken last month would have resulted in the passage of this resolution, so I move for the passage of Item #2.

FISCAL COMMITTEE (continued)

PRESIDENT SANTY: The Motion has been made, and Seconded, to approve the resolution to apply for \$500,000. Discussion?

MS. SUMMERVILLE: If, indeed, it was an error, why are we voting on it again?

PRESIDENT SANTY: It was not an error, Ms. Summerville. The problem is it was not clearly stated and we were not advised that the funds did not go through the General Fund, as it generally does. Now, we have that in writing from Nancy Mitchell. She called me, and as long as it goes directly to her, the Law Department's opinion is that just a simple majority is required. She will use other funds until the grant money is forthcoming. We do have to re-vote on it, as the official record shows that it was defeated.

MS. SUMMERVILLE: I differ with what you're saying because I don't think the negative votes, or the positive votes, were based on the issue that you just stated. That was part of a clarification of how you chose to rule as far as the vote was taken, so I beg to differ from how you and the Parliamentarian perceived it. I don't think we should be voting over again as that was an error made on the Chair's part.

PRESIDENT SANTY: It was not an error. It was not clearly indicated where the funds came from to start-up even. It was not clarified that it did not go to the City's General Fund and the usual process. We are told this goes directly to Community Development, which is something new, not to General Fund.

MR. BOCCUZZI: I think what Annie is saying is the vote was 21 or better, and it was misinterpreted that we need 27. The situation was similar to the one of Mr. Scarella where we had a majority and we needed two-thirds and then we had to vote again, or it was brought up and brought in again. But I think if the vote from last month was over 21, then I am not sure that we have to vote again.

PRESIDENT SANTY: I will ask the Parliamentarian for a ruling on this.

PARLIAMENTARIAN HOGAN: Madam President, I would respectfully remind the Board members that every item on this Fiscal Agenda was just moved out of committee, therefore, it becomes an official part of the agenda for this evening; and some action must be taken on Item #2.

PRESIDENT SANTY: Is there any further discussion on that? It has been Moved and Seconded to approve this resolution to apply for a grant.

MR. WIDER: I would just like to inform the Board, for the benefit of the Committee who did meet on this, that we did meet on this. Our Committee vote was 4-0 in favor of it.

MR. BLAIS: I'd like to ask, through you, Madam President, a Point of Information of Mrs. Hawe regarding grants that go through the General Fund versus grants that do not go through the General Fund. Is there any difference in monitoring compliance with Federal regulations between those that go through the General Fund and those that do not go through the General Fund?

FISCAL COMMITTEE (continued)

MR. BLAIS (continuing): Second question is how does the City go about monitoring the compliance of these grants?

MRS. HAWE: Well, to answer your question, Mr. Blais, I believe that the Grants Office is involved with monitoring both kinds. This is unusual. Most grants go through the General Fund, but I believe the Grants Officer is responsible for compliance of monitoring both kinds.

MR. BLAIS: Do you know definitively? Whether they monitor them?

MRS. HAWE: I believe so, that is as definitive as I can tell you. I don't have....

MR. BLAIS: O.K. Now, do you think that grants that do not go through the General Fund and a ruling which permits them to be passed and approved by this Board by a simple majority, and this is under two-thirds, would you view this as a skirting of the regulations and rules of this Board?

MRS. HAWE: No, I believe it is in accordance with the provisions of the Charter.

MR. BLAIS: Thank you.

PRESIDENT SANTY: Please use the machine. Has everyone voted? This is on approval of a proposed resolution authorizing application for \$500,000. APPROVED with 24 Yes votes, 8 No votes, 2 Abstentions, and 4 Non-Votes.

- (3) \$ 8,000.00 - BOARD OF RECREATION - GROUP 66.2720 ELECTRICITY (Cubeta Stadium) - Additional Appropriation requested by Mayor Clapes 8/9/82 due to transfer of responsibility for electricity at Cubeta Stadium from DPW to Board of Recreation without the necessary funds. Board of Finance approved 8/12/82. Held in Committee 9/13 and 10/4/82.

Above also referred to PARKS AND RECREATION COMMITTEE.

MR. DeLUCA: Parks and Recreation Committee voted on this item several months ago and approved it.

MRS. HAWE: At budget time the money for the electricity at Cubeta Stadium was left out of the budget. It was inadvertently left out. The department did not request it, and we therefore have it before us now. I Move for its adoption. Seconded.

MR. WIEDERLIGHT: If we are transferring responsibility for the electricity, did you just say, Mrs. Hawe, that they didn't put this item in the budget with money, but yet they are transferring it out without money, is that right?

