

MINUTES OF REGULAR BOARD MEETING MONDAY, MARCH 7, 1983

17th BOARD OF REPRESENTATIVES

City of Stamford, Connecticut

A Regular Meeting of the 17th Board of Representatives of the City of Stamford was held on MONDAY, MARCH 7, 1983, 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 8:30 P.M. by PRESIDENT JEANNE-LOIS SANTY, after both political parties had met in caucus.

INVOCATION: The Rev. William Donovan, Asst. Pastor of St. Leo's Roman Catholic Church, 24 Roxbury Road, Stamford, gave the Invocation.

The Rev. William Donovan:

"Heavenly Father, in a world which is volatile with the tensions of war, make us cognizant of our American heritage. May we thank You daily for our life and freedom, for the good health of our minds and bodies, for the peace and security in our homes and families, for love and friendship, and all the compensation and success that come to us from our daily work. Especially, Oh Lord, gift us with wisdom. Inspire us to speak the truth at all costs, and in the administration of this City, to place social justice as a top priority. Endow us with compassion and kindness and integrity so that we will try to represent Stamford; and in our capacity, become men and women for others. We ask for this grace in the name of our Savior, Christ Jesus, Our Lord. Amen."

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

PRESIDENT SANTY thanked Father Donovan. She then asked Clerk of the Board Summerville to Call the Attendance Roll.

ROLL CALL: Clerk Summerville called the roll. There were 36 members present and the CHAIR declared a QUORUM. Absent were Rep. Anthony Conti, excused due to illness; Rep. Walter Gaipa, excused; Rep. Philip Stork (who came in later in the evening); and the vacancy created by the resignation of Paul Esposito.

TEST VOTE: The President conducted a test vote, asking the members to vote, in turn, yes, no, abstain. The machine was declared to be in good working order as of that moment.

REQUEST FOR RECESS

REP. BOCCUZZI requested a ten-minute recess. Seconded. Carried.

PRESIDENT SANTY: We will recess until 10 minutes to nine.

RECESS PERIOD was from 8:40 P.M. to 9:12 P.M.

Note: Right after the Recess, the cassette in the tape machine apparently had a defective spool as the tape was not moving, and after several attempts to keep it going, a new cassette was put into the tape recorder.

MOMENTS OF SILENCE

For the late DOMINICK TRUGLIA, father of Anthony Truglia, ^{former} long-time member of this Board and also presently a long-time member of the General Assembly - submitted by Reps. John Boccuzzi and Jeremiah Livingston.

To honor the anniversary of the death of the late PRESIDENT FRANKLIN D. ROOSEVELT submitted by Rep. David Blum.

(If there were any other Moments of Silence, they were lost on the defective tape.)

RESIGNATION OF REP. PAUL. A. ESPOSITO (4th Dist. Rep. (D):

PRESIDENT SANTY and the Board accepted with regret the resignation of Paul A. Esposito, Democrat of the 4th District. His letter of resignation was read by President Santy, dated Feb. 10, 1983:

"Dear Lois:

"Since my election to the General Assembly in November, my free time has diminished considerably. Consequently, it is with great reluctance that I resign from the Board of Representatives effective immediately.

"I view my five years on the Board as a valuable learning experience that also provided many new and wonderful friendships. I will forever cherish these relationships and hope to continue them in the future. I can only hope that if I must spend the night in the General Assembly debating the budget in May, it can be as pleasant as it was spending the night with my fellow Board members in Stamford.

"Needless to say, if I can be of any help to this Board in Hartford, do not hesitate to contact me." (Signed Paul A. Esposito, Ph.D.)

ELECTION OF REPRESENTATIVE FOR THE FOURTH DISTRICT (Democrat)

Rep. Gerald Rybnick of the 4th District placed in nomination the name of DAVID JACHIMCZYK to be the new Representative for the Fourth District to replace the vacancy created by the resignation of Paul A. Esposito, Ph.D. Several Seconds.

PRESIDENT SANTY: There being no other nominations, upon motion made, seconded, and carried, nominations were closed.

Upon Motion made to instruct the Clerk to cast one ballot and elect Mr. Jachimczyk by ACCLAMATION, being seconded, and approved unanimously, President Jeanne-Lois Santy administered the OATH OF OFFICE to David Jachimczyk, who thereupon took his seat on the Board.

PRESIDENT SANTY wished a Happy Birthday to those members born during the month of March, being Reps. Marie Hawe, Ann King Saxe, John Boccuzzi, Bobby Owens, and Donald Donahue.

STANDING COMMITTEES

STEERING COMMITTEE - Chairwoman Jeanne-Lois Santy

Upon Motion duly made, Seconded, and Carried unanimously (voice vote), the reading of the Steering Committee Report was Waived.

STEERING COMMITTEE REPORT

The STEERING COMMITTEE met on TUESDAY, FEBRUARY 22, 1983, in the Democratic Caucus Room, and the meeting was called to order at 7:33 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 Boccuzzi
Barbara McInerney	Philip Donahue
John Zelinski	Marie Hawe
Robert "Gabe" DeLuca	Handy Dixon
James Dudley	Annie M. Summerville
Lathon Wider, Sr.	Gerald Rybnick
Mary Lou Rinaldi	Elizabeth Gershman
Burtis Flounders	Len Gambino, Radio
Philip Stork	ADVOCATE reporter Bauder

(1) FISCAL MATTERS

ORDERED ON THE AGENDA were nine of the items appearing on the Tentative Steering Agenda. Ordered Held were two items (a) \$275,249.44 transfer of capital projects budget item; (b) \$409,750.56 amendment adding to capital projects budget item related to preceding item (a). Ordered held until Co-Chairwoman Marie Hawe requests it restored to the agenda was an item for \$13,300 concerning repayment to the Federal Government on the matter of the Division St. Tot-Lot. Ordered removed from the agenda was the consideration of the Alternate Revenue Task Force Report.

(2) TRANSPORTATION MATTERS

ORDERED ON THE AGENDA was the one item on the Tentative Steering Agenda, being a proposed resolution for the creation of a State traffic flow management development authority.

STEERING COMMITTEE REPORT (continued)(3) PUBLIC HOUSING AND COMMUNITY DEVELOPMENT MATTERS

ORDERED ON THE AGENDA was the matter of a report to be made.

Ordered removed from the agenda were the other two items appearing on the Tentative Steering Agenda being (a) Finance Board Policy #6-1 to be reviewed by Community Development regarding Auditing Policy; and (b) matter of personnel policies of Community Development Department.

(4) URBAN RENEWAL MATTERS

ORDERED ON THE AGENDA were three of the four items appearing on the Tentative Steering Agenda. Ordered removed from the Agenda was the proposal by Reps. Guroian and B. Conti that consideration be given to the disbanding of URC, etc.

(5) EDUCATION, WELFARE AND GOVERNMENT MATTERS

ORDERED ON THE AGENDA were two items appearing on the Tentative Steering Agenda: (a) approval of voting polling places to conform with 1983 local re-districting; and (b) the matter of inquiring into the operation of the Fair Rent Commissioners, alternates, staff, policies, procedures, etc.

Ordered off the Agenda were the other two items appearing on the Tentative Steering Agenda: (a) procedures to contract outside legal counsel and consultants by the Law Department; and (b) clarification of the creation of the position of project manager for LUIS Mapping System.

(6) APPOINTMENTS MATTERS

ORDERED ON THE AGENDA were the names of Mona Walsh, Walter Seely, and George Rieger. Ordered removed from the Agenda were the six names proposed as Hearing Officers for Traffic Appeals.

(7) PUBLIC WORKS MATTERS

ORDERED ON THE AGENDA were six items appearing on the Tentative Steering Agenda, plus one additional one being the matter of capital project #112-252 Project 123 Elmcroft relating to Pitney-Bowes. Ordered Held in Committee were two items appearing on the Tentative Steering Agenda: (i) the matter of Derwen St., Rutz Rd., Glen Ave. and DeLeo Drive; and (ii) investigation into Public Works Department.

(8) PARKS AND RECREATION MATTERS

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

(9) HEALTH AND PROTECTION MATTERS

ORDERED ON THE AGENDA were two items appearing on the Tentative Steering Agenda, plus one additional item transferred from the Personnel Committee agenda, being inquiry of time Health Director spends on the 481 nurses program. Ordered Held in Committee were two items: (a) proposed ordinance concerning hazards in satellite transmission facilities; and (b) the problems at Coleman Towers. Ordered removed from the Agenda was the matter of residential neighborhood disturbances caused by motorcycle operators congregating.

(10) LEGISLATIVE AND RULES MATTERS

ORDERED ON THE AGENDA were five items appearing on the Tentative Steering Agenda. Ordered Held in Committee were two items (i) recordation of hazardous materials and substances stored within City limits; (ii) matter of granting additional property tax exemption to veterans. Ordered removed from the agenda were two items (a) pornographic material being available to minor children; and (b) amendment to lease and ordinance relating to Martha Hoyt School and Stamford Historical Society.

(11) PLANNING AND ZONING MATTERS

ORDERED ON THE AGENDA were the first two items appearing on the Tentative Steering Agenda, both being referrals from the Planning Board. Ordered Held in Committee was one item concerning the sale of City-Owned Property. Ordered removed from the Agenda was the matter of issuance of building permit for condominiums on Woodway before Planning Board had issued its decision on application.

(12) PERSONNEL MATTERS

ORDERED ON THE AGENDA were seven items appearing on the Tentative Steering Agenda. Ordered Held in Committee were two items (i) the matter of gas allotments, eligibility, etc., and (ii) inquiry into death of laborer at Incinerator and OSHA questions. Ordered transferred to Labor Contract Liaison Committee for March Steering the matter of administrator benefits, names, salaries, etc. requested by Rep. DeLuca. Ordered transferred to Health and Protection was the inquiry of time Health Director spends on the 481 nurses program.

(13) COLISEUM AUTHORITY LIAISON MATTERS

ORDERED ON THE AGENDA was one item for a report to be made at the next meeting.

(14) LABOR CONTRACTS LIAISON MATTERS

Transferred from Personnel Committee to be put on March Steering (next month) is the matter of personnel data requested by Rep. DeLuca.

STEERING COMMITTEE REPORT (continued)(15) RESOLUTIONS

ORDERED ON THE AGENDA were the two resolutions appearing on the Tentative Steering Agenda.

ADJOURNMENT:

There being no further business to come before the STEERING COMMITTEE, on Motion duly made, Seconded, and Carried, the meeting adjourned at 8:35 P.M.

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

JLS:HMM

REQUEST FOR SUSPENSION OF RULES TO TAKE UP ITEM OUT OF ORDER ON THE AGENDA:PLANNING AND ZONING COMMITTEE - Chairman Donald Donahue

MR. DONAHUE Moved for Suspension of the Rules to consider Items #1 and #2 on the Planning and Zoning Agenda. Seconded. Approved by voice vote with 3 No votes.

- (1) REFERRAL received 1/21/83 from Planning Board concerning their denial of Application MP-257 of PANULAS, MANKA and GREENBURG - to be considered by this Board on or before their second regular meeting after receipt of appeal. Held in Steering 1/24/83.

PRESIDENT SANTY: The record will show that Rep. Grace Guroian has left the floor and will not participate on this item.

REP. DONAHUE gave the Committee's report recommending denial of the request; and as is the usual practice of the Board, he made a Motion for approval: "That the application #MP-257 of John L. Panulas et al, Josephine Manka et al, and Doris Greenberg to change the Master Plan from Classification '4 Residential Multi-Family, Medium Density' to '6 Commercial, Local or Neighborhood Business', for property located on Fifth St. and known as Nos. 15, 19, and 21 be approved."

"remembering the Committee report is to deny. If you agree with the Committee, vote No; if you disagree with the Committee, vote Yes."

(There was discussion by Board members but it was not recording, as it appears the spool has become loosened from the tape itself and was not revolving and thus not recording.)

PRESIDENT SANTY called for a machine vote, and stated the vote was 20 Yes, 15 No, and 2 Non-Voting.

PLANNING AND ZONING COMMITTEE (Under Suspension of Rules)

It was further stated that 21 votes were needed to approve the Motion, or 21 Yes votes to defeat the Motion; and that because neither side was able to gain 21 votes, no action was taken by the Board; and that, therefore, the decision of the Planning Board would stand.

- (2) REFERRAL received 2/4/83 from Planning Board concerning their approval of Application MP-256 of MAY R. UTHENWOLDT - to be considered by this Board on or before their second regular meeting after receipt of appeal.

REP. DONAHUE gave the Committee's report recommending denial of this Application MP-256 which had been approved by the Planning Board. In keeping with the practice of the Board, Rep. Donahue made a Motion for approval: "That the Application #MP-256 of MAY R. UTHENWOLDT to change the Master Plan from Classification '2 Residential, Single-Family, Low Density' to '3 Residential Multi-Family Low Density' for land situated on Hope Street, beginning with and including property at the Southwest corner of the intersection of Hope Street and Toms Road and extending southerly to and beyond the intersection of Glen Ave., with Hope St. to include the property of Dr. George Moran at 432 Hope St."

PRESIDENT SANTY: The record will show that Rep. Grace Guroian has left the floor and will not participate on this item.

REP. DONAHUE advised the Board that the Planning and Zoning Committee's recommendation was to deny the request to over-turn the Planning Board's decision.

(There was discussion by Board members but it was not recorded as it appears the spool has become loosened from the tape itself and was not revolving and thus not recording. It was discovered after the next item (Urban Renewal Committee) was being discussed and at that time, a new tape was inserted into the recorder.)

PRESIDENT SANTY called for a machine vote and stated the vote was no Yes votes, 33 No votes, no Abstentions, and 4 Non-Votes.

It was further stated that 21 votes were needed to approve the Motion, or 21 votes to defeat the Motion; and that the 33 NO votes defeated the Motion; and that, therefore, the decision of the Planning Board was over-turned.

REQUEST FOR SUSPENSION OF RULES TO TAKE UP ITEMS OUT OF ORDER ON THE AGENDA:

REP. SUMMERVILLE Moved that the Urban Renewal Committee's agenda be heard now. Upon Motions made, Seconded, and Approved by voice vote, it was so done.

URBAN RENEWAL COMMITTEE

- (1) PROPOSED RESOLUTION FOR CONSIDERATION OF RE-USE PARCEL 43 - SALE TO FAITH TABERNACLE MISSIONARY BAPTIST CHURCH. Submitted 1/21/83 by Rep. John Roos. Located at 13-19 Grove St. Returned to Committee 2/9/83.

MR. ROOS gave the Committee's report and Moved for approval. Seconded.

(There was discussion, and the next page is where the dialogue is picked up from the new cassette tape that was put in the machine and appeared to work satisfactorily.)

(End of that portion of Tape 1 that recorded, plus Board action to this point. Tape side #2 was not used. Next page is the start of tape side #3.)
HMM:MS

URBAN RENEWAL COMMITTEE: (Continued)AK

PRESIDENT SANTY: Opposed? No votes, please raise your hand. Not sufficient. We will move the question. We will use our machine. The question is on returning ...

MR. LIVINGSTON: I'd like a Roll Call vote, please.

PRESIDENT SANTY: This is just on returning it to Committee.

MR. LIVINGSTON: Yes, I'd like a Roll Call vote.

PRESIDENT SANTY: Mr. Livingston has moved for a Roll Call vote on returning this item to Committee. Is there a Second to that? Seconded. All in favor of a Roll Call vote, please say aye. Opposed? I know, Mr. Livingston, only a fifth. The people that want a Roll Call vote, please raise your hand. There's nine. We'll have a Roll Call vote. Roll Call vote and the motion is to return item #1, Urban Renewal back to Committee. That is the proposed resolution for consideration of reuse parcel 43, the sale to the Faith Tabernacle Missionary Baptist Church. The motion is to return this to Committee. Mr. Franchina, as Assistant Teller since Mr. Stork is not here, would you please take the Roll Call? Mr. Wiederlight and Mr. Franchina will keep a tally. Will everyone please give Ms. Summerville your attention. We are now voting on the item to return to Committee. If you would want to return it to Committee, you vote yes. If you are against returning it to Committee, vote no.

MS. SUMMERVILLE called the Roll.

PRESIDENT SANTY: I would ask the Tellers to please come forward with their tally when they are finished counting. Mr. Wiederlight, would you come forward with your tally, please? The motion to return to Committee has been DEFEATED 26 negative, 11 affirmative. We are now going to proceed to the main motion for discussion and that is the proposed resolution for consideration of reuse parcel sale to the Faith Tabernacle Missionary Baptist Church. We are now on that item.

MR. WIDER: I move the question, Madam Chairman.

PRESIDENT SANTY: A motion has been made and Seconded to move the question. All in favor of moving the question, please say aye. Opposed? The no votes, please raise their hand. I have to use the machine; hands keep popping. Use the machine. If you are in favor of moving the question, vote yes. If you are against moving the question, vote no. Two-thirds is required; we have 37 people present. We need 25 votes to move the question. Has everyone voted? The motion to move the question has been DEFEATED 24 affirmative, 13 negative. We'll move back to discussion. Ms. Summerville or Mr. Roos, would you like to bring out any points?

MR. ROOS: There is one point I would like to correct. The URC did inform all the involved parties that the land was up for sale, and that was done in May. The Eagles objected strongly; strongly enough to take it to Court and the Court decided that they had lost their option, and they were so informed in May.

PRESIDENT SANTY: Thank you, Mr. Roos.

MR. ROOS: This was not done verbally, but written; written record.

URBAN RENEWAL COMMITTEE: (Continued)

MR. BLAIS: Move the question, Madam Chairman,

PRESIDENT SANTY: A motion has been made to move the question. Is there a Second to that? Several Seconds. All in favor of moving the question, please say aye. Opposed? Would the no votes please raise your hand. Not sufficient to delay moving the question. We'll move the question. We're going to use the machine for a vote. The question is on item 1 under Urban Renewal.

MR. WIDER: I move for a Roll Call vote, Madam Chairman.

PRESIDENT SANTY: A motion has been made. Is there a Second? Seconded for a Roll Call vote. All in favor of a Roll Call vote, please raise your hand. Not sufficient for a Roll Call vote. We'll proceed to a machine vote. We are now voting on item 1 under Urban Renewal. If you agree with the Committee report to approve the resolution of the sale of the properties to Faith Tabernacle Missionary Baptist Church, please vote yes. If you disagree with that Committee report, please vote no. Has everyone voted? The resolution has been ADOPTED 28 affirmative, 3 negative, 5 abstaining, and 1 not-voting.

- (2) PROPOSED RESOLUTION FOR CONSIDERATION OF RE-USE PARCEL B-45-1 SALE TO HOLIDAY INNS, INC. Submitted by Rep. John Roos 1/21/83. Returned to Committee 2/9/83. Located east of the new Holiday Inn site, on the intersection of Main and Broad Streets.

MR. ROOS: This land is located at Main and Broad Streets. It is triangular in shape and is encumbered by being subjected to future road expansion at no cost to the City. Also, it will be available to the public. Without encumbrances, it is assessed at sixty-two nine.

PRESIDENT SANTY: Excuse me, Mr. Roos. Can all the Representatives hear? I would just ask the members of the gallery to proceed quietly. Continue, Mr. Roos.

MR. ROOS: Without the encumbrances, it is assessed at \$62,900. URC's appraiser, Mr. Carl Caffenberg, appraised its market value of \$16,850 encumbered. The proposed sale is for \$20,000. Holiday Inn has a need for this land now as a loading point for construction. It will have little future need for it in the future. It will be open land maintained by Holiday Inn. Taxes will be paid at the City's assessed value. The Committee voted 5 to 0 to accept this resolution and I so Move.

PRESIDENT SANTY: Thank you, Mr. Roos. There has been a motion made and Seconded. We are now discussing item 2 under Urban Renewal.

MR. WIEDERLIGHT: Move the question.

PRESIDENT SANTY: It's not necessary to move the question because we don't have any speakers to that. Mr. Tarzia, are you a speaker?

MR. TARZIA: I'll be brief.

PRESIDENT SANTY: No, you can't now; a motion has been made to move the question. A Motion has been made and Seconded to move the question. All in favor of moving the question, please say aye. Opposed? Not sufficient. We'll move the question. The question is on the proposed resolution for the consideration of reuse parcel B-45-1 sale to Holiday Inns. We'll use the machine for a vote. If you agree with the Committee report, vote yes. If you disagree with the Committee report, vote no. Has everyone voted? As you notice, I say it three times, almost like an auction block.

URBAN RENEWAL COMMITTEE: (Continued)

PRESIDENT SANTY: (continuing) Has everyone voted? The resolution has been ADOPTED 32 yes, 1 no, and 4 not-voting. Mr. Roos and Ms. Summerville, that concludes your report?

MR. ROOS: Yes.

PRESIDENT SANTY: Thank you, very much. We will go back to the first item on the Agenda which is Fiscal.

MR. ZELINSKI: Thank you, Madam President. I would like to Suspend the Rules to take up an item on the Agenda under Legislative and Rules, item #4. There are some people here waiting to hear the results of that. Thank you.

PRESIDENT SANTY: Mr. Zelinski has made a motion to Suspend the Rules to consider an item under L&R. I would ask all the Representatives to give Mr. Zelinski your attention. Mr. Zelinski, could you just read what item #4 is?

MR. ZELINSKI: Sure, I would be more than happy to, Madam President. Item #4 under Legislative and Rules is request for a waiver and refund of a building permit fee from New Neighborhoods, Inc. for Elmcroft Road affordable housing development.

PRESIDENT SANTY: A motion has been made and Seconded to take an item off the Agenda; as Mr. Zelinski stated, because there are people here waiting to hear this item. It's been Seconded. All in favor of Suspending the Rules, please say aye. Opposed? Mr. Zelinski, it's been adopted unanimously.

MR. ZELINSKI: Thank you, Madam President and thank you, Board Members.

PRESIDENT SANTY: We are now on page 7 under L&R.

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

MR. WIEDERLIGHT: Excuse me, Madam President. Let the record show that I am leaving the Floor.

PRESIDENT SANTY: Mr. Wiederlight is leaving the Floor and will not be participating in this vote.

(4) REQUEST FOR WAIVER AND REFUND OF BUILDING PERMIT FEE FROM NEW NEIGHBORHOODS, INC., 6/10/82 and Mayor Clapes' letter 11/15/82 for ELMCROFT ROAD AFFORDABLE HOUSING DEVELOPMENT. Held 12/27/82 and 2/9/83. \$2,190 FEE PAID 8/2/82.

MR. ZELINSKI: Under Ordinance #80.7 Supplemental, they would be entitled to this waiver. Our Committee voted 4 in favor, 3 against and I so Move. Thank you.

PRESIDENT SANTY: A motion has been made and several Seconds to waive the building permit fee for New Neighborhoods Elmcroft Road Affordable Housing Development. Any discussion?

MRS. SAXE: Thank you, Madam Chairman. I again would like to move that we stop having all waivers and abatements until we know what our financial position is at the end of this fiscal year.

LEGISLATIVE AND RULES COMMITTEE: (Continued)

MRS. MAIHOCK: We have been informed that our Commissioner of Finance anticipates an estimated 10% or more tax burden on our taxpayers when we have simultaneously an increase of \$144 million in our revenues. I must sympathize with the taxpayers. Under such a fiscal crisis, I believe we must concentrate on vital services to the City, and I feel as Mrs. Saxe does, that at this particular time, this item should be not approved.

MR. BONNER: Thank you, Madam Chairman. We have discussed this in Committee and there's no question about the operation that is being conducted by the Neighborhood Incorporated. It's a very good reason; it's a very good cause, but I support the fact that

PRESIDENT SANTY: Mr. Bonner, one moment. Can you all hear Mr. Bonner? I think you are going to have to either get closer to the mike or maybe it's not working effectively. Thank you.

MR. BONNER: It may not be working so I'll talk loudly. We have discussed this in Committee. There's no question that the New Neighborhood Incorporated is a very high quality, good organization. They are doing a lot for the neighborhoods. There's a point, however, that I believe is very important. I believe that everyone whether in the higher category of salaries or in the lower category, they're physically able, should support the government. I think that that which we pay for is that which we cherish. There's a story about the widow's mite. Her small amount was as valuable as the larger amounts paid by those who could afford more. I think the important point there was that she was willing to pay her part. I think that every person should pay their part in supporting the government. This is a small part. It's paid in the price of the house. I think it's important that we all do pay our share. I, therefore on that principle, believe that this waiver should not be accepted. Thank you.

MRS. McINERNEY: I'd like to preface my statement with saying that I am usually known as being very stringent on granting of a waiver of building permit fees to anyone within the City, and I would like to indicate this evening, that the New Neighborhoods should be congratulated for the type of improvements that they have been doing to the West Side and now into the South End area. They have taken areas that were run-down or in some areas that provided no housing, and provided housing at an affordable rate to many people; renters and now owners of homes near the Greenwich Avenue area on Ann Street, I believe.

Over the years, the properties that they have developed on Ann Street, Richmond Hill Avenue, Rose Park and again, Ann Street and West Washington, have generated taxes into the coffers of the City of Stamford. I think that we should realize that by granting a waiver of a building permit fee of \$2,000, we might possibly generate \$9,000 back into the coffers on an annual rate for the City of Stamford. \$2,000, to me as an investment, is very reasonable when your rate of return will be more than double that, and I feel that they have done a good job. I think the type of housing that they provide is exceptional and I will support this waiver.

LEGISLATIVE AND RULES COMMITTEE: (Continued)

MR. WIDER: Thank you, Madam Chairman. As one of the people who began turning the South End around, and one who has paid the A district tax over a number of years, \$2,190 as far as I am concerned, is very small. We are going to create some new taxpayers, not welfare people that we have to pay, but people that are going to pay taxes. I think that's what we need. I think we should have our arms opened to New Neighborhoods, and to offer them this little respite for the fees that they have already paid which is so small that I feel embarrassed sitting here looking at you talking about it. New Neighborhoods is going into big projects. They are going to bring about some safe and sanitary housing in some areas that some of us have been guilty of neglecting. Now that we have something moving, I would hope that all of you would vote for this enthusiastically. Please let's encourage New Neighborhoods; not discourage them. Thank you.

MR. BLAIS: Thank you, Madam President. I don't know why all of a sudden, we know what the state of the City's fiscal affairs are; I don't know why all of a sudden when New Neighborhoods comes up, certain people say, "No, the buck stops here." No more waivers, no more abatements when we have given out a whole string before hand. As we all know, the Mayor runs the City, and if we don't have enough revenues in the City, I think it would be contingent on the Mayor to get himself up to Hartford to increase our revenue base like it should be rather than nickel-and-dime hard-working organizations that have tried to help our fair City.

MR. ZELINSKI: Thank you, Madam President. To preface my remarks, I am certainly concerned with the tax base, the taxpayers, and so forth. However, to quote from the New Neighborhoods request when they originally sent this to us dated February 28th, "We believe by providing opportunities for home ownership to moderate income families, we are strengthening and preserving neighborhoods. We have been able to build affordable housing by using four tools," and she mentions the others. I won't go into it now because we all received a copy of it. To continue, "We are respectfully requesting the City provide a 5th tool by granting waiver of the building permit to assist that in keeping the cost of construction down, and which will benefit the families who become new homeowners through our program."

Now, for information purposes, experience to date indicates that the City can expect to receive approximately \$800.00 per complete unit on this basis. The last three projects which will produce future taxes to the City annually of \$4,800 from the Linden Place, \$7,600 annually from this Elmcroft, and \$22,400 from the Greenwich Avenue Development at the present mill rate."

Just to remind my colleagues, to increase 1 mill in taxes, it would cost \$3 million. We're talking here of \$2,190. I would certainly hope my colleagues would vote to approve this. It's money well worth it, and it certainly is not going to have an adverse affect on the tax base. Thank you.

MR. FLOUNDERS: I wholeheartedly agree with Reps. Wider, McInerney, Blais and Zelinski who have spoken in favor of this waiver. I realize that there are many abuses of waivers and tax abatements, but I think that we have to be very careful that we don't, in trying to attack the abusers, attack those very few persons and organizations that are really doing the kind of a job that we have set up waivers as incentives for.

13.
LEGISLATIVE AND RULES COMMITTEE: (Continued)

MR. FLOUNDERS: (continuing) ^{and low-cost} Lots of people, lots of organizations give lip-service to providing moderate ~~halocaust~~ housing. New Neighborhood is one of the very few organizations, if not, the only organization in this City that is really doing something about it and has done a lot about it. I think we should provide them every incentive we possibly can. Let's worry about eliminating the incentives for people who don't deserve them and organizations that don't deserve them. Let's not hit New Neighborhoods as an example of how tough we are going to be. This is just the kind of a cause that we need to support. Thank you.

MR. LIVINGSTON: Thank you, Madam President. I am going to be brief. The Greenwich Avenue property is in my district, and perhaps some of my colleagues don't realize about this piece of property; what it is, what it was perhaps 15, 20 years ago. It consisted of a poolroom, a few dilapidated houses, and a couple of shooting galleries, and the shooting galleries were not of the nature of firearms.

One of the things this project is going to do; it's going to bring in families; it's going to help stabilize a very unstabilized street, and for us to dare be penny-wise and pound-foolish, that entire block hasn't had the benefits of Urban Renewal. New Neighborhoods has been steadily chipping away and for those of us who are familiar with the area, we can actually see, we see the police doing a better job than they were two years ago, three years ago; definitely 5 years ago. There are better controls placed on some of the things that were uncontrollable at one time. I'm going to ask this Board to please consider what you are voting on. An affirmative vote tonight is creating change; change that should have happened perhaps 30 or 40 years ago. Thank you, Madam President.

MRS. SIGNORE: I've spoken in the past years in favor of New Neighborhoods, and I will do so again this year. The type and cost of the housing they make possible is of great need in Stamford, and their track record is exemplary. Anything we as a Board can do to promote and encourage New Neighborhoods to continue and even accelerate the kinds of new housing they provide, should be supported by this Board. Thank you.

MR. BOCCUZZI: Move the question.

PRESIDENT SANTY: A motion has been made and Seconded to move the question. All in favor of moving the question, please say aye. Opposed? We're going to move the question. The question is on item #4 under Legislative and Rules; request for the waiver and refund of the building permit fee from New Neighborhoods, Inc., Elmcroft Road Affordable Housing Development. Please use your machine for the vote. Has everyone voted? Has everyone voted? Has everyone voted? The motion has PASSED 30 affirmative, 4 negative, 1 abstaining and 2 not voting.

We will now return to the Fiscal Committee report. Mr. Wiederlight is now back and he will be present on the Board during the Fiscal Committee report.