MRS. HAWE: The authority was transferred, but that was the year before last that responsibility was transferred, and the Department of Recreation did not request it, or neglected to request it in the budget. We have a letter of May 8, 1981 from John Canavan, in which the Public Works Dept. transferred the authority for various water, gas, electric, and fuel oil billings to the controllable cost centers - that was for fiscal 1981-82; and this definitely should have been in the budget. That was a long time ago that the Board of

FISCAL COMMITTEE (continued)

MRS. HAWE (continuing)...Recreation knew that they should have requested this money, and for whatever reason, it just was mistakenly left out.

MR. WIEDERLIGHT: In other words, what you are saying is that they did not ask for the money that they should have asked for?

MRS. HAWE: Yes, that's right, they didn't ask for it.

MRS. CONTI: According to the annual budget, this appropriation should have been in Group 65 accounts rather than Group 66. What are we going to do about correcting the account number on this?

MRS. HAWE: At the Committee meeting the other night, Mr. Harrison, the Budget Director, was there and he told us that this indeed was the correct account, that it should be in Group 66, because we questioned him on that. He said this is the correct account, so I suggest we leave it as it is.

MRS. CONTI: Well, then, why are all the other expenses for Cubeta Stadium in the Group 65 account in the annual budget?

MRS. HAWE: We were told by Mr. Harrison that this electricity for Cubeta Stadium is in the 66 group which is in the recreation area maintenance group. The electrical accounts are in this and then after it is approved, if it is, the Finance Department would then appropriate it into the correct sub-group, in the 660 category, so this is the correct account.

PRESIDENT SANTY: We will use the machine and vote on Item #3. Has everyone voted? The item is APPROVED with 28 Yes, One No, 2 Abstentions, and 7 Non-Votes.

- (4) \$ 50,000.00 - FIRE DEPARTMENT - Code 450.1201 OVER-TIME - Additional Appropriation per Mayor Clapes 9/9/82 request and Fire Chief Joseph J. Vitti 9/1/82, to maintain minimum manpower as required by Collective Bargaining Agreement, and enforced by Superior Court injunction dated 7/28/82. Held in Committee 10/4/82.

Above also referred to HEALTH AND PROTECTION COMMITTEE.

MRS. GOLDSTEIN: Excuse me, Madam President, a Point of Order, please, prior to the next item, because we may come to another item that requires the opinion that we have just gotten from Corporation Counsel. And I would just like to clarify something. As a matter of fact, if you so wish, you can ask Mr. Fraser, or Mr. Hennessey, for another opinion.

PRESIDENT SANTY: You are referring to the one on our desk, of Nov. 8th?

MRS. GOLDSTEIN: Yes. And we just passed Item #2 which passes regardless of this opinion. (Pres. Santy: We just passed #3.) Yes, prior to that, #3, and I had my hand raised to speak on this, and since it is important, I would just like to mention that this opinion states that Section 202.2 applies to grant resolutions. Grant resolutions are Fiscal appropriation resolutions, although not additional appropriation resolutions; and appropriation resolutions require a majority of those present, so it must be 21. It can't be a simple majority. And he is stating here that a simple majority,

FISCAL COMMITTEE (continued)

MRS. GOLDSTEIN (continuing)....or implying here, that a vote of the majority of those present will do, but it is a majority of the entire Board that must approve.

PRESIDENT SANTY: This is what I had discussed with him. He still maintains his position and I told him it clearly states an appropriation resolution is 21 or a majority of the full Board. But we are still going with this ruling. We have not acted differently from that 21 vote tonight. I think we have to decide that, and I would agree with you that.....

MRS. GOLDSTEIN: I hope that we would decide independent of Corporation Counsel.

PRESIDENT SANTY: I agree with you, Mrs. Goldstein, and I also have discussed this with them and we have not reached that point. I would definitely go with the 21 vote.

MR. BLUM: Being that you're talking about the Corporation Counsel's opinion, I would like to ask a question, which I wasn't given...

PRESIDENT SANTY: There is not a motion on the floor, but a Point of Order of Mrs. Goldstein's, so please wait until the next Fiscal item. We are not discussing Corporation Counsel. We are discussing a ruling that he gave tonight.

MR. BLUM: Right, in regard to Item #2. Someone did open it and you went back. And I would like to discuss that same item.

PRESIDENT SANTY: All right, Mr. Blum. We are not discussing that item, we voted and finished with it. Mrs. Goldstein was not discussing Item #2, but she was talking about a general approval.

MR. BLUM: A general approval. You know what this opinion makes? There are a lot of things that we did on prior Boards, and this opinion makes a lot of items illegal.

PRESIDENT SANTY: I am only concerned about the 17th Board action. Mrs. Hawe, will you continue with Item #4?

MRS. HAWE: Per the Firefighters' Contract, 49 firefighters per shift are required. However, considering vacations, sick leave, etc., 38 has been the minimum number allowable. I Move for the approval of this item. Seconded.