FISCAL COMMITTEE - Chairwoman Marie Hawe

MRS. HAWE: The Fiscal Committee met on Wednesday evening, March 2.

PRESIDENT SANTY; Will all the Representatives please give Mrs. Hawe your attention. We are now on the Fiscal Committee report, item 1. Please give Mrs. Hawe your attention.

MRS. HAWE: Present in addition to myself, were Committee members Betty Conti, Joe Franchina, John Roos, John Hogan and Jerry Livingston. Also present were Reps. Owens, Wider and Stork; each present for part of the meeting. I would like to move the following items on the Consent Agenda. Item #2.

PRESIDENT SANTY: Item #2.

MRS. HAWE: Item #3.

PRESIDENT SANTY: Item #3.

MRS. HAWE: Item #4.

PRESIDENT SANTY: Item #4.

MRS. HAWE: Item #5.

PRESIDENT SANTY: Item #5.

MRS. HAWE: Item #9.

PRESIDENT SANTY: Item #9.

(1) \$620,000.00 - SEWER COMMISSION - RESOLUTION AMENDING THE CAPITAL PROJECTS BUDGET FOR #112-252 PROJECT 123 PACIFIC-ELMCROFT. To be financed by the issuance of bonds - \$429,300 of which will be reimbursed by Pitney Bowes, Inc. over a ten-year period; per Mayor's request August, 1982. Board of Finance approved 1/13/83. Returned to Comm. 2/9/83.

Above also referred to Public Works Committee.

MRS. HAWE: At the request of the two area Representatives, the word "Pacific" has been deleted from the title of this project and this project will now be known as #112-252 Project 123 Elmcroft.

MRS. McINERNEY: Excuse me, Mrs. Hawe. I'd like to make an announcement. There is a yellow station wagon Chevrolet MM3255; it's blocking the driveway. People have been at other meetings and would like to leave. Thank you, Audrey.

MRS. HAWE: This item was approved 5 in favor and none opposed. The only reason it's not on Consent is that the word "Pacific" has been dropped from the title, and it will now be known as Elmcroft. That will be the name of the project, and Fiscal voted 5 in favor and none opposed and I so move.

MRS. McINERNEY: Is there a Second? Thank you, Mr. Perillo, Is there a Committee report from Public Works, Mr. Flounders?

FISCAL COMMITTEE: (Continued)

MR. FLOUNDERS: Thank you, Madam President. The Public Works Committee met on Thursday, March 3, 8:00 p.m. All members were present. The first item, The Matter of the Streetscape Program...

MRS. McINERNEY: Mr. Flounders, I would like your Secondary Committee report on item #1.

MR. FLOUNDERS: I'm sorry. I wondered how we got there so fast.

MRS. McINERNEY: That would be unusual, Mr. Flounders.

MR. FLOUNDERS: The Public Works Committee concurs.

MRS. McINERNEY: Thank you very much. Is there any discussion on this item?

MR. WIDER: A little addition to it. It's Elmcroft, Stone, Cedar to Henry. That's the way it should read.

MRS. HAWE: Mr. Wider is right. That is the route that the sewer line will take. We have eliminated "Pacific" from the title.

MRS. McINERNEY: Is that going to be incorporated with the approval, Mrs. Hawe?

MRS. HAWE: The approval is for the project to be known as 123 Elmcroft, but the route of the project is according to the map as we saw at the meeting, which are those streets that Mr. Wider enumerated

MRS. McINERNEY: Thank you, Mrs. Hawe.

MR. OWENS: Thank you, Madam President. In that we, myself and Rep. Wider, asked permission at the last meeting to hold up this item, I would like to thank the Board for giving us the chance to question this project number here, item #123, and also I'd like to publicly apologize to the Committees that had presented and talked about the issue, and say thank you, all; we appreciate it.

MRS. McINERNEY: Thank you, Mr. Owens. We are voting on the question. The question is approval of \$620,000 for the Sewer Commission, resolution amending the Capital Projects budget for #112-252 Project 123 Elmcroft. All those in favor? All those against? Yes, Mrs. Conti, there is a quorum. All those against? Anyone abstaining?

MRS. CONTI: Point of Order; why can't we have a machine vote inasmuch as this requires two-thirds?

MRS. McINERNEY: Yes, Mrs. Conti. Would you like a machine vote? All right, we'll vote by machine. All those in favor of item #1, please push up for yes, down for no, and abstention. Has everybody voted on this item? The vote is 33 in favor, no no, no abstentions, and 4 non-voting.

(2) \$ 32,600.00 - FIRE DEPARTMENT - Additional appropriation per Mayor's request 2/1/83 for the following items. Approved by Board of Finance 2/8/83:

450.2650 New Equipment	\$ 6,600.00
450.2352 Protective clothing	26,000.00
	<u>\$32,600.00</u>

Above also referred to Health and Protection Committee,

ON CONSENT AGENDA..... (Later taken off Consent - see item after #7 of Fiscal)

FISCAL COMMITTEE: (Continued)

- (3) \$150,644.00 - WELFARE DEPARTMENT - Additional appropriation per Mayor's request 2/1/83. Approved by Board of Finance 2/8/83:

510.3610 General Hospital	\$116,644.00
510.3623 Prescription drugs & medicines	20,000.00
510.5130 Professional medical care	<u>14,000.00</u>
	\$150,644.00

Above also referred to Education, Welfare and Government Committee.

APPROVED ON CONSENT AGENDA

- (4) \$ 100.00 - HEALTH DEPARTMENT - V.D. CLINIC GRANT - State - Additional appropriation for Code 554.3735 V.D. Clinic - to restore to account a gift received and deposited in General Funds. Per Mayor's request 1/1/83. Board of Finance approved 2/8/83.

APPROVED ON CONSENT AGENDA

- (5) \$1,017,500.00 - FINANCE DEPARTMENT - Code 900.8210 DEBT SERVICE: CITY BONDS INTEREST - Additional appropriation per Mayor's request 1/4/83. Board of Finance approved 2/8/83. Represents one-half of the first year's interest for the new bond issue of 12/1/82 of \$20,350.00, 10% interest; first payment due 6/1/83.

Above also referred to Education, Welfare and Government Committee.

APPROVED ON CONSENT AGENDA

- (6) \$ 17,899.36 - BOARD OF RECREATION - Additional appropriation per Mayor's request 2/3/83. Board of Finance approved 2/8/83.

650.2310 Maintenance of Facilities (Beaches and Parks)	6,662.36 \$ 9,414.36
650.2310 Maintenance of Facilities (Sealsi Park & Southfield Community Center)	3,185.00
650.2310 Maintenance of Facilities	600.00
650.2210 Maintenance of Bldgs.	<u>4,700.00</u>
	\$17,899.36
	15,147.36

Above also referred to Parks and Recreation Committee.

MRS. HAWE: Fiscal voted to reduce the first line which is 650.2310 Maintenance of Facilities, Beaches and Parks, which was \$ 9,414.36. We voted to reduce that to \$ 6,662.36. The reason for that was that there *was were* some monies in there that were for Scofieldtown Park, and Scofieldtown Park has a different code. It's not 650. That will be sent through at a later date by the Recreation Department. That would bring the total amount that the Fiscal Committee approved to \$15,147.36. Fiscal voted 5 in favor, 1 opposed and I so move.

MRS. McINERNEY: Is there a Second? Seconded. Thank you.

MS. SUMMERVILLE: Through you, Madam Chairman, to Co-Chairman Marie Hawe, could you give me the answer to the question that I asked the Committee?

FISCAL COMMITTEE: (Continued)

MRS. HAWE: I think you asked, "What recreational facilities were at the Southfield Community Center?" We inquired about that and it appears that there is a pool, a playground and also a small storage building which are under the jurisdiction of the Recreation Department both at Scalzi Park and the Southfield Community Center, and this money is for two pool liners and filter cartridges for this pool; the pool, the playground, and a small storage shed are under the Board of Rec's jurisdiction down there.

MS. SUMMERVILLE: Where is the storage?

MRS. HAWE: It is in the vicinity of the pool. It's a small building for storage of equipment and also public bathrooms and it's in the vicinity of the pool as far as I understand; at Southfield also. Mr. Giordano said that at each place there is a playground facility, a pool, and a small storage shed.

MRS. CONTI: Thank you, Madam Chairman. I would like to say at this time, that I take a dim view of appropriations coming before us in such a slipshod fashion that they have the wrong account numbers on them, and I just don't think that we should even consider things like this until they are submitted properly. Thank you.

MRS. McINERNEY: I'm sorry, I did err. Mr. DeLuca, did you have a Secondary Committee report?

MR. DeLUCA: Yes, we concur.

MRS. McINERNEY: Thank you very much. Is there any other discussion on this item? We will now take a vote on item #6, \$15,147.36 Board of Recreation, additional appropriation per Mayor's request 2/3/83. All those in favor, please vote by machine. Up for yes, down for no. Has everybody had the opportunity to vote? The vote has PASSED 27 yes, 3 no, no abstentions, and 7 not-voting.

(7) \$ 1,050.00 - STAMFORD YOUTH PLANNING & COORDINATING AGENCY - Code 792.4201
PROGRAM SERVICE - Additional appropriation per Mayor's request
2/2/83; which amount represents a grant from the Stamford
Foundation. Check received.

MRS. HAWE: This amount represents a grant which has been received from the Stamford Foundation, and already deposited in the General Fund. Our vote on this will simply appropriate it out of the General Fund so that SYPCA can make use of it. Fiscal voted 5 in favor and 1 opposed and I so move.

PRESIDENT SANTY: Is there a Second to that motion? Several Seconds. Discussion? No discussion. We'll move right to a vote. Item #7 under Fiscal, page 3, \$1,050 Stamford Youth Planning and Coordinating Agency Program Service. Please use your machines for a vote. Has everyone voted? Has everyone voted? Has everyone voted? The motion has PASSED 27 affirmative, 1 negative, 2 abstaining and 7 not-voting.

MRS. HAWE: I'd now like to go back to enumerate the items that are on the Consent Agenda. Item #2, \$32,600 for the Fire Department for new equipment and protective clothing.

PRESIDENT SANTY: Ann, before we read it, she wants it off the Consent Agenda. She can do that at this point. We did this before. Maybe she was off the Floor. Item 2 off the Consent.

FISCAL COMMITTEE: (Continued)

PRESIDENT SANTY: Why don't you go back to item 2, Fire Department? While we are waiting for that, Health and Protection, Secondary Committee on item 2, Fire Department.

MR. DZIEZYC: I make a motion to waive the Secondary Committee report.

PRESIDENT SANTY: A motion has been made and Seconded to waive the Secondary Committee report. All in favor of waiving the Secondary Committee report, please say aye. Opposed? Secondary Committee report is waived.

(2) \$ 32,600.00 - FIRE DEPARTMENT - Additional appropriation per Mayor's request 2/1/83 for the following items. Approved by Board of Finance 2/8/83:

450.2650 New equipment	\$ 6,600.00
450.2352 Protective clothing	<u>26,000.00</u>
	\$32,600.00

Above also referred to Health and Protection Committee.

MRS. HAWE: This is two separate items. The first is Code 450.2650 New equipment. These are for three Walkie-Talkies which were damaged beyond repair during the past year. The Fire Department had three spare units that were put into service. Unfortunately, at the recent fire on Ludlow Street, three more Walkie-Talkies were destroyed in the explosion. They were being carried by the firefighters who were injured. The funds requested will enable the Fire Department to purchase six Walkie-Talkies. Reliable communications at the scene are essential to carrying out proper firefighting procedures.

The second one for \$26,600 is protective clothing code 450.2352, and if I might read from the request, "The Fire Department is currently in a program, a mandated program, to change over completely to Connecticut OSHA and National Firefighters' Association specifications concerning protective clothing by 1985 as required by law. They are now 50% into the program with the '81/82 appropriation. In view of the tragic explosion that occurred at Ludlow Street several weeks ago which seriously injured four firefighters, it is the feeling of the Fire Department that this change-over to the new updated protective clothing be completed as soon as possible giving the firefighters as much protection as is available with technology now, and also going a long way to relieve the present concern and anxiety, and to boost the morale of the firefighters since at this point, about half of the firefighters have the new equipment and half have the older equipment.

By approving this appropriation, the upcoming operating budget will be reduced by \$10,000 and also by an additional amount in the following year's budget because they will not be needing it then." They want to complete the program now, and get all the equipment now.

Fiscal voted 6 in favor and none opposed and I so move.

PRESIDENT SANTY: Is there a Second to that motion? Seconded.

MRS. SAXE: Thank you, Madam President. At that meeting of Fiscal, I inquired of how they reached this number of \$26,600 if it is 50% and nobody yet has given me the base figure and I asked, and they said they would have it here tonight, and tonight there is a letter but there still is no figure as to how these numbers were arrived at. I would like to know how they arrived at this?

(Start of Tape Side #4)

MRS. HAWE: ...cooperative and helpful counterpart. I will miss him. I wish him the best of luck in Hartford. I know he will bring the same competence, dedication, and integrity to his work in the State Legislature that he did to our Board of Representatives.

MRS. McINERNEY: Yes, I'd like to echo the sentiments of both Mr. Boccuzzi and Mrs. Hawe, and wish Paul, good luck and many years in Hartford.

MR. LIVINGSTON: Thank you, Madam President. I, too, would like to echo

MRS. HAWE: We requested from the Fire Chief, for him to breakdown exactly how much has been spent in the two previous fiscal years on this protective clothing. I think this is sufficient information for us to make a judgement on this.

If I may briefly enumerate on this, in September of '81, they purchased 32 nomex coats. The coats are at a cost of \$131 each. 26 nomex pants at \$85 a pair. In the next fiscal year in November of '82, they purchased 75 coats at \$112 each, 50 bunker pants at \$81 each, and with the requested \$26,000 additional appropriation, now they expect to purchase 100 coats and 150 sets of pants.

MRS. McINERNEY: Yes, I would like to move the question, please.

PRESIDENT SANTY: A motion has been made and Seconded to move the question. All in favor of moving the question, please say aye. Opposed? We're going to move the question. The question is on the approval of \$32,600 Fire Department, item 2 under Fiscal Committee. We'll use our machines for a vote. Has everyone voted? Has everyone voted? Has everyone voted? We'll allow our two hostesses back there cutting the cake, to vote if they would like. Barbara DeGaetani and Mary Jane Signore are cutting the cake to help our House Chairman Mr. Rybnick. Has everyone voted? The motion has PASSED 33 yes, 1 no, 1 abstaining and 2 not-voting.

MRS. HAWE: Now, I'll go to the Consent Agenda and I will read the items that are moved on the Consent Agenda. Item #3, 150,644.00 for the Welfare Department for three separate codes: general hospitals, prescription drugs and medicines, and professional medical care. Item #4, \$100 for the Health Department for the V.D. Clinic grant. Item #5, \$1,017,500.00 for the Finance Department Code...

PRESIDENT SANTY: Mrs. Hawe, before you go any further. E, W, & G, Ms. Rinaldi, do you have a report on #3, Welfare?

MS. RINALDI: I'd like to make a motion to waive our Committee report.

PRESIDENT SANTY: A motion and Seconded to waive the Secondary Committee report. All in favor, please say aye. Opposed? We'll waive the Secondary Committee report.

FISCAL COMMITTEE: (Continued)

PRESIDENT SANTY: Ms. Rinaldi, on item #5? Do you want to waive the Secondary Committee report?