MR. DZIEZYC: I move to waive the secondary committee. Seconded. Carried. unanimously.

MRS. HAWE: When the Board of Finance cut the Fire Department's salary account by \$200,000, the Fire Chief and Commission decided to take one machine out of service and eliminate three men per shift. The Union challenged this, and on July 28, 1982, the Superior Court mandated that we keep the shift levels at 38. This money is to pay firefighters who are called back on over-time to fulfill the Minimum Manpower requirements.

FISCAL COMMITTEE (continued)

MR. TARZIA: I have a question. The \$50,000, what period of time will this carry us through? Is this for the whole fiscal year?

MRS. HAWES: No, they have already transferred \$50,000 from other accounts into this account for over-time which is exhausted already, plus...they originally had \$60,000 to begin with in this account. That has been exhausted. They have already transferred \$50,000 in, and if this is approved, they can't be sure, but they don't think that it is going to make it to the end of the Fiscal year. They think they might have to come back for some more. It really is unfortunate because we might end up paying out as much in this Minimum Manpower to equal the amount that was cut by the Board of Finance to begin with.

MR. ESPOSITO: Move the Question. Seconded. Carried with one No.

PRESIDENT SANTY: We will vote on the main motion, \$50,000. Please use the machine. Has everyone voted. APPROVED with 27 Yes, 5 No, one Abstention, and 5 Non-Votes.

- (5) REQUEST FROM REP. ROBERT DeLUCA 10/5/82 that Capital Projects Account #280.0658 STATE-ASSISTED PROJECT be closed out and funds be used for other worthwhile projects.

MRS. HAWES: Item #5 is the money that we rejected to transfer into the traffic signalization account. Mr. DeLuca was present at our meeting, as was Mr. Ford. This item is going to be closed out; however, Mr. Ford feels it is a priority of his department and he will submit it in next year's capital projects budget, so the account is going to be closed out.

Item #5 closed out. Delete from agenda.

- (6) \$ 9,000.00 - HUMAN RIGHTS COMMISSION - Code 113.1110 SALARIES - see Pages 25 and 26 of these Minutes since the item was taken up earlier, out of order on the Agenda. APPROVED with 33 Yes, 4 No, One Abstention, and Zero Non-Votes.

MRS. HAWES: We took care of #6 earlier on in the evening.

- (7) \$ 16,471.00 - PARKS DEPARTMENT - Additional Appropriation, per Mayor Clapes' request 9/23/82. Approved by Board of Finance 10/7/82:
- | | |
|--|------------------|
| Code 610.2110 Maintenance of Grounds | \$ 5,000.00 |
| Code 610.2210 Maintenance of Buildings | <u>11,471.00</u> |
| | \$16,471.00 |

Above also referred to PARKS & RECREATION COMMITTEE.

MR. DeLUCA: Secondary Committee moves to waive report. Seconded. Carried.

MRS. HAWES: During July, there was a failure in the old septic system at Cummings Beach concession stand, resulting in unacceptable coliform counts in the swimming areas. A study by the Health Dept. and Engineering Dept. indicated that it would be more feasible to install a sewer line as the permanent solution. This was done with money from the Maintenance of Bldgs. account. \$11,471 of this request is to reimburse that account for the money spent for the sewer, and \$5,000 from the Maintenance of Grounds account is to resurface the paved areas which were demolished when the sewer line was installed.

FISCAL COMMITTEE (continued)

MRS. HAWE (continuing)...and I so Move for approval. Seconded.

PRESIDENT SANTY: Discussion? None. Please use your machine. Has everyone voted? The Motion is APPROVED with 33 Yes, One No, Zero Abstentions, and 4 Non-Votes.

- (8) \$ 7,800.00 - PARKS DEPARTMENT - AMENDMENT TO CAPITAL PROJECTS BUDGET - Additional Appropriation for #610.128 SHIPPAN LANDFILL (Czescik Park). To fund additional design for Shippan Landfill/Czescik Marina (near Harbor Plaza). Board of Finance approved 10/7/82.

Above also referred to PARKS AND RECREATION COMMITTEE.

MRS. HAWE: I Move for the approval of this item. Seconded.

MR. DeLUCA: I Move to waive the secondary committee report. Seconded. Carried.

MRS. HAWE. These are additional design funds for the Czescik Park Marina. Conceptual plans are completed and this will enable final details, construction plans, and detailed estimates to be drawn up. The detailed plans are needed at this time to finalize the cost-sharing negotiations for the whole Harbor Plaza Road Project with the Collins Development Corporation.

MRS. GERSHMAN: In other words, we have not yet finalized the cost-sharing, the percentage that we pay, and the percentage that Collins will pay? Is that correct?

MRS. HAWE: That is correct. It is still being negotiated by the Law Department and the attorneys for Collins. The final cost-sharing agreement has not yet been signed.

MRS. GERSHMAN: And these funds are to facilitate that agreement? Is that correct?

MRS. HAWE: No, these funds are to get firm, detailed plans and detailed estimates so that they will have final figures so they will be able to include them in the final costs, so that the cost-sharing agreement can be signed. They need the detailed figures so they will know how much the whole thing will cost.

MRS. McINERNEY: Was there a plan for a marina in the original plan for development when the traffic flow in and out of Shippan was the problem with the development?

MRS. HAWE: I am not sure at what point the proposal for the marina came up. I don't believe it was there from the very beginning. However, parkland is being used for the road. The road is planned to go across Czescik Park, and it was negotiated with Collins Corp. in a Letter of Intent that was signed a year ago September that there would also be a marina included for the benefit of the citizenry of Stamford as part of this project which he would contribute to, but I am not sure at exactly what point this idea came into the picture.

FISCAL COMMITTEE (continued)

MR. DeLUCA: I have a letter from Bob Cook dated Sept. 21st, and in his second paragraph he states "these monies will provide the completed plans for a marina, which has been planned at this location for more than 12 years," so it is not just something that Collins Development initiated. It is something that the City has been considering for the past 12 years.

MRS. HAWES: A steel bulkhead had been put in years ago. There was a land-fill on this site. This park was formed because it was used as a land-fill, and when it was, 12 years or whatever it was, a steel bulkhead was put in in anticipation of some day putting in a marina there. In fact, four years ago, the Parks Dept. had the Army Corps of Engineers dredge so that a marina would be possible at this place. There is \$16,000 that has been used for conceptual plans for this, and that was in an account that was called the Shippan Landfill, which actually is the same account as this. The basic plan for a marina was there, and I guess what I was saying to Mrs. McInerney was that I am not sure at what point it was actually joined to the plan for the road, but I think the City felt that this was a good way to get someone else to share in the funding of the marina.

MRS. McINERNEY: I did want to ask Mrs. Hawes what the budget amount was. Would you please tell me what the amount was that was allocated in the budget this year for this item in Capital Projects?

MRS. HAWES: I don't believe there was any. For the Czeszik Park, or for the Harbor Plaza Road? I don't believe there was anything appropriated this year, but I think a year or two ago, there was money approved for the Traffic Department for the design of the road, which has been used, but I am not too sure exactly what the amount was.

MR. BLUM: I'd like to know inasmuch as the Collins Corp. said that they would pay for this whole thing, of putting this road through, why are we spending this amount of money, this \$7,800, towards this making of plans for the road. I would like to know more about this. Collins Corp. in exchange for something said they were going to put this road through the park. Now the City starts this \$7,800 towards plan for the road, and the next thing we'll be doing is we'll be voting some other funds and before you know it, we will be paying for the road.

PRESIDENT SANTY: Mr. Blum, is that a question for Mrs. Hawes?

MR. BLUM: That is certainly a question.

MRS. HAWES: Mr. Blum is not correct in saying that Collins had agreed to pay for the whole road. The City had already appropriated money a year or two ago in its Capital Budget for design plans for the road, and I don't know the exact amount, but it has been used, as I said before. The project is to be cost-shared, the agreement that is being worked on now between Collins and the City is providing for a cost-sharing part to be paid by Collins and part to be paid by the City, but I cannot comment on that arrangement because it has not yet been finalized at this point.

MR. RYBNICK: I Move the Question. Seconded. Carried.

FISCAL COMMITTEE (continued)

PRESIDENT SANTY: We will move right to a vote on Item #8. Please use the machine. Has everyone voted? APPROVED with 26 Yes, 4 No, 4 Abstentions, and one Non-Vote. 26 votes are required. Mr. Tarzia should be shown as a YES vote. We will check the print-out. It will be recorded properly.

- (9) \$ 300.00 - HEALTH DEPARTMENT - Code 550.3710 VACCINES & SERUMS - Additional Appropriation for Hepatitis B Vaccine for lab employees. Board of Finance approved 10/7/82.

MRS. HAWES: I Move this for approval. Seconded.

This is to cover three doses of Hepatitis B Vaccine to be used for employees working in the lab with a high risk of exposure to the disease.

MRS. McINERNEY: Move the Question. Seconded. Carried.

PRESIDENT SANTY: Please use the machine. 26 votes are required. Has everyone voted? APPROVED with 27 Yes, 4 No, 2 Abstentions, and 5 Non-Votes.

- (10) \$ 1,435.00 - MAYOR'S OFFICE - Group 20.5609 CONNECTICUT CONFERENCE OF MUNICIPALITIES (CCM - LEGAL FEES - Additional Appropriation to fund Stamford's share in challenge to Northeast Utilities' proposed rate increase. Mayor's request 9/20/82. Board of Finance approved 10/7/82.