MS. RINALDI: Yes, Madam.

PRESIDENT SANTY: A motion has been made. There's a Second to waive the Secondary Committee report. All in favor, please say aye. Opposed? We're waiving the Secondary Committee report.

MRS. HAWE: Just for the record, item #5 was for the Finance Department, Code 900.8210 Debt Service for city bonds. Item #9, \$800.00 for the Law Department Code 230.5240 Court and Sheriff fees and I so move.

PRESIDENT SANTY: Is there a Second to that motion? Seconded. All in favor of the Consent Agenda, please say aye. Opposed? Consent Agenda PASSES UNANIMOUSLY.

MRS. HAWE: I did forget something. Item #8. The Committee is holding that.

- (8) PROPOSED RESOLUTION TO THE GENERAL ASSEMBLY FOR LEGISLATION TO ELIMINATE OR LOWER TO 10% that State statute which now permits those disputing their assessments to withhold 25% of the tax due. Stamford now has about 300 assessments in protest or litigation whose assessed value totals over 700 MILLION DOLLARS, most of them being over \$500,000 assessments each. Creates large shortfalls in City's revenues which others must bear, per Finance Commissioner Patrick G. Marra's letter 1/19/83.

HELD IN COMMITTEETRANSPORTATION COMMITTEE - Chairwoman Sandra Goldstein

MRS. MAIHOCK: Madam President, through no fault of my own, I had to move my car and I was unable to vote on #1. Is it possible to give my vote on that before we go by.

PRESIDENT SANTY: Mrs. Maihock, it's too late at this point.
REQUEST TO RE-CONSIDER PLANNING AND ZONING REFERRAL:

MR. DZIEZYC: I would like to reconsider the Planning and Zoning Committee item #1, I believe it is.

PRESIDENT SANTY: Item #1. Mr. Dziezyc, were you on the prevailing side? You voted no?

MR. BOCCUZZI: Madam President, there was no prevailing side. Nobody got 21 votes.

PRESIDENT SANTY: Mr. Dziezyc, you're moving to reconsider on page #8, item #1? Is there a Second to that motion to reconsider? Seconded.

MR. DONAHUE: Point of Order, Madam President. I would rather any vote that comes out of any Committee to have either the 21 either way, but the fact of the matter is, that when this decision first came down, it was carefully reviewed about what the impact was on the Board. The fact is that this very issue was discussed, and because there was no prevailing side, there cannot be a motion to reconsider, and this was well-documented at the time, well-discussed; there is no prevailing side. There is no motion to reconsider.

PRESIDENT SANTY: Thank you, Mr. Donahue. That's well-taken.

PRESIDENT SANTY: Mr. Hogan, do you have a ruling on this? We did not take any action. The vote was 20 to 15.

MR. HOGAN: Madam Chairman, as Mr. Donahue has said, your parliamentary situation is this: That it was explained in great length and in depth by the Chair and other members of this Board that in order to either except or defeat this, it would take 21 votes. Anything lacking 21 would constitute no action, therefore, lacking the 21 votes on either to accept or reject, this Board took no action, and if a Board takes no action, I fail to see how you can possibly reconsider something which we didn't take any action on.

PRESIDENT SANTY: You are saying, in fact, you are agreeing with Mr. Donahue that the motion to reconsider is not proper at this time because there was no reconsideration, no prevailing side. We failed to take any action.

MR. WIEDERLIGHT: Madam President, the Board did take action by virtue of taking no action. It's like a double negative being a positive, Madam President. Inasmuch as our taking no action, we did take action, O.K? I refer you to page 269 of Roberts' Rules of Order wherein they do make all of the necessary...

PRESIDENT SANTY: Excuse me, Mr. Wiederlight, Parliamentarian, what page is that on Roberts' Rules?

MR. WIEDERLIGHT: 269, the top. I have Mr. Hogan's book. He can't really refer to it right now. Where it says, "By application of these principles, it follows that certain motions cannot be considered while in the case of..."

PRESIDENT SANTY: Please give Mr. Wiederlight your attention. You will all be able to speak.

MR. WIEDERLIGHT: "While in the application of others, only a vote on the affirmative result can be reconsidered, and with still others, only a vote on the negative result." O.K? We did take action. Our no vote was really like a double negative which was like taking a positive action and affirming the action of the Planning Board. I rest my case.

PRESIDENT SANTY: Thank you, Mr. Wiederlight. I am also reading page 269.

MRS. SIGNORE: I agree with Mr. Wiederlight. By taking no action (inaudible, not speaking in the microphone)

MR. BOCCUZZI: Point of Information. I would only ask the Chair, "What side was the prevailing side?"

PRESIDENT SANTY: The vote was 20 no and 15 yes, so the one that lost, more votes were on the negative. Actually, that's how it was.

MRS. GOLDSTEIN: The prevailing side was the side that caused an action to be taken. The action taken was that the Zoning Board was upheld through not having 21 votes. So that is the prevailing side. There has to be a prevailing side even though no action was taken. The no action prevails. Quite frankly, anyone would be on the prevailing side since that was no action, but I would say it's much more fear that somebody who voted in favor of upholding the Planning Board's ruling be categorized as on the prevailing side because that was what prevailed.

REQUEST TO RE-CONSIDER PLANNING AND ZONING REFERRAL (continued)

MR. DIXON: Point of Information.

PRESIDENT SANTY: Yes, Mr. Dixon. There are several speakers. What is your Point of Information? The motion on the Floor was made by Mr. Dziezyc to reconsider this vote. The debate now, and this motion is debatable whether it's a proper motion before this Floor or not?

MR. DIXON: Madam President, it appears to me now that it would be a simple matter of a challenge of the Chair, and the ruling of your Parliamentarian.

PRESIDENT SANTY: Mr. Dixon, you can't challenge the Chair because the Chair hasn't made a ruling at this point.

MR. DIXON: Well, don't you think the Chair should make a ruling?

PRESIDENT SANTY: Mr. Dixon, that is not a Point of Information.

MR. ZELINSKI: Thank you so kindly, Madam President. I think the main point, Madam President, that we have to realize is that when you and Rep. Donahue did explain how we would be voting, Madam President...

PRESIDENT SANTY: Continue.

MR. ZELINSKI: When you and Rep. Donahue explained prior to the vote, how the various voting would affect the particular application involved, it was mentioned, I believe, by both you and Rep. Donahue, that if there was no 21 votes in either way, then the Planning Board's decision would prevail. Thereby, those voting against the application were on the prevailing side, and so it would be a proper motion to reconsider that particular question. Thank you.

MR. BLAIS: The request towards the reconsideration, was he on the prevailing side?

PRESIDENT SANTY: Yes, he was, Mr. Blais, if you consider his vote the prevailing side. That's the discussion at this point.

MR. BLUM: My question to you is, which side is the prevailing side? I didn't get an answer to that yet. If you voted no, are you on the prevailing side?

PRESIDENT SANTY: Yes. In Roberts' Rules of Order, it's very clear the prevailing side is the side having secured the most votes. That is the prevailing side. That's Roberts' Rules of Order.

MR. DONAHUE: Madam President, Roberts' Rules of Order especially the paperback edition, is not accurate in cases like this. That happens to be a summary of Roberts' Rules. Because of past court cases, it was decided in the Court of Law, that in order for this Board to act on a referral of a Zoning Board decision, or Planning Board decision, it must secure 21 votes to the positive or 21 votes to the negative to take an action against the Planning Board or the Zoning Board. Since no vote was taken here tonight where 21 votes were secured either way, then, in fact, what we have said all along in these cases was stated here tonight; if 21 votes were not gathered by either side of this issue, then no action was taken. There is no prevailing side.

MR. BLAIS: I would maintain that this reconsideration is not proper at this time because you just stated that Mr. Dziezyc voted against the action of the Planning Board. Voted no against the application, excuse me. That side did not have a majority of votes, therefore, he is not in a position for reconsideration.

PRESIDENT SANTY: The motion was made in a positive manner, Mr. Blais.

MR. BLAIS: But he voted negative and the most votes were for the positive.

PRESIDENT SANTY: No, the most votes were for the negative.

MR. BLAIS: No, no, no, the most votes, there was 20 positive votes, not 21. 20 yes votes.

PRESIDENT SANTY: The vote was 20 yes, 15 no, and 2 abstaining.

MR. BLAIS: I maintain that he is not in a position for reconsideration.

PRESIDENT SANTY: Thank you, Mr. Blais. Very well-taken. There are three more people before the Chair makes a ruling.

MRS. GOLDSTEIN: Just one comment in regard to the prevailing side being the side with the majority, that's not true because there are some votes that require two-thirds, and you can have a majority and not two-thirds of a vote, and you still will have a prevailing side. It's not necessarily the side who has the majority. In this side, the prevailing side is the side that won, The side that won was the Planning Board's side, and that's the side that won. It's as simple as that because the other side was not able to muster the necessary 21 votes.

PRESIDENT SANTY: Mrs. Saxe, you just gave me a memo from your Roberts' Rules, but the motion to reconsider is debatable so I don't know why that book says it. It also says that it's not debatable. I'm questioning now.

MR. TARZIA: It was my understanding that this Board didn't really take any action since there was no majority vote. Therefore, I don't see where a prevailing side exists anyway.

MR. WHITE: I really don't believe a prevailing side exists, Madam President, because using the argument of those who in fact insist that it does exist, you could, in fact, argue on that basis that either side was the prevailing side. And this use of the term double negative that's being thrown around here, double negative happens to be a grammatical term, not a legal term. You are not going to find double negative ever used in Roberts' Rules of Order. There is no prevailing side. If you adopt just on the base of pragmatism this sort of ruling tonight, we are going to...no matter what your position is on this issue, you are going to rule it down the road sometime very soon, and we're going to get ourselves in all sorts of problems, really.

If the people feel this way that strongly, let them reconsider perhaps some other median on the base of some other petition. I'm sure that these residents from this street will be back again. You can bet your bottom dollar on that. They'll go to court; they'll wait a few years; they'll go before the Planning Board, Zoning Board. The fact of the matter is that there is no great rush to down-zone this area here in Stamford. Let's use our common sense tonight. A vote has been taken. The people who were here interested in the vote have gone home. Are you going to reconsider on the base of a very strange interpretation of Roberts' Rules of Order? It's really going to look very, very bad for the Board. Thank you.

MRS. MCINERNEY: I would like to state that it was indicated to us prior to the vote that 21 votes was necessary to either uphold or deny the Planning Board decision. That was clearly stated by Mr. Donahue. It was clearly stated by the Chair. I feel that if we took any further action on it tonight, it would be both improper and it would prove to be an illegal action in the courts at a later date.

MR. RYBNICK: Move the question.

PRESIDENT SANTY: Mr. Rybnick, you're the last speaker. There is no question, Mr. Rybnick. There is a motion on the Floor which the Chair is going to make a ruling right now. Mr. Dziezyc, and you can challenge the Chair's ruling but I am going to agree with my Parliamentarian that by a vote of 20 yes and two abstentions was no action. By virtue of that vote, there is no side and there is no reconsideration. We did not take any action. It was clearly stated by Mr. Donahue that we needed 21 votes for a denial or for approval. This was not obtained. We did not take any action and that is the Chair's ruling and the Chair rules that motion not properly before this Floor.

MR. WIEDERLIGHT: I challenge the Chair.

PRESIDENT SANTY: A motion has been made and Seconded to challenge the Chair. All in favor of moving the question, please say aye. Opposed? We're going to move the question. You are now voting on whether to challenge the Chair. A yes vote sustains the Chair. If you agree with my ruling, vote yes. If you disagree with my ruling, vote no. If you agree with my ruling that there is no motion on the Floor by virtue of our vote we did not take any action, you vote yes. If you disagree with my ruling, you vote no. Has everyone voted? The motion to over-rule the Chair's ruling has been LOST by 22 yes, 6 no and 9 not-voting. Now, we will move on with our next Committee report. Mrs. Hawe, did you finish your report?

MRS. HAWE: Yes, I did.

TRANSPORTATION COMMITTEE - Chairwoman Sandra Goldstein

- (1) PROPOSED RESOLUTION FOR CREATION OF A STATE TRAFFIC FLOW MANAGEMENT DEVELOPMENT AUTHORITY in place of the present system of an Automobile Emissions Inspection Program - submitted by Rep. McInerney 2/15/83.

MRS. GOLDSTEIN: What we're being asked to do is to support a resolution that would create a State Traffic Flow Management Development Authority which would use engineering, construction, and land-use procedures to make traffic systems State-wide run more effectively.

Right now there is legislation before the Hartford General Assembly to create this Authority. Our resolution would merely put Stamford on record as supporting this new Authority. The fact is that last month we voted to ask Hartford to rescind the automobile emissions tests that we're all standing in line for right now. And, if we created this Authority; if Hartford created this Authority, then we would be meeting the standards of the clean air act that the Federal Government has imposed, and, therefore, we would no longer need the automobile emissions testing that we are going through now.

TRANSPORTATION COMMITTEE: (Continued)

MRS. GOLDSTEIN: (continuing) The Committee voted 1 in favor and 1 opposed to this so that I suppose the resolution has lost and it would be a negative Committee report. However, I will pose this in a positive fashion and I will move that the Board approves the resolution for the Creation of a State Traffic Flow Management Development Authority.

PRESIDENT SANTY: Is there a Second to that motion? Seconded. Any discussion? Thank you, Mrs. Goldstein.

MRS. CONTI: I would like to speak against this resolution. First of all, it is very unlikely that the State will repeal the auto emissions testing program for the simple reason that they are tied to a 5-year contract for \$20 million. Secondly, they fear the loss of their highway funds and sewer funds from the Federal Government. So, it is very, very unlikely that we'll ever see it repealed. Therefore, we would have two additional programs to tax the motorists of Connecticut.

Perhaps, something could be done about the traffic flow in other communities, smaller communities, but quite frankly, I think the traffic situation in Stamford is just hopeless. We have too much development for the roads that exist, and it's impossible to do anything about the flow of traffic. So, I would be strongly opposed to this resolution. Thank you.

MRS. McINERNEY: Certainly, if we had been aware when Mrs. Conti and Mrs. Guroian posed a resolution before this Board asking the State to do away with the emissions control program, that it would be very unlikely that that would happen due to the loss of Federal funds on sewer and road problems, and lack of adequate information, perhaps, the outcome of that vote would have been different on this Board.

It appears to me that since we have taken a stand to do away with the emissions control program, we have an obligation to find another program that would reduce air pollution, and effectuate the proper traffic flow throughout, not only Stamford, but throughout the entire Fairfield County Area and throughout the State of Connecticut. We realize that it has a long way to go before we will actually see or feel the cost and effect of such an action. However, I think if we look at the benefits that we will have in accomplishing a goal which will come to man-hours and time-hours in driving a car, that by increasing the traffic flow, you might save 15 minutes off of your trip to downtown Stamford. You might travel down High Ridge Road without stopping for any lights. I feel it's a very small price to ask. As was indicated to us, the phase-out would be a two-prong program. There would be a phase-out of the emissions control, and an institution of the State's Traffic Flow Management Development Authority.