MRS. HAWES: I Move for approval of this item. Seconded.

This will enable the City to participate in the municipal challenge to Northeast Utilities' proposed rate increases. On July 30, 1982, Northeast Utilities requested an \$139,000,000.00 rate increase, which is a 9.1% increase effective this December. This came only six months after N.E. Utilities was awarded a 14% increase, and this would be the City's contribution to join with CCM for legal fees, etc., to aid them in their challenge of the rate increase.

MR. DUDLEY: I can't help but to wonder, has this type of appropriation come before this Board before? I am concerned as to a lost cause. While I am in favor of challenging this, I don't know if we are up against a brick wall or not, and I just hate to see unnecessary monies wasted at this time.

MRS. HAWES: Yes, Mr. Dudley, CCM has intervened on behalf of Connecticut municipalities three times in the past. One was in 1979 in which an anti-trust action was taken for the right of municipalities to purchase their own street lighting fixtures. This resulted in a saving of 47% in street light costs, and the action was successful. In 1980, N.E. Utilities requested a street lighting rate increase of \$177,000,000.00. The Dept. of Public Utilities Control recommended \$140,000,000.00, and as a result of CCM's intervention, the increase was reduced to \$124,000,000.00, so rather than \$177 Million that they originally wanted, they got \$124 Million. In 1981, N.E. Utilities requested that all street lighting fixtures be automatically converted to high-pressure sodium fixtures if needing repair or replacement. N.E. Utilities proposed to install the fixtures and bill the municipalities with a rate of return on its investment. The cost of sodium fixtures was 40% to 45% higher than incandescent fixtures, and CCM challenged this and they won their case. In the past, we have had several of these requests, and I

FISCAL COMMITTEE (continued)

MRS. HAWE (continuing).....don't have the figures, but I know that when the last appropriation came up, we did have the figures of savings for Stamford, and they really were quite large savings that these lawsuits have resulted in for the City.

MR. WIEDERLIGHT: On the last one where the rate increases went through, I forget the number that you said, just last year, I know we challenged it as I know we appropriated the money during the 16th Board, how did the challenge make out last time, just on the rate increase, do you have that information?

MRS. HAWE: Just a minute and I'll find it. Here it is. In 1981, I believe CCM challenged N.E. Utilities on an over-charging, and they did it, an over-charge of \$540,000 - would that be the one you are speaking of? I believe that was successful. We requested information from the Mayor's Office as to previous interventions by CCM on the municipalities' behalf, and they listed the three that I gave to Mr. Dudley. However, I think there were more, and it appears that in 1981; O.K., I mentioned that one. I think there was another one in 1981 in which N.E. Utilities admitted that they had over-charged and I believe that over-charge was cut back.

MRS. CONTI: Has the City already agreed to join CCM in this law suit, or is it pending this appropriation?

MRS. HAWE: The City agreed - there is a letter from CCM dated 8/31/82, a form letter they send out to the various municipalities and towns, and it says "Thank you for expressing an interest in participating in the municipal challenge to N.E. Utilities proposed rate increase. Many municipalities are participating." Then it states that "We anticipate your municipality's pro rata share," and they list the amount. I think the City has agreed in principle, and they have told CCM that they would initiate an additional appropriation. I must tell you that this is a voluntary thing on the part of the City. CCM brings N.E. Utilities to court; whether we give the money or not, we are still going to benefit from their winning the suit.

PRESIDENT SANTY: We will vote, using the machine. We need 26 votes for passage. Has everyone voted? APPROVED with 32 Yes, Zero No, 2 Abstentions, and 4 Non-Votes.

(11) ~~\$1,755,527.00~~ - SEWER COMMISSION - AMENDMENT TO CAPITAL PROJECTS BUDGET -
\$1,655,527.00 To fund State-mandated Project #112.492 WEST SIDE INTER-
(amended amt.) CEPTOR - Board of Finance approved 10/7/82.

Above also referred to PUBLIC WORKS COMMITTEE.

MRS. HAWE: On this item, the Board of Finance has only approved \$1,655,527.00, so the amount is that. I Move for its approval. Seconded.

MR. FLOUNDERS: I Move to waive secondary committee report. Seconded. CARRIED.

MRS. HAWE: Due to the polluting in Long Island Sound, the State Department of Environmental Protection has issued an abatement order and the City must design and construct the Greenwich Ave. Pumping Station and Forced Main

FISCAL COMMITTEE (continued)

MRS. HAWE (continuing)...Interceptor, the Henry Street Interceptor, and the Richmond Hill Ave. Siphon Relief Sewer, the Southfield Point Interceptor Improvements, and the Rippowam River Sewer Crossings, as specified in the West Side Interceptor Study. There is at present \$1.3 Million in unencumbered funds in an account for the West Side Interceptor, and it may be possible to receive 30% of the cost back from the State for this. That grant application is #13 on our agenda. The essence of this is that if we don't do it, the State is going to fine us even more than it is going to cost for us to do it, and they make it not very easy for you to say No. The State's Attorney General has said that they are ready to take^{us} on if we don't start this very soon, and they have a whole schedule of deadlines that the City has to meet in order to have this thing constructed.