The life of this Commission is not long. It is only 10 years. It would be setted after that point, and in 10 years, certainly, the air quality should be improved. The cost to the motorist by keeping the emissions control legislation on the books, is \$10.00 for each inspection. That's as of 1983. I would assume that each year for the 5-year contract, since Mrs. Conti indicated it was a 5-year contract, the cost of inspection might go up. The cost of time in waiting at the emissions control maintenance house is certainly at least 15 minutes to a half-hour per person, and if you measure your productivity or your time in waiting in accordance with the minimum wage, you would find that it would be half of whatever that is; \$3.50, 3.25, I'm not sure anymore, that certainly by the time all of these unmeasured items were added up, in the long run the City and the State and the County would be better supporting a resolution of this nature.

TRANSPORTATION COMMITTEE: (Continued)

MRS. McINERNEY: (continuing) The Resolution is presently pending before the Stamford Traffic Commission, and I believe there is a possibility it may be introduced to the CCM organization. I certainly think it's worthy of support. We have supported other items, other resolutions that have been non-binding on the State, and they have gone to Hartford, and we have heard that sometimes they can be useless. Thank you.

MRS. MAIHOCK: ...the State Traffic Flow Management Development Authority would be a useful program. I am not in favor of imposing more taxation on Connecticut residents. We already have a 11¢ State tax, a 4¢ Federal tax. President Reagan has asked an additional 5¢ tax on gas, and Governor O'Neill want 7¢ tax on gas in Connecticut, and there's a 2% Connecticut gross earnings tax. Someone has to stop placing taxes on the backs of our residents.

MRS. SAXE: Thank you, Madam President. Through you to Mrs. Goldstein, the letter here from the General Assembly has a date on it of September 25, 1980. Why is there such a big time-lag?

MRS. GOLDSTEIN: The reason for the time-lag is that it is finally coming out of Committee now. I don't know what has halted it in the past, but I do know that in all probability, the fact that Federal funds have now been cut-off for all kinds of highway and state road improvements, has hastened to bring this out of Committee. Also, the fact that the emissions act as imposed is another factor that is hastening this in coming out of Committee. There is a good chance that if there is sufficient municipal support that this will be brought before the Floor of the General Assembly and voted upon one way or the other. The lag was really due to the fact that there were Federal funds in terms of TOPICS Programs, etc. that the municipality has got for traffic improvement which have all dried up now.

MRS. SAXE: May I ask also where the statistics in this report came from?

MRS. GOLDSTEIN: The statistics came from the State Research Assistant and also a Committee was formed on a State level two years ago just to determine whether this kind of thing would be necessary and they garnered the statistics for the report.

MRS. SAXE: Could you get us more statistics and a better write-up than what was given to us?

MRS. GOLDSTEIN: I really don't know what you mean, Mrs. Saxe, in terms of more statistics. Since Mrs. McInerney submitted the statistics, I think she would be better able to tell you about whether more are available. I don't know that more are necessary really.

MRS. McINERNEY: Yes, I think on a particular subject such as this, I could probably come up with a thousand reams of paper. However, Ann, I am not quite sure if you received the entire packet. It was mailed separately. Do you have a packet in front of you entitled, "Overview of the Impacts and Costs of Traffic Control System Improvements?"

MRS. SAXE: I have an item here that says, "Sorry, I forgot to put this with the original offer." I have contents and summary of background material. I have, "Why municipalities should support the creation of the State Traffic Flow Management Development Authority."

TRANSPORTATION COMMITTEE: (Continued)

PRESIDENT SANTY: I think that you have the whole packet completed, Mrs. Saxe. That's all that we received. We have 7 speakers left to speak. Are you finished, Mrs. Saxe?

MR. WHITE: Thank you, Madam President. First of all, I think it is tragic that this Board voted a resolution to do away with the emissions test; for all of its faults, it's on the right track. The only way to clean up the air is to stop what comes out of smokestacks. That's the only way you are going to do it. And, of course, we want to talk about the costs of lung cancer and emphysema and see how much that costs.

As far as this proposed resolution for the creation of a State Traffic Management Development Authority, you're setting up another bureaucracy and it's going to be money to the taxpayer. Now whether they do any good work or not, I don't know. If, in fact, it is used as something to the emissions control statutes, I think that, of course, is tragic. If they continue to remain in effect, which I think what will happen, you'll probably get both of them now. If you're talking about saving money, I don't think you are going to do it. They may do some good work. Then, on the other hand, authorities like this usually tie themselves into the DOT, and before you know it, their concept of traffic management comes from building more highways, and more interchanges, and you have more concrete and more macadam, and more residential neighborhoods carved to pieces, and more farmland goes down the drain, and so on. I just don't see this as very good sense by any standpoint that one takes a look at the situation now.

I don't know. They might do some good work, then again they might not, but all told as I look at it from this standpoint now, I just don't think it's a good idea. I think we ought to simply stick with the present pollution control program for automobiles and try to improve that. There's some weaknesses in that and that's what we ought to be pressing for right now. Thank you.

PRESIDENT SANTY: Before we go on to the next speaker, may the records show that Mr. Stork is now present. We have 37 members present.

MR. BLUM: I think we have an example of what a traffic situation can be. We now have to depend on the automobile to take us to New York. Well, 10 to 15 years from now, we are going to have a worse situation because there is no plan and no one has considered what the automobile really can do. There is going to be a day that 95 is going to be stacked-up; not only just this period 7 to 9 or 10. There is going to be a day when we are going to be seeing 95 as one of our city streets, more or less, just stacked. I believe that something has to be done about that. I think this emission control is not enough. We need a plan for our traffic into the future and we better start now. Thank you.

MR. BOCCUZZI: Move the question.

PRESIDENT SANTY: A motion has been made and Seconded to move the question. All in favor of moving the question, please say aye. Opposed? Will the no votes please raise your hand. Not sufficient. We are now going to move the question, and that question is on the adoption of the proposed resolution for the Creation of a State Traffic Management Development Authority. Please use your machines for a vote. We are now voting on #1 under Transportation, adoption of the resolution of the State Traffic Flow Management Development Authority. Has everyone voted? Has everyone voted? Has everyone voted? The motion has APPROVED. The resolution

TRANSPORTATION COMMITTEE: (Continued)

PRESIDENT SANTY: (continuing) has been adopted 23 affirmative, 8 negative, 1 abstaining and 6 not-voting. Mrs. Goldstein, does that conclude your report?

MRS. GOLDSTEIN: Yes, Madam Chairman.

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

PRESIDENT SANTY: One moment, Mr. Wider. Ms. Summerville has a statement.

MS. SUMMERVILLE: Mr. Tarzia would like to go home. He is asking the following Representatives to move their cars: Roos, Dudley, and someone that has a Mazda 525ATX as in whatever.

PRESIDENT SANTY: Mr. Tarzia, are you leaving the Floor? You're leaving the meeting? Mr. Tarzia is leaving. 36 members present. Mr. Hogan, are you leaving? No.

(1) REPORT TO BE MADE

MR. WIDER: Thank you, Madam Chairman. There being a lack of a report of the February 3 meeting of our proposals for Community Development programs, I am asking Ms. Summerville who presided at that meeting in my absence to make that report for me.

PRESIDENT SANTY: Ms. Summerville, we are now hearing the report under Public Housing and Community Development. I would ask the Representatives to please take their seats. I would please ask the House Chairman to close the Caucus door. That is not to be used as a debate section back there. Please close the door while this meeting is in session. We are now getting a report from the Public Housing and Community Development. Ms. Summerville will give the report.

MS. SUMMERVILLE: On February 3, 1983, the Public Housing and Community Development Committee met at Cloonan School. Present were Committee members Roos and Saxe. Excused were Co-Chairpersons Blum and Wider. Also in attendance was Rep. McInerney.

The Community Development allocations for year 9 is \$1,263,000.00. There were 20 proposals submitted that night totaling the amount of \$1,471,789.40. That ends my report.

Urban Renewal Committee already gave their report.

ENVIRONMENTAL PROTECTION COMMITTEE - Chairwoman Audrey Maihock - NO REPORTEDUCATION, WELFARE AND GOVERNMENT COMMITTEE - Co-Chairwoman Barbara DeGaetani and Mary Lou Rinaldi

MS. RINALDI: The E, W, & G Committee met on Tuesday, March 1. Present were Committee members McInerney, DeGaetani, Blais and Rinaldi. Also present were members of the Fair Rent Commission as well as Attorney James Bingham and Executive Director of the Commission Diana Crouse.

EDUCATION, WELFARE AND GOVERNMENT COMMITTEE: (Continued)

PRESIDENT SANTY: I would ask the Representatives to please take their seats or just be quiet so Ms. Rinaldi can give her report and we can all understand what she is saying. There is so much dialogue going on around the room. I know it is getting late. It's 11:30. We still have quite a bit on the Agenda. Please give Ms. Rinaldi your attention.

- (1) REQUEST FOR APPROVAL OF VOTING POLLING PLACES TO CONFORM WITH THE 1983 LOCAL RE-DISTRICTING - as submitted by Registrars of Voters Tatano and McCauley 2/8/83.

MS. RINALDI: This Board under Ordinance No. 471 set the boundaries for local voting districts. Tonight what we are merely asking is for approval of the 20 polling places sites which will be used for all local elections and primaries which will be taken place in September of this year. For the record, our Committee voted unanimously to approve the 20 sites. I would like to make a motion to approve them.

PRESIDENT SANTY: Thank you. There's a Second to that motion. There's a motion on the Floor for the request of approval of the voting polling places to conform with the 1983 local re-districting. We all received a list of the polling places in the mail. Any discussion?

MR. WIDER: Madam Chairman, because of the confusion created in the last election, I would like to ask a question. Will these voting districts be published in the paper? This should be done once or twice before the elections.

MS. RINALDI: For the most part, 18 of the 20 will remain the same. The two changes will be in the 2nd District. It used to be Ryle School; now it will be St. Clement's Church. In the 13th District, it used to be Stillmeadow School; now it will be Roxbury School.

MR. BLUM: I just wanted to hear which ones were going to be changed.

MS. RINALDI: That particular question did not come up during the Committee meeting, but from what I recall, they usually are published prior to either the primary or the election.

PRESIDENT SANTY: Mr. Wider, also, everyone receives a postcard in the mail stating their polling places just before election. We have a motion on the Floor. Any other discussion to approve the voting polling places to conform with the 1983 local re-districting? All in favor, please say aye, Opposed? PASSED.

One moment, I just want to take a quick count of how many members we have on the Floor. We have a quorum.

- (2) LETTER 1/24/83 FROM FAIR RENT COMMISSIONERS McCORMACK AND WALKER ASKING FOR INQUIRY INTO THE ACTION, POLICIES AND PROCEDURES OF THE FAIR RENT COMMISSION, ALTERNATES, AND STAFF (13 pages of back-up material 1/24/83; and additional material at a later date.) Held in Steering 1/24/83.

HELD IN COMMITTEE

EDUCATION, WELFARE AND GOVERNMENT COMMITTEE: (Continued)

PRESIDENT SANTY: Item #2 is held.

MS. RINALDI: Right.

PRESIDENT SANTY: That concludes your report?

MS. RINALDI: Yes.

PRESIDENT SANTY: Thank you, Ms. Rinaldi and Ms. DeGaetani.

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

MR. DIXON: Thank you, Madam President. The Appointments Committee met on Thursday, March 3, in the Democratic Caucus Room. Committee members present were Reps. John Boccuzzi, Barbara DeGaetani, Gabe DeLuca, Mildred Perillo, Ann Summerville, Joseph Tarzia and myself, Handy Dixon. Also present for a short while was Rep. Elizabeth Gershman.

Madam President, I would like to move item #1, Ms. Mona Walsh for the Advisory Panel for the Coliseum Authority to the Consent Agenda.

PRESIDENT SANTY: Thank you, Mr. Dixon. Ms. Mona Walsh is going to be on the Consent Agenda.

MR. DIXON: I would also like to move item #3, Mr. George Rieger for the Sterling Farms Golf Authority to the Consent Agenda.

PRESIDENT SANTY: Mr. Rieger has been moved to the Consent Agenda.

MR. WIEDERLIGHT: Let the records show that on item #3 I will not be present and not voting or participating in any discussion although I will not move this off the Consent Agenda.

PRESIDENT SANTY: Thank you, Mr. Wiederlight. That is taken and recorded in the Minutes.

ADVISORY PANEL - COLISEUM AUTHORITY

TERM EXPIRES

(1) <u>MS. MONA WALSH (R)</u> 83 Morgan St., 3-K (06902) Held 12/27/83, 2/9/83.	Initial Appointment	July 14, 1984
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APPROVED ON CONSENT AGENDA WITH ONE ABSTENTION

FAIR RENT COMMISSION

(2) <u>MR. WALTER SEELY (R)</u> 14-B Hamilton Court Held 2/9/83.	Re-appointment	Dec. 1, 1986
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HELD IN COMMITTEE

APPOINTMENTS COMMITTEE: (Continued)STERLING FARMS GOLF AUTHORITYTERM EXPIRES

(3) MR. GEORGE RIEGER (R)
30 Chestnut Hill Lane

Replacing John Pedone

Jan. 1, 1986
~~Dec-17-1986~~

APPROVED ON CONSENT AGENDA

MR. DIXON: I refer back to item #1 and item #3 and with the exception of a correction on the expiration date of item #3, the correct expiration date is January 1, 1986, instead of December 1, 1986. This is a three-year term. I would then, Madam President, move for this Board's confirmation on item #1, and item #3, both having unanimous votes of approval from the Appointments Committee. I would so move.

PRESIDENT SANTY: Thank you. There are several Seconds. All in favor of these two items on the Consent Agenda, please say aye. Opposed? Any abstentions?

MRS. PERILLO: On item #1, Mona Walsh, I would like to abstain.

PRESIDENT SANTY: Mrs. Perillo abstains on Ms. Walsh. Any other abstentions?

MR. DIXON: Madam President, that concludes my report, but I would just like to make this comment, if I may? We have completed the creation of a 9 member panel of the Coliseum Authority which, I believe, we can all be proud of. The make-up of the panel reflects various professions and backgrounds, and all 9 of the members appointed are determined to make the Authority a success. I believe that each of us can contribute to that success as we enjoy the proceeds and benefits from that Authority. Thank you.

(Tape Side #5 starts here.)

PRESIDENT SANTY: I am happy to announce that Don Donahue is the uncle of a brand-new nephew born tonight at our Board of Representatives meeting. Congratulations, Don.

REP. DONAHUE: Thank you very much. 9 pounds, 11 ounces: Brian Patrick.

PRESIDENT SANTY: What is the last name, Mr. Donahue?

MR. DONAHUE: Humby.

PRESIDENT SANTY: Congratulations to the mother, and the father, too,

Thank you for your report, Mr. Dixon. Next is Mr. Flounders for the Public Works Committee. Mr. Flounders, will you please give your Committee report?

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

MR. FLOUNDERS: Thank you, Madam President.

The Public Works Committee met on Thursday, March 3rd. Present were Committee members John Boccuzzi, James Bonner, Peter Blais, Alfred Perillo, John Roos, Anne Saxe, and myself.

- (1) THE MATTER OF THE STREETScape PROGRAM ON ATLANTIC STREET. Determine which individual, agency, or department is responsible for removing newly-constructed sidewalks and curbing for the redesign and replacement of same. Develop rules, guidelines, and/or legislation to prevent the recurrence of a similar incident. Submitted by Reps. Philip Stork and David Blum 11/15/82. Held in Committee 12/6/82, 12/27/83 and 1/24/83.

MR. FLOUNDERS: It was determined that there is a law suit which the City has filed against the contractor on this job. The Bonding Company has taken over responsibility for completing the job and the matter is now in the Corporation Counsel's hands. There is really no action to be taken under those circumstances at this point, by the Committee.

PRESIDENT SANTY: So you are just going to hold that in Committee?

MR. FLOUNDERS: Yes.

- (2) FOR FINAL ADOPTION - PROPOSED ORDINANCE AMENDING ORD. #80.21 SUPPLEMENTAL, SEC. "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, 11/8, 12/6, 12/27/82 and 1/24/83.

Above also referred to Legislative and Rules Committee.

MR. FLOUNDERS: This is the electrical ordinance which the Committee voted to approve 7 in favor and none opposed, and I so Move.

PRESIDENT SANTY: Is there a Second to that motion. Seconded. Any discussion? No discussion. We will move right to a vote, and the vote is on the final adoption of the proposed ordinance amending ordinance 80.21 supplemental, sec. 5, permits and fees. We'll use the machine for a vote. We are voting on final adoption of the proposed ordinance. Has everyone voted? The ordinance is adopted 28 affirmative, no negative, 2 abstaining and 8 not-voting.

PUBLIC WORKS COMMITTEE: (Continued)

- (3) PROPOSED RESOLUTION TO ACCEPT FRANKLIN ELEMENTARY SCHOOL FROM THE BOARD OF EDUCATION PER THEIR RESOLUTION 12-21-82:323, effective 1/1/83. Supt. Jerome B. Jones' letter 12/29/82. See Comm. Spaulding's letter 1/6/83. Held in Committee 1/24/83.

HELD IN COMMITTEE

- (4) PROPOSED RESOLUTION TO ACCEPT RYLE ELEMENTARY SCHOOL FROM THE BOARD OF EDUCATION PER THEIR RESOLUTION 12-21-82:323, effective 1/1/83. Supt. J. B. Jones' letter 12/29/82. See Comm. Spaulding's letter 1/6/83. Held in Committee 1/24/83.

HELD IN COMMITTEE

MR. FLOUNDERS: Items 3 and 4, respectively, were held because the Department of Public Works had not been able to make arrangements with the Board of Education to inspect the two schools. These two items are held.

- (5) FOR PUBLICATION - PROPOSED ORDINANCE AMENDING ORD. #18-60, 18-61, AND 18-62 GOVERNING STREET OPENING PERMITS - submitted by DPW Commissioner Bruce Spaulding's letter 2/14/83.

MR. FLOUNDERS: This ordinance was approved by the Board by a vote of 4 in favor, 3 opposed and I so Move.

PRESIDENT SANTY: A motion has been made. Is there a Second to that motion? Several Seconds. Mr. Flounders, do you want to go into that?

MR. FLOUNDERS: Yes. This is the ordinance that increases the street opening fee which is currently \$ 5.00 and has been for many, many years to \$50.00, and, in addition it sets up a fee for trenches or excavations greater than 25 square feet at a \$ 1.00 per square foot.

This ordinance originally had shown a moratorium period of November 1 through April 1. It was subsequently changed to November 15 through March 15, the winter period. It has now been reduced after discussions with contractors, and the Commissioner, to a period from November 15 to January 10, which is the holiday period; a period when the problem of street excavations is greatest in terms of the traffic movement. This is now part of the recommended ordinance.

In addition, Rep. Donahue had recommended that the approval to be given by the Traffic Director be spelled out, and we are recommending that Rep. Donahue's language be incorporated in the ordinance as he submitted it to each member of the Board on March 3. Each member should have this ordinance in front of him or her and the underlined portions which begin, "No person shall begin work under a permit issued by the City Engineer until the street opening permit has been approved by the Traffic Director of the City. The Traffic Director or his designate shall require such measures to be performed by the permittee as are necessary in his opinion to assure the safe passage of traffic through or around a work area. The Traffic Director may require signs, barricades, trafficmen, and/or limit the hours of operation of such permitted work to ensure safety and minimize congestion on the streets.

PUBLIC WORKS COMMITTEE: (Continued)

MR. FLOUNDERS: (Continuing) Any permit which is exercised without such approval of the Traffic Director shall be deemed null and void and any violation or regulations imposed on a permit shall be deemed a violation of this section."

PRESIDENT SANTY: So that you all understand it, we received the amendment that Mr. Flounder's just read into the ordinance. Continue.

MR. FLOUNDERS: ...seg^{ues}ways into Section 18-61 for which I refer you to the amended ordinance received from the Public Works Department; which begins, "Every construction permit" Section 18-61 I am now reading from, "Every construction permit shall state the purpose of the proposed construction, the location thereof, the name of the person to whom it is issued, and other information deemed necessary by the City Engineer."

Section 18-62 Same expiration, conditions and specifications. "Every permit issued under the provisions of this article shall expire on a date set by the City Engineer but no event later than November 15. No permit shall be issued between November 15 and January 10, except for emergency situations, in which event the expiration date for such emergency permits shall be May 1 by which date permanent repairs shall be completed. All excavations or other work under this permit shall be properly backfilled compacted and repaired before the expiration date in accordance with standards and specifications as issued by the City Engineer."

I don't know that I have to read through the whole ordinance. I think you all have it in front of you; you should.

PRESIDENT SANTY: Does everyone have it? Mr. Flounders, I don't think you have to complete reading that because we all have that page; Section 18-63, 18-64.

MR. FLOUNDERS: And I so Move.

PRESIDENT SANTY: Is there a Second to the adoption of the ordinance? Several Seconds.

MR. BLAIS: Thank you, Madam Chairman. This minority report addresses the Section 80.60 of the proposed ordinance pertaining to the moratorium of street openings during certain periods of the year. The full Board once deleted this moratorium, but the Committee's motion to remove this provision of the ordinance was defeated 4, 3, 0. However, Mr. Boccuzzi, Mr. Perillo and myself believe strongly that this provision is undesirable legislation because it has no useful purpose to this City.

When this moratorium was first proposed by the Department of Public Works, we were told that it was needed because contractors could not cold patch roads properly, nor did they maintain such patches in good order. We asked if the City required a bond from contractors that took street opening permits? The Public Works Department stated that they did require bonds. We then asked if they were enforced and received no answer. Furthermore, at last Thursday night's Public Works meeting, we were told by a contractor that he was asked to put in a test cold patch last November in the Public Works garage. To his knowledge, that cold patch is still in good working order. So, therefore, contractors can put cold patches in properly. The Public Works had no comment on that test.

PUBLIC WORKS COMMITTEE: (Continued)

MR. BLAIS: (Continuing) Next we were told that the moratorium was required to be enforced by the Department of Public Works to regulate traffic flow in commercial areas during the holiday season. However, we noted that the ordinance as proposed already gives the Director of Traffic and Parking sufficient power to regulate traffic for this purpose. Thus, a moratorium on street openings is not needed for traffic control.

We asked the Public Works Department and concerned citizens, contractors, and so on at a Public meeting, how many men would be forced out of work because of the moratorium, and we were told because of the 50-day moratorium, contractors estimated that 60 workers would be forced to collect unemployment insurance during the holiday season if they could collect it. The Public Works Department was silent. For those reasons, we believe that the Committee's own research indicate's that the moratorium has no useful purpose and can only be detrimental to the citizens of Stamford through lay-outs, higher payroll taxes, and probably higher costs to maintain individual properties.

Therefore, I Move the following be removed from this ordinance: "Section 18-60" entitled, "Permit," third paragraph starting with and including, "but in no event later than November..."

PRESIDENT SANTY: Mr. Blais, is that Section 18-62?

MR. FLOUNDERS: That's incorrect. Point of Information. That is incorrect. 18-60 is not the Section he is referring to. He is referring to 18-62.

MR. BLAIS: I'm sorry, excuse me.

PRESIDENT SANTY: This is a motion on the Floor so if you are following it, give Mr. Blais your attention.

MR. BLAIS: Starting with, "but no event later than November 15th. No permit shall be issued between November 15th and January 10th except for emergency situations, in which event the expiration date for such emergency permits shall be May 1st by which date permanent repairs shall be completed." Stop the deletion right there.

PRESIDENT SANTY: There's a motion on the Floor to amend the ordinance which is for publication. It has been Seconded. We are now speaking to the amendment.

MR. DeLUCA: I would have to agree for a change, with Rep. Blais, but he did have me confused at the beginning when he kept referring to 18-60, then I knew that I couldn't agree with him, but since he changed it, 18-62. In order to get this ordinance rolling, and finalized this evening, I believe this amendment would be palatable to everyone, would be ^{ACCEPTABLE} ~~exceptable~~ by the contractors, and I believe that this Board should approve this ordinance with the amendment. This way the Public Works Commissioner can get on with his job and start getting our revenues in.

PRESIDENT SANTY: Remember we are just speaking to the publication. Now we are just addressing the amendment as moved and Seconded and presented by Mr. Blais.

MRS. SAXE: Thank you, Madam President, I would like to give a Point of Information to all those that wish to listen. The timing which is in this particular ordinance starts on November 15. If a contractor wishes to take a permit out on that date, he has until December 15 to fulfill what he wanted to do. We have a "gentlemen's agreement" in the City for not doing any roadwork at all during the Christmas holidays

PUBLIC WORKS COMMITTEE: (Continued)

MRS. SAXE: (Continuing) That is a general thing and its ^{RE}absolved after the New Year. Therefore, giving us a time of 10 days in which people really can't work, if that is so. I think it's very foolish to get all excited for 10 days. I also would like to say that while we sat in Committee and we discussed this, there were two contractors there. One was affirmative and one was negative on this particular situation. I think we should give it a lot of thought. I don't think the amendment should be in the thing; it should go through the way it has been presented to us in the first place; not with the amendment. Thank you..

PRESIDENT SANTY: We are now speaking to the amendment to the ordinance to be published.

MR. BOCCUZZI: I was in favor of the dates which no permits would be allowed when this ordinance came out the first time. This Board voted to take it out, but the Commissioner seemed fit to put it back in. Evidently, this Board has no say on what goes on in the City. I would also like to ask Mrs. Saxe, if a contractor has no permit as of November 14, how many days is it before he can get another permit? Is it 10 days or 50 days?

MRS. SAXE: Mr. Boccuzzi, if he doesn't have a permit on November 14, or 15, and there is no emergency necessary for him to apply...

MR. BOCCUZZI: Madam President, I just asked, "how many days?"

MRS. SAXE: He cannot get another until January 10.

MR. BOCCUZZI: How many days is that?

MRS. SAXE: Until January 10; it's 30 plus 10, plus 15.

MR. BOCCUZZI: That's 50 some days?

MRS. SAXE: That's right.

MR. BOCCUZZI: Not 10.

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

MR. BOCCUZZI: I think by saying 10 days, you lead people down the wrong path. It's not 10 days; it could be 50 plus days.

MRS. SAXE: Yes, but that is supposition, too.

PRESIDENT SANTY: Mrs. Saxe, Mr. Boccuzzi has the Floor.

MR. BOCCUZZI: Madam President, that's the crux of the matter. Do we want to legislate where people can't work for 50 days or not? Theoretically, that's what you are saying we should do. I don't believe that we should put any kind of legislation through that prevents people from working. If we have a problem during the holidays, the Traffic Director has the authority to say, "no, you cannot dig it up because it will interfere with traffic flow or the safety to people who are going to be in town." We had the safeguards and I don't think that this Board should legislate any kind of legislation that prevents a person from earning his livelihood.

PUBLIC WORKS COMMITTEE: (Continued)

MRS. McINERNEY: Yes, just as a point of clarification, the ordinance that I have in front of me that was defeated December 8, 1982, indicated that no permit would be issued between November 1, and April 1, except for emergency situations in which the expiration date for such emergency permits shall be made first by which date permanent repairs shall be completed. So, certainly, that ordinance that was defeated has been somewhat changed, because the dates are November 15, and January 10. I do think there was an effort to accommodate some change, Mr. Boccuzzi.

PRESIDENT SANTY: Mr. Owens has left, and as far as I could figure, I think we are back to 36 now with Mr. Stork here because Mr. Tarzia has left and Mr. Owens has left. Mr. Franchina has left. I wish when the members leave the Floor and leave the meeting, that they let the Chair and the Clerk know. It's very difficult to keep a tally up here. Mr. Franchina has left so we are down to 35. I have Mrs. Guroian as leaving.

MR. FLOUNDERS: I just merely wanted to comment that Rep. McInerney is absolutely correct. The period of the moratorium has been shortened twice. It started November 1 - April 1. It is now November 15 to January 10.

MR. WIDER: Thank you, Madam Chairman. I am a little concerned. I agree with Mr. Boccuzzi. I don't think we should prevent people from doing their job. This year has been a year that contractors could work practically all winter. We have had very few days this winter that they could not have worked in construction. I see this as a hindrance and we shouldn't stand in the way of workers. This should be taken out, and let the Traffic Department have the power to stop excavation. I don't think we need anything to stop permits. Thank you.

PRESIDENT SANTY: Mr. Flounders would like to address that?

MR. FLOUNDERS: I would just like to make one additional comment on the contractors. As Rep. Boccuzzi accurately pointed out, there were two contractors present at our meeting on Thursday night, and one was a major contractor in the City, well-known who does an awful lot of work for the major utilities in the City. He was in favor of the ordinance as it was written including the moratorium period as presently set. He had no problem with that at all from a practical point-of-view. It was acceptable to him, and indeed he had been consulted with other contractors before it was set down, and he understood it. But, this something is not worth falling on one's sword for, and all I can say is that I do think that we should follow the judgement and the advice of the people that we put in charge of our departments, but it gets a little bit tiring and I think dangerous to keep second guessing but so be it.

PRESIDENT SANTY: Thank you, Mr. Flounders. For your information, we have 34 members present.

MR. BONNER: I was going to pass on the same information that Mr. Flounders just passed on. Thank you very much.

MR. DUDLEY: Move the question.

PUBLIC WORKS COMMITTEE: (Continued)

PRESIDENT SANTY: A motion has been made and Seconded to move the question. All in favor of moving the question, say aye. Opposed? We will move the question. The question is on the amendment to the ordinance to be published as presented by Mr. Blais. I will read the amendment again, "but in no event later than November 15. No permit shall be issued between November 15 and January 10 except for emergency situations, in which event the expiration date for such emergency permits shall be May 1 by which date permanent repairs shall be completed." This should be removed from the ordinance. That's the motion. We will use the machine for a vote. Mr. Blais wants to reiterate a yes vote is to remove it from the ordinance; a no vote, it will be included in the ordinance for publication only. Has everyone voted? The amendment has PASSED 22 affirmative, 12 negative and 4 not-voting. So that amendment will be in the ordinance for publication, Mr. Flounders. And now we will move for publication of the ordinance as amended. Any discussion? We will move right to a vote. The vote is for publication of the ordinance with the amendment. Please use your machine. Has everyone voted? The motion for publication has PASSED 33 affirmative, 1 negative and 4 not-voting.

- (6) REPEAL OF ORDINANCE 8-18, Section (a) - PROPOSED ORDINANCE FOR PUBLICATION REPEALING "SPRING CLEAN-UP" - submitted by DPW Comm. Spaulding's letter 2/8/83, received 2/17/83.

HELD IN COMMITTEE

MR. FLOUNDERS: The Committee voted 7 in favor and none opposed to hold this particular ordinance.

PRESIDENT SANTY: We are holding item #6.

MRS. HAWES: I would like to make a motion to take this item out of Committee for the purpose of publication for the repeal of this ordinance.