MR. BONNER: The only question I have is, do you have the information as to the number on the financial board who voted on it? Was it unanimous?

PRESIDENT SANTY: Mrs. Hawe will find it, and while we are waiting for that, we will have Mr. Esposito speak.

MRS. CONTI: As I understand it, Mrs. Hawe, this is to renovate and overhaul the existing sewer system? This is not to extend sewers, is that correct?

MRS. HAWE: Well, let me read you what it says. I believe it is more than just renovating. We have to design and construct the Greenwich Avenue Pumping Station, Forced Main and Interceptor; have to design and construct the Henry Street Interceptor; and the Richmond Hill Avenue Siphon Relief Sewer; and we have to make improvements to the Southfield Point Interceptor, so it is more than just patching up what is there.

MRS. CONTI: But it is all in the areas that are already sewered, right? That is what I am driving at; we are not extending any new lines.

MR. WIDER: I welcome this coming before this Board. We have been working on changing these pumps for the last 12 years. They are really polluting the West Branch of Stamford Harbor to the point where when we have heavy rains, you can't use the water for anything more than barges. So I am glad to see this come about, and we need new, not replacement. We need complete new sewer lines on Henry Street and all down Greenwich Avenue, so I am glad to see it come about.

MRS. HAWE: It was 5 to Zero for approval, Mr. Bonner.

PRESIDENT SANTY: We will move right to a vote on approval of Item #11. Please vote. Has everyone voted. It is \$1,655,527.00. APPROVED with 37 Yes votes and one Non-Vote.

MRS. HAWE: Item #12 is for the Tax Assessor's Office and I move for its approval. Seconded.

MS. RINALDI: We did meet on this item and we voted 4-0 to approve.

FISCAL COMMITTEE (continued)

- (12) \$ 22,065.00 - TAX ASSESSOR'S OFFICE - Additional Appropriation per Mayor's letter 9/29/82. Approved by Board of Finance 10/4/82. For catch-up on workload that is 6½ months behind.

Code 250.1110 Salaries.	\$10,459.00
Code 250.1201 Over-Time	10,000.00
Code 250.2940 Conferences & Training.	1,086.00
Code 250.2942 Travel Expenses	520.00
	<u>\$22,065.00</u>

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

MRS. HAWE: This request is for the Tax Assessor's Office. The salary request is to replace the employee that was cut by the Board of Finance when they cut the vacancy. There was a vacancy in this department at budget time and the Board of Finance cut it out. The over-time is for the employees who are there so they can catch up on their work. Mr. Faski and Mr. Kirwan came to our meeting and they said that they are very, very much behind in their work and it is affecting - the backlog is affecting the money that we are entitled to receive from the State, and it will jeopardize the compilation of next year's Grand List. Conferences and Training request is for their employees to go to workshops and seminars to further their knowledge of new State Statutes. They said that they are constantly changing with regard to the Assessor's Office, and the requirements of that office and they feel that it is important that their employees be permitted to go to these seminars and conferences so they are up-to-date on the latest laws and rules and regulations.

MRS. MAIHOCK: Mrs. Hawe just answered my question. Thank you.

MS. SUMMERVILLE: Would you elaborate a little more on Conferences and Training, whether basically it is for the State Statutes. I think what you said was the reason why they needed the monies was for State Statutes. I think that is something you can obtain easily. You don't have to travel to a workshop and get there. That is written material that is available. Can you tell me some other reasons.

MRS. HAWE: Well, let me explain in more detail as to why they want the \$1,086.00. The request states that the City of Stamford has the largest Grand List in the State of Connecticut, and probably the greatest mix of complex properties, and a sophisticated group of taxpayers who expect and demand an in-depth explanation of their property assessments. There is no substitute for education and training. Improperly trained personnel may reflect in erroneous, incorrect assessments, etc. The money will be used as follows: For course at the University of Connecticut Assessors School, four employees will go there for a course; at the New England Assessors School, four employees will go there, I believe; for the State Tax Commissioners Meeting, eight employees will attend that; and miscellaneous is \$20.00. That's the breakdown of what they are going to use it for.

MS. SUMMERVILLE: I think that clarifies the question that it is not just for workshops, but they are going to school. They are going to school to a training program; it is not just part of a workshop. Am I correct in interpreting it that way?

FISCAL COMMITTEE (continued)

MRS. HAWE: Yes, that is part of it, for training, classes, and seminars.

MR. WIEDERLIGHT: Move the Question. Seconded. CARRIED.

MRS. SANTY: We will Move the Question. At this time, Mr. Rybnick is leaving. We now have 37 members present. We will move to a machine vote on #12 under Fiscal. APPROVED with 27 yes, 5 no, one abstention, and 5 Non-Votes. At this point, we will need 25 votes to approve additional appropriations.

- (13) PROPOSED RESOLUTION AUTHORIZING MAYOR TO APPLY FOR STATE GRANT FOR WEST SIDE INTERCEPTOR AND RELATED IMPROVEMENTS, WATER POLLUTION ABATEMENT FACILITIES - per Mayor's letter 10/18/82. (See item #11 above.)

At this point, Mr. Tarzia has left; we now have 36 members present, and need 24 for passage from this point on.

MR. HAWE: I move for approval of item #13. Seconded.

PRESIDENT SANTY: We will vote on Item #13. Please use the machine. Has everyone voted? APPROVED with 32 Yes votes and 6 Non-Votes.

SUSPENSION OF RULES FOR TWO ITEMS

MRS. HAWE: I would Move to Suspend the Rules to take up the Bond Authorization Resolution for \$9,073,158.00. Seconded.

PRESIDENT SANTY: Those in favor of Suspending the Rules, please say AYE. Opposed? One No vote, Mr. Wiederlight. APPROVED.

- (14) PROPOSED RESOLUTION TO APPROVE ISSUANCE OF BONDS FOR \$9,173,158.00 FOR VARIOUS CAPITAL PROJECTS, as per the Mayor's request; also Finance Commissioner Marra. Approved by the Board of Finance.

MRS. HAWE: Lower interest rates and the forthcoming elimination of Bearer Bonds beginning in January, 1983, make it advisable to be prepared to take advantage of positive financial market conditions in December, and this resolution will enable the Finance Dept. to be prepared when they deem that the time is best to go ahead with the bonding. I so Move. Seconded.

MS. SUMMERVILLE: Move the Question. Seconded. Approved with one No vote, Mr. Wiederlight.

PRESIDENT SANTY: We will vote on the main motion to approve the bonding resolution. Has everyone voted? APPROVED with 32 Yes, one No, 1 Abstention, and 4 Non-Votes.

FISCAL COMMITTEE (continued)

MRS. HAWE: I would like to Suspend the Rules for one more item, which is the Resolution for Payment-in-lieu-of Taxes for fiscal year 1982/83, and I so Move. Seconded.

PRESIDENT SANTY: All those in favor of suspending the rules, please say AYE. Opposed? One No, Mr. Wiederlight. APPROVED.

MRS. HAWE: This Resolution concerns the State Pilot Program for fiscal year 1982/83. Each year the State of Connecticut provides funds to cover the ad valorem taxes on Housing Authority Moderate Rental Units. We are required to pass a resolution authorizing the filing of an application for such funds. This year we can receive up to a maximum of \$746,517.00. When the Mayor wrote to us on Oct. 15th regarding this item, it was not known there was an urgency to the item, and therefore it was not placed on the agenda the night of Steering. Since then the Grants Officer has informed us that the State has been urging Stamford to send up their resolution so that the funds can be processed and sent to us. I so Move. Seconded.

MS. SUMMERVILLE: Move the Question. Seconded. CARRIED.

MS. SUMMERVILLE IS NOT PARTICIPATING ON THIS ITEM, NOT VOTING.

PRESIDENT SANTY: Please use the machine. Has everyone voted on this resolution for payment-in-lieu-of taxes? APPROVED with 30 Yes, Zero No votes, 3 abstentions, and 5 non-votes.

MR. BOCCUZZI: I think before too many more people go home, I think you should...I would like to have you notify the Board of Education that we have a meeting with Charter Revision next Monday, and the Board of Education wants us to attend a meeting on their budget. Since this is the second time we are setting up a meeting with Charter Revision, I think we should notify the Board of Education that we should make it another time, so that Board members who are interested next Monday night could attend the meeting with Charter Revision Commission.

PRESIDENT SANTY: Thank you, and that is notification to the Board members that we are invited to Charter Revision Commission next Monday.

MS. SUMMERVILLE: Point of Personal Privilege. Now that we have all eaten our birthday cake, I think before everybody leaves, we should sing Happy Birthday to the persons. If we all stand up, we won't be out of order.

PRESIDENT SANTY: We are all going to sing Happy Birthday to Barbara McInerney, James Bonner, Handy Dixon, and David Blum. (Everyone sang.)

MRS. McINERNEY: I would like to thank all the Board members for celebrating our joint birthdays, and especially for the cake. It was very lovely of you to remember them.

PRESIDENT SANTY: And those people who think they have forgotten birthdays, they haven't. We'll come full circle.

CHARTER REVISION COMMITTEE

MR. ROOS: There is no report.