PRESIDENT SANTY: A motion has been made and Seconded to take this item out of Committee; it was moved by the Chairman to hold, to bring it to the Floor for a vote on the publication. We are now discussing the motion to bring it out on to the Floor for a vote.

MRS. GERSHMAN: Through you, Madam Chairman, to Mr. Flounders. Why was it held in Committee?

MR. FLOUNDERS: It was the feeling on part of the Committee that we should come up with a substitute program of some kind rather than just to repeal this particular ordinance. I might say that this Spring Clean-up hasn't taken place in 10 years. It has for each of those years been included in the budget, in the Public Works budget, but it has been removed from the budget either at the Mayor's level or by the Board of Finance and I believe on two occasions by the Board of Representatives. The motivation for repealing it is that we should not continue to keep ordinances on the books, laws on the books which we, as a City, don't respect and comply with. If we keep eliminating the funding for a given ordinance, it looks rather peculiar and inconsistent to the taxpayers, and until such time as we are ready to fund an ordinance, we would be better off without it.

The Committee felt that perhaps we should give consideration to replacing this ordinance with something else.

PUBLIC WORKS COMMITTEE: (Continued)

PRESIDENT SANTY: Thank you, Mr. Flounders. The record will show that Mr. Dixon has left the meeting. We have 33 members present.

MRS. MAIHOCK: I believe the Spring Clean-up ordinance should be repealed. As Mr. Flounders has stated, it has not been implemented for several years, and the fact that we are under severe fiscal restraints, it probably won't be in the near future. I also believe our credibility will be questioned if we have ordinances on the books and we do not enforce them.

PRESIDENT SANTY: The motion on the Floor is to bring this out of Committee. That's what the motion is now and bring it to the Floor; not the merits of the ordinance, but just to bring it out of Committee to approve for publication as such.

MRS. PERILLO: Through you to Mrs. Hawe, I would like to know what reason she has that she would like to bring this out of Committee for publication when funds have been eliminated year after year for this? What is the purpose?

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

MRS. HAWE: Thank you. That's what I wanted to explain why I want it brought out. It's because when the budgets for the Public Works Department as well as the other departments, are in the process of being set up, and rather than hold this another month, I think we should get this issue resolved; either get the ordinance repealed or not by the time the budget comes to us so that the Public Works Department does not have to put in this amount for this clean-up. If we repeal it now, then the issue is resolved and since it hasn't been funded, and I can't imagine that it will be this year, I see no purpose to keep this on the books.

MR. BLAIS: Thank you, Madam Chairman. On the Public Works Committee, I voted to hold this in Committee. There are two reasons why I voted to hold it in Committee. (1.) I believe that the City may have an applied liability for fire hazards created in especially older people homes because we do not do spring clean-ups, and I would like to look a little closer at what our implied liabilities are in this area. The second question is even more intriguing. We have in the Public Works Department a mandated program. All agree that the mandated program has not been funded by the legislator or the Mayor or a combination of both for a number of years. I think that there is a good Charter question here, and the question is whether a department can turn in a surplus when in fact, they have an unfunded mandated program.

I believe it is wrong for a department to turn in a surplus when they have a mandated program that they chose in some years because they have a surplus, they chose not to fund, and I would like to look at this issue a little closer.

I would also like to note that certain members of this Board seem to want to move lickety-split when you have a potentially embarrassing issue for the administration before this Board. Thank you.

MRS. McINERNEY: I move the question.

40.

PUBLIC WORKS COMMITTEE: (Continued)

PRESIDENT SANTY: A motion has been made to move the question. Is there a Second? There are several Seconds. All in favor of moving the question, please say aye. Opposed? The nos are louder. The no votes, please put up you hands. The no votes, please raise your hands. I'd ask the Tellersto please count them; Mr. Stork and Mr. Wiederlight. We're moving the question. The votes are sufficient to move the question. The question is to bring this item out on the Floor and that's the ordinance for repealing Spring Clean-up. All in favor of taking this item out of Committee, use your machine, please. The Committee wanted it held. It was brought out on the Floor. If you vote yes, you are voting against the Committee's wishes. If you vote no, you are voting with the Committee's wishes. The motion was made to bring this item out on the Floor. Has everyone voted? The motion to bring out on the Floor has LOST 16 affirmative, 17 negative and 5 not-voting. This item is held in Committee.

- (7) THE MATTER OF CAPITAL PROJECT #112-252 PROJECT 123 PACIFIC-ELMCROFT to be financed by bonding - \$429,300 to be reimbursed by Pitney Bowes over 10-year period. This is Fiscal item #1 this Agenda.

MR. FLOUNDERS: The vote was 7 in favor, none opposed and I so move.

PRESIDENT SANTY: This was considered under Fiscal. You gave the Secondary Committee report under that. Thank you, Mr. Flounders.

CHARTER REVISION COMMITTEE - Co-Chairmen John Roos & Jeremiah Livingston - NO REPORT

PARKS AND RECREATION COMMITTEE - Chairman Robert "Gabe" DeLuca

MR. DeLUCA: I guess it is a little too late for me to get home for a piece of my daughter's delicious birthday cake on March 7. I can rest Don Donahue assurance that his nephew will be as good-looking as my daughter as all people born on March 7 are beautiful children.

PRESIDENT SANTY: I think it is worth noting that Mr. DeLuca is here on his daughter's birthday and we welcome your sincerity and enthusiam.

MR. DeLUCA: Our Committee met on Monday evening February 28, 1983, at 7:30 p.m. to discuss the items on tonight's Agenda. Attendees were Committee members Owens, Rybnick, Franchina and myself. Also Recreation Superintendent Bruno Giordano.

- (1) REQUEST FOR PERMISSION TO HOLD 10 KM FOOT RACE on Sunday, 5/8/83 (rain date 5/15/83) for benefit of Connecticut Special Olympics' athletic competition programs for the retarded - from Dan Kinley, Jr., Aarborg Associates, Inc., 269 Round Hill Road, Greenwich 06830. Held in Committee 2/9/83.

HELD IN COMMITTEE

MR. DeLUCA: Item #1 at the request of Dan Kinley, Jr. is being held until next month.

- (2) REQUEST TO HANG BANNER FROM ^{April 15} ~~MAY 10TH~~ THRU MAY 15, 1983, IN CELEBRATION OF POLISH HERITAGE WEEK (IN MAY) ON SUMMER STREET - submitted by Al Koproski (356-9888) of Polish American Central Committee of Stamford, Holy Name of Jesus Church, 4 Pulaski St., 06902, 2/8/83.

PARKS AND RECREATION COMMITTEE: (Continued)

MR. DeLUCA: Our Committee voted 4 in favor, none opposed with the following changes: After a last minute phone call to Mr. Koproski, the person that is in charge of this request, item #2 should read request to hang banner from April 15 through May 15, 1983 in celebration of Polish Heritage Week. The banner is to be hung on Hope Street near the Episcopal Church, and I so move for acceptance.

PRESIDENT SANTY: That item is changed on the Agenda. A motion has been made and Seconded to approve the hanging of the banner in celebration of Polish Heritage Week. Any discussion? All in favor, please say aye. Opposed? PASSED UNANIMOUSLY.

- (3) REQUEST FROM BELLTOWN FIRE DEPARTMENT, INC., Roman Wasicki, Jr., Chairman, Special Events Committee, to hold a Block Party event on Dorlan Road at the Fire Department, Saturday, 5/21/83, and Sunday, 5/22/83, and desires permission to close street as specified.

MR. DeLUCA: We voted 4 in favor and none opposed, and I so move.

PRESIDENT SANTY: Is there a Second to that motion? Several Seconds. Any discussion? All in favor of this item, please say aye. Opposed? PASSED UNANIMOUSLY.

- (4) REQUEST FOR APPROVAL OF A PARKS DEPARTMENT PROPOSED REGULATION: "To allow special vehicle passes for non-resident employees of contributing corporations to the National Choral Council Concerts held at Cove Island Park. (Maximum of three concerts). To be effective only after 5:00 p.m. on the evenings of the concerts."

Concerts are free, being supported by local corporations. Submitted by Parks Supt. Robert Cook 2/2/83.

MR. DeLUCA: They are still working with different corporations to see who is going to sponsor these. Once again, we voted 4 in favor and none opposed for approval.

PRESIDENT SANTY: Is there a Second to that motion? Several Seconds. Any discussion?

MRS. CONTI: I would like to inquire, are these passes without fee?

MR. DeLUCA: Yes, they are being issued without a fee because, once again, this is something that the corporations are sponsoring for the benefit for not only their own employees, it's open to the general public. As it is, we keep going to the corporations to sponsor many other events for charitable purposes, and for an occasion such as this, I don't see why we should be charging a fee for this.

PRESIDENT SANTY: Any other speakers? If not, we will move right to a vote. All in favor of #4 under Parks and Recreation, please say aye. Opposed? One no vote, Mrs. Conti.

Also, the record will show that Mr. Flounders has left the meeting. We have 32 members present.

PARKS AND RECREATION COMMITTEE: (Continued)

- (5) REQUEST PERMISSION TO HANG BANNER ^{at Latham Park} ~~on Summer Street at Ridgeway Center~~ from Saturday, April 25th through Saturday, May 7, 1983, by the Stamford Junior Woman's Club to advertise their Annual Arts and Crafts Show May 7, 1983 (rain date Sun., May 8, 1983) at Latham Park on Bedford Street. Letter 2/7/83 from Ms. Rebecca D. Kanan, Publicity Chairwoman, 348-3840.

MR. DeLUCA: We voted 4 in favor and none opposed. This should be changed as follows: REQUEST PERMISSION TO HANG BANNER, should be changed from SUMMER STREET TO LATHAM PARK because the Stamford Exchange Club already has this date, and we so move for acceptance.

PRESIDENT SANTY: Is there a Second? Several Seconds. Any discussion? No discussion. All in favor, please say aye. Opposed? PASSED UNANIMOUSLY.

MR. DeLUCA: At this time I realize the hour is late but I request your approval for Suspension of the Rules to bring up an item not on the Agenda.

PRESIDENT SANTY: Can you tell us what that item is, Mr. DeLuca?

MR. DeLUCA: Yes, it is a request from the Junior League of Stamford and the Stamford Symphony are presenting a Children's concert on April 10. The event will be held at the Westhill High School. They request to hang a banner from March 27 to April 10 on Summer St.

PRESIDENT SANTY: A motion has been made to Suspend the Rules. Is there a Second to that? Several Seconds. All in favor of Suspending the Rules, please say aye. Opposed? PASSED.

- (6) REQUEST PERMISSION TO HANG BANNER on Summer Street from March 27 to April 10, 1983, from the Junior League of Stamford and the Stamford Symphony for a Children's Concert to be held at Westhill High School on April 10, 1983.

MR. DeLUCA: I now move for acceptance granting the Junior League of Stamford-Norwalk, Inc. permission to hang a banner across Summer Street from 3/27 to 4/10 to advertise their Children's Concert which is being held on April 10, and I so move.

PRESIDENT SANTY: Is there a Second to that motion? Several Seconds. Any discussion? All in favor of this motion, please say aye. Opposed? PASSED UNANIMOUSLY.

MR. DeLUCA: That concludes our report.

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

MR. DZIEZYC: Thank you, Madam President. The Health and Protection Committee met on March 1, with the following members present: Michael Wiederlight, Co-Chairman, Barbara DeGaetani, and myself. President Lois Santy was also present.

HEALTH AND PROTECTION COMMITTEE: (Continued)

- (1) FOR FINAL ADOPTION - PROPOSED ORDINANCE, AS AMENDED, FOR BURGLAR 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 5/10/82. Held in Committee from 5/24/82 through 12/27/82. Approved for publication 2/9/83.

MR. DZIEZYC: We held a Public Hearing on this burglar alarm ordinance. No one showed up so we approved it 4 to 0 for final adoption and I so move.

PRESIDENT SANTY: Thank you, Mr. Dziezyc. A motion has been made and several Seconds. Any discussion? No discussion?

MRS. MAIHOCK: Yes, I did have a call from one lady regarding the last sentence of the ordinance, and it was her feeling that the \$200.00 fee for the installation was rather excessive, and her rationale was that these burglar alarm systems are extremely expensive and that people really would not be installing them were it not for the fact that apparently the Police Department is not able to meet the needs of the citizens for protection, and I did want to know what the thinking of the Board would be if this amount were reduced slightly?

PRESIDENT SANTY: Mrs. Maihock, are you asking a question or are you making a motion? Are you asking a question to Mr. Dziezyc? Mr. Dziezyc stated that no one showed up at the Public Hearing. Mr. Dziezyc, do you want to address the question? I don't know if you know what the Board's feeling is on this?

MR. DZIEZYC: Well, my feeling is that this \$200.00 is going towards the administration the hook-up, the electronics involved, the amount of money it takes to respond to the burglar alarm. They may be are going to have two men in the car go out everytime a burglar alarm rings. Therefore, I believe that \$200.00 is not excessive.

PRESIDENT SANTY: Mr. Wiederlight, as Co-Chairperson of that Committee, do you have anything further to say?

MR. WIEDERLIGHT: Yes, Madam President, I do. The annual fee is to connect to a central city terminal. Therefore, Mrs. Maihock, your constituent would have to be connected right into the City's central terminal to pay this fee. If she is connected to a burglar alarm company, she doesn't pay the fee; only the burglar alarm company pays the \$200.00 fee. That is the first thing. Secondly, I sincerely object, if you will, to remark about the Police Department not providing the protection that the people need. I think that you would only have to go down and check the police blotter and listen to some of the calls, at all of the calls that they get for one evening; and you will see how far they are stretched thin.

PRESIDENT SANTY: Mrs. Maihock, do you have anything further to say?

MRS. MAIHOCK: Yes, I do. I will say this that I'm certainly not criticizing them for not doing their duty. I'm just saying that the way the budget is made up, the Police Department apparently does not have enough money to provide sufficient police protection for the districts north of the Parkway, and we have desperate need for it, and we are now being electronically geared to this problem up there, and it's very costly for the people, and that's why this complaint came forth.

HEALTH AND PROTECTION COMMITTEE: (Continued)

MR. WIEDERLIGHT: Again, this \$200.00, Mrs. Maihock, is not a fee that your constituent will pay unless she's connected directly to the City's terminal directly, and I sincerely doubt that because they are not taking any more connections.

MRS. McINERNEY: Move the question.

PRESIDENT SANTY: There are no further speakers so we will move right to a vote. The vote is on the final adoption on the proposed ordinance for the burglar alarm connections to a central City terminal. Please use your machines for a vote. Has everyone voted? There are 32 members present now. The ordinance is ADOPTED 24 affirmative, 0 negative, 0 abstentions, and 14 not-voting.

MR. DZIEZYC: Co-Chairman Wiederlight will report on this item.

- (2) REQUEST TO DETERMINE WHY VOLUNTEERS WHO OFFER TO WORK WITH CITY FIREMEN ON THE AMBULANCE HAVE BEEN REJECTED - submitted by Rep. Michael Wiederlight 2/9/83.

MR. WIEDERLIGHT: Thank you, Madam President. We had a little inquiry as to why the requests of volunteers to work with the City's firemen on the ambulance ~~was~~ ^{were} denied. You were all sent a little packet starting with a letter dated October 28, 1982, wherein an offer is made by a marine ambulance corps of which I happen to be a member. The offer entitled about 11 people to supplement the manpower, if you will, on the City's ambulance in the A district; that's the downtown district. Included in this volunteer group were 5 emergency medical technicians, 1 emergency medical technician instructor, 2 medical response technicians, 1 doctor, 1 physician's assistant, and 1 individual trained in CPR and first-aid.