PRESIDENT SANTY: I would like to make note at this time that Mrs. Guroian attends almost every meeting, along with Mr. Roos and all of the other Committee members. They really are watch-dogs on this Commission.

PARKS AND RECREATION COMMITTEE

MR. DeLUCA: The Parks and Recreation Committee met on October 25th. Attendees were Committee members Gaipa, Franchina, Rybnick, and myself. On Item #1, I Move, with a vote of 4 in favor, none opposed, for approval. Seconded.

- (1) REQUEST TO HANG BANNER ACROSS HOPE STREET BY EMMANUEL EPISCOPAL CHURCH FOR PERIOD NOVEMBER 21st to DECEMBER 5th TO PUBLICIZE THEIR HOLLY FESTIVAL (OR CHRISTMAS FAIR) - their letter 10/5/82.

PRESIDENT SANTY: All in favor, please say AYE. Opposed? APPROVED UNANIMOUSLY.

FOR SUSPENSION OF RULES, ITEMS NOT ON AGENDA:

MR. DeLUCA: I Move for Suspension of Rules to consider four items not on the agenda, one being Veterans Day Observance, the Salvation Army kettles, the North Star Playmakers of Westhill High School, and the Final Homecoming of Rippowam High School. Seconded by several.

PRESIDENT SANTY: All those in favor say AYE. Opposed? APPROVED UNANIMOUSLY.

- (2) VETERANS DAY OBSERVANCE COMMITTEE - request for approval to hold a parade Sunday, Nov. 14th, from Scalzi Park.

MR. DeLUCA: I move for approval. Seconded.

PRESIDENT SANTY: All those in favor, please say AYE. Opposed? APPROVED UNANIMOUSLY. And every one is invited to march in the parade.

- (3) SALVATION ARMY'S REQUEST to place Christmas Kettles starting the week of Nov. 22, 1982.

MR. DeLUCA: I move for approval. Seconded.

PRESIDENT SANTY: Please say AYE if you approve. Opposed? APPROVED UNANIMOUSLY.

- (4) REQUEST FROM NORTH STAR PLAYMAKERS - Westhill High School - to hang banner on Summer St. from 11/13 to 11/21 to advertise "Inherit the Wind."

MR. DeLUCA: I move for approval of this item. Seconded.

PRESIDENT SANTY: Those in favor, say AYE. Opposed? APPROVED UNANIMOUSLY.

- (5) RIPPOWAM HIGH SCHOOL FOR FINAL HOMECOMING - hang banner on Bedford St. for a period from 11/26.

MR. DeLUCA: I now move for approval of this item. Seconded.

PRESIDENT SANTY: Those in favor, please say AYE. Opposed? APPROVED UNANIMOUSLY.

MR. DeLUCA: In conclusion, I would request that we try to get some publicity on the radio, in the newspapers for all non-profit organizations that it would be a good idea if they can get their request in several months in advance. Most of them have an idea when they plan these events, and if they come to us earlier, it would eliminate conflicts of time slots, and sometimes not being able to hang their banner or hold their parades, or whatever they wish to do. It would be easier all around. Perhaps the radio station, the Shopper, and the Advocate would help us in this case.

HOUSE COMMITTEE - Mr. Rybnick has left. And we have to thank him for the superb job that he is doing.

COLISEUM LIAISON COMMITTEE

MRS. GERSHMAN: Our committee met on October 7th. Present were Mr. Blum, Mrs. Conti, Mrs. Gershman, Mr. Hogan, and Mr. Zelinski. Mr. DeLuca was excused. Commissioner Pat Marra was also present. It is rather a lengthy report, so in the interest of getting the meeting over, I would suggest that I submit these minutes in writing to all the members and have them read them at their leisure. Our next meeting is going to be November 10th and we have another scheduled for November 23rd.

PETITIONS - None.

RESOLUTIONS - None.

ACCEPTANCE OF THE MINUTES

Sept. 13, 1982 Regular Meeting - APPROVED with one No vote, Mr. Dudley.

Sept. 20, 1982 Adjourned Regular Meeting - APPROVED with one No, Mr. Dudley.

Oct. 4, 1982 Regular Meeting - APPROVED UNANIMOUSLY.

The acceptance of the above minutes were moved, seconded, and approved as noted, with no changes, additions, amendments, or deletions.

COMMUNICATIONS FROM OTHER BOARDS and INDIVIDUALS - None.

OLD BUSINESS - None.

NEW BUSINESS - None.

ADJOURNMENT:

Upon Motion made by Rep. McInerney, and duly Seconded, and there being no further business to come before the Board, the meeting was adjourned at 11:55 P.M.

By

Helen M. McEvoy
Helen M. McEvoy, Administrative Asst.
(and Recording Secretary)

APPROVED:

HMM:MS

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