The offer was made to supplement the City's manpower at peak hours on a strictly volunteer basis; absolutely no remuneration. The City's Risk Manager, Ms. Ingrid Center in a memo to Chief Vitti on November 4, 1982, endorsed the program, and said that there would be no liability on the part of the City as long as a hold-harmless agreement was signed, and she wished us good luck with the program.

Subsequently, on January 25, 1983, the offer was refused in a letter from Mr. William I Linke, Chairman of the Stamford Fire Commission. The reason simply given at our meeting by Fire Chief Vitti, who did attend, was that he felt that he had to refuse our offer along with the Fire Commission because "the union was reluctant to go along with the program. They did not vote the program down, they tabled it." We know Robert's Rules of Order. We know that tabling something, you're just putting it off forever.

Fire Chief Vitti said the union does not want to work with non-union people. I would like to point out that there are other fire districts in the City that have paid people working which are members of the same union as the union is downtown, and they also work with volunteers. One of the questions raised was do these volunteer ambulance people have the training level that the City's people and the answer is unequivocally yes; they go through the same State licensing examination and training.

HEALTH AND PROTECTION COMMITTEE: (Continued)

MR. WIEDERLIGHT: (continuing) In essence or in summary, this offer to supplement the manpower in the City's ambulance was turned down only by virtue of the fact that the unions did not want it, and for no other reason. The Chief felt it was good. The Fire Commission felt it was good, but they felt that if they forced the volunteers on the City ambulance and upon the union, it would create a condition which would hurt the morale of the firemen and they couldn't do it, and as a result, the people of Stamford are going to suffer. Thank you.

PRESIDENT SANTY: Thank you, Mr. Wiederlight. Who is giving the report for item #3 under Health and Protection? Mr. Dziezyc?

- (3) INQUIRY TO DETERMINE THE AMOUNT OF TIME SPENT BY HEALTH DIRECTOR IN ADMINISTERING THE #481 PRIVATE-PAROCHIAL SCHOOL PROGRAM FOR PURPOSES OF CONFIRMING THE PROPRIETY OF PAST STATE REIMBURSEMENTS RECEIVED UNDER STATE STATUTES SEC. 10-217a(CGSA) AND FUTURE REIMBURSEMENTS TO BE CLAIMED - submitted by Reps. Stork and DeLuca, letter 2/14/83.

MR. DZIEZYC: Dr. Gofstein and the following members of the Health Commission attended: Dr. Mastrangelo, Dr. Ballin, and Thomas Burke. Board members Gabe DeLuca and Phil Stork also were in attendance. This item on our Agenda was to determine the amount of time spent by the Health Director in administering the #481 private-parochial school program.

Dr. Gofstein stated he spends approximately 25% of his time administering this 481 program and that's the end of my report. Thank you.

PRESIDENT SANTY: Thank you, Mr. Dziezyc. Yes, Ms. Summerville.

MS. SUMMERVILLE: Point of Information, is that the end of the item; are you holding it in Committee, Mr. Chairperson?

MR. DZIEZYC: We were directed to get the amount of time he spent and that's it.

PRESIDENT SANTY: That completes the report.

MR. STORK: Thank you, Madam President. That was all that we asked the Committee to do. However, I've looked at Mr. DeLuca and he has the same puzzled look I do. Our recollection is that Dr. Gofstein stated that he spends 22½% of his time. Is there some reason why you stated 25?

MR. DZIEZYC: Yes, because he stated that he said approximately, he says, one out of four or one out of five days, and I think he stated approximately 25% of his time. He said 22½% of his salary is figured for State allocation.

MR. STORK: Thank you.

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

MR. ZELINSKI: Thank you, Madam President. The Legislative and Rules Committee met on the evening of Monday, February 28, 1983, 7:30 p.m. in the Democratic Caucus Room. Present were Co-Chairman Zelinski, Reps. Bonner, Owens, McInerney, Maihock, Donahue, and Saxe. Also present at the that meeting were Rep. Rybnick, Attorney Bill Hennessey from the Law Department...

PRESIDENT SANTY: Excuse me, Members. Please give Mr. Zelinski your attention. I know it's getting late, but if we give him your attention, we will go much faster.

MR. ZELINSKI: Mr. Sidney Feldman, the Housing Director of the New Neighborhoods, Inc. and also Nancy Mitchell of Community Development.

- (1) FOR FINAL ADOPTION - PROPOSED ORDINANCE CLARIFYING CORRECT NAME OF "EAST MAIN STREET" - submitted by City Rep. Rybnick, 4th District, letter 12/15/82. Approved for publication 2/9/83.

(change of tape)

PRESIDENT SANTY: Mr. Zelinski, do you want to continue? Do you want to finish with your report?

MR. ZELINSKI: I'm sorry, I thought that was a question.

PRESIDENT SANTY: It is, but you can continue with your report and then Ms. Summerville has a question.

MR. ZELINSKI: Item #2, we did have another meeting which was this evening at 7:30 p.m.

MR. BOCCUZZI: Madam President, is item #1 on Consent? What happened?

PRESIDENT SANTY: Mr. Zelinski, we're waiting for your Committee report.

MR. ZELINSKI: I gave my Committee report. I made a motion for item #1. I was waiting for a Second.

PRESIDENT SANTY: There was a Second, and we're going back to discuss item #1. We're still on item #1. Do you have any further report on item #1?

MR. ZELINSKI: No, I moved the question.

PRESIDENT SANTY: I thought you had to complete item #1. I didn't realize you were finished with that. Any discussion on item #1?

MS. SUMMERVILLE: How many people came to your Public Hearing?

MR. ZELINSKI: One.

MS. SUMMERVILLE: May I ask through you, Madam Chairman to Mr. Zelinski, may I ask who was the person?

MR. ZELINSKI: Yes, Rep. Rybnick.

MS. SUMMERVILLE: Thank you.

LEGISLATIVE AND RULES COMMITTEE: (Continued)

PRESIDENT SANTY: Any other discussion on item #1 under L&R. It's for final adoption the proposed ordinance clarifying the correct name of East Main Street. No discussion? We'll move right to a vote on that one item. We'll use the machine. Has everyone voted? We have 32 members present. We're voting on final adoption on proposed ordinance clarifying the correct name of East Main Street. Has everyone voted? The motion has PASSED. The proposed ordinance is adopted 26 affirmative, 2 negative, 1 abstaining and 9 not-voting.

- (2) FOR PUBLICATION - PROPOSED ORDINANCE SUPPLEMENTAL CONCERNING A TAX CREDIT FOR REFUSE COLLECTION TO OWNERS OF RESIDENTIAL UNITS IN MULTIPLE UNIT RESIDENTIAL COMPLEXES. Mayor Clapes' letter 11/30/82. Held in Committee 9/9, 10/5 and 12/27/82, also 2/9/83.

HELD IN COMMITTEE

MR. ZELINSKI: The Legislative and Rules Committee had an additional meeting which was this evening at 7:30. Present at that meeting for the records were Rep. Zelinski, Rep. McInerney, Rep. Donahue, Rep. Saxe, Rep. Bonner, Rep. Owens. The Committee's action was, I'm sorry, Rep. Dudley was also present. Thank you, Jim.

The vote on that was 4 in favor of holding it in Committee, 2 against with 1 abstention.

PRESIDENT SANTY: And that item is held. Continue with your report.

MR. ZELINSKI: Yes, but I would like to make a motion at this time to Suspend the Rules if that is the necessary motion, to take this out of Committee.

PRESIDENT SANTY: You don't have to Suspend the Rules. Anyone can make a motion to bring an item out of Committee.

MR. ZELINSKI: Thank you. I would like to make a motion and if it is Seconded, I will give my rationale. Thank you.

PRESIDENT SANTY: There's a motion made by Mr. Zelinski to bring this out of Committee bearing in mind that the Committee voted to hold this in Committee.

MR. ZELINSKI: 4 in favor, 2 against and 1 abstaining.

PRESIDENT SANTY: Is there a Second to the motion to bring out of Committee? Seconded. We are now discussing bringing this item out of Committee. The record shows that Mr. Wiederlight has left the meeting. We have 31 members present. First to speak is Mr. Zelinski, the maker of the motion.

MR. ZELINSKI: Thank you, Madam President. I think that it is time for this Board to take action on this particular item. As we can see by the Agenda, it has been held in Committee for some time. This particular ordinance had been brought up and defeated by the previous 16th Board. It was discussed at great length. A Public Hearing was held by the Legislative and Rules Committee. The feeling of the condominium owners and their attorney at that time, was that they did want the garbage collection, and the only way they would accept anything other than that which would be this tax credit, would be that it would be sufficient in order to pay for what they pay for the cost of garbage collection. It is an ordinance that people who live in one-family residences, which condominiums are, should be afforded that garbage collection which is part of their tax district, and they are entitled to it.

LEGISLATIVE AND RULES COMMITTEE: (Continued)

MR. ZELINSKI: (Continuing) I feel that we should vote this out of Committee and defeat it once and for all, and send a message clear to the Commissioner of Public Works that there is an ordinance which is a law and the garbage should be collected, and he should get the necessary equipment to have the garbage collected.

MR. DUDLEY: Move the question.

PRESIDENT SANTY: A motion has been made and Seconded to move the question. The question and the motion is to take this from Committee although the Committee voted to hold this. All in favor of moving the question, please say aye. Opposed? The no votes, please raise your hand. Not sufficient, we will move the question. The question is on taking this item #2 out of Committee. Use the machine for a vote. If you are in favor of taking this out of Committee, vote yes. If you are against it, vote no. Has everyone voted? The motion to take from Committee has been DEFEATED 22 negative, 6 yes, and 10 not-voting. Mr. Zelinski, continue with your report. This item is held in Committee.

MR. ZELINSKI: Yes, Ma'am. Thank you, Madam President.

- (3) REQUEST FOR WAIVER OF BUILDING PERMIT FEE FROM NEW NEIGHBORHOODS, INC., 6/10/82, and Mayor Clapes' letter 11/15/82 for Greenwich Avenue Affordable Housing Development. Held 12/27/82 & 2/9/83. Estimated fee: \$6,000+.

HELD IN COMMITTEE

MR. ZELINSKI: Our Committee voted 4 in favor to keep it in Committee, 3 against, and the reason for holding was because we did not have the exact amount of what that fee was and as soon as we get it, it would be discussed at the next month's meeting. Further, the ground will not be broken for this particular project until May of this year.

PRESIDENT SANTY: Item #3 is held.

- (4) REQUEST FOR WAIVER AND REFUND OF BUILDING PERMIT FEE FROM NEW NEIGHBORHOODS, 6/10/82, and Mayor Clapes' letter 11/15/82 for Elmcroft Road Affordable Housing Development. Held 12/27/82 and 2/9/83. \$2,190 fee paid 8/2/82.

MR. ZELINSKI: Item #4 has already been disposed of at an earlier portion of this meeting. (Approved 30 yes, 4 no, 1 abstention, and 2 non-votes)

- (5) FOR PUBLICATION - AMENDING ORDINANCE #449 TAX RELIEF FOR THE ELDERLY - Revision per State Statute. Letter 5/14/82. Also May 4th memo from Rep. DeLuca on Ord. 449 which expired 5/15/82 per Deputy Tax Assessor Edward Faski. Held in Committee through Steering 10/18/82. 7/26/82 letter from Wm. Hennessey, Esq., Law Dept. Also Rep. Zelinski's submission. Held 12/6/82, 12/27/82, 1/24/83. Final text from Mr. Hennessey forthcoming.

MR. ZELINSKI: Our Committee voted 7 in favor and none against for publication and I so move. Thank you.

PRESIDENT SANTY: A motion has been made. Is there a Second for publication? Several Seconds. Any discussion? No discussion, we will move right to a vote. All in favor of publication of the ordinance amending ordinance 449 Tax Relief for the Elderly, please say aye. You're voting on publication. Opposed? PASSED UNANIMOUSLY for publication, Mr. Zelinski.

LEGISLATIVE AND RULES COMMITTEE: (Continued)

MR. ZELINSKI: That ends my report. Thank you, Madam President.

PLANNING AND ZONING COMMITTEE - Chairman Donald Donahue

PRESIDENT SANTY: We have done Planning and Zoning. Thank you, Mr. Donahue.

PERSONNEL COMMITTEE - Chairman Philip Stork

MR. STORK: Thank you, Madam President. The Personnel Committee met on Thursday night, March 3, at 7:30 p.m. in the Republican Caucus Room. Members of the Committee in attendance were Reps. Dziezyc, Gaipa, Gershman, Dudley and myself. Other members of our Board present were Reps. DeLuca, Maihock, McInerney, Boccuzzi, Wiederlight, and Summerville.

- (1) REQUEST FROM REP. BETTIE GERSHMAN FOR: INVESTIGATION INTO THE FEASIBILITY OF FREEZING THE ENTRANCE OF ALL EMPLOYEES CURRENTLY EMPLOYED IN ANY CAPACITY BY THE CITY INTO THE CITY PENSION FUND AND MEDICAL BENEFITS, 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 plan and benefits. Rep. Gershman's letter 10/13/82; also Rep. Stork's 11/15/82. Held 11/8, 12/6/82, 1/10/83, 2/9/83.

HELD IN COMMITTEE

MR. STORK: Item #1 on our Agenda has been held by a vote of 5 in favor and none opposed.

- (2) CLARIFICATION OF RESOLUTION NO. 1038 CONCERNING MEDICAL BENEFITS FOR HEALTH DEPARTMENT EMPLOYEES PASSED BY BOARD ON JANUARY 5, 1976, PERTAINING TO PAYMENT OF MEDICAL COVERAGE FOR THE OMBUDSMAN IN THE S.H.A.P.E. PROGRAM - submitted by Reps. McInerney and Wiederlight 12/16/82. Held 1/10 and 2/9/83.

MR. STORK: Our Committee held this item last month to seek the Corporation Counsel's opinion of whether or not the intent of the resolution was to include Medicare under coverage provided. Ben Fraser appeared at our meeting last week and stated that the intent of the resolution was to clearly include Medicare under coverage provided. Therefore, Mr. Fraser is going to write the Benefits Manager, Mary Ann Kilgrow, directing her to make back premium payments to Mr. Max Walt, the Ombudsman, covering the period in question from 12/79 to the present. These back premiums should total approximately \$800.00.

The Personnel Committee voted 5 in favor and none opposed to accept the action of the Corporation Counsel in correcting the situation.

PERSONNEL COMMITTEE: (Continued)

- (3) FOR FINAL ADOPTION PROPOSED ORDINANCE CONCERNING PENSIONS FOR THE REGISTRARS OF VOTERS, pursuant to Section 40 of the City Charter. Submitted by Rep. Barbara McInerney 11/16/82. Held 12/6/82. Approved for publication 1/10/83. Held 2/9/83.

MR. STORK: Item #3 is for final adoption, a proposed ordinance regarding pension for the Registrars of Voters.

PRESIDENT SANTY: Mr. Stork, is that for final adoption?

MR. STORK: I'm reading how the item was in the Agenda, Madam President. This item was held last month so that the cost to the City could be provided to this Board. In the interim, Madam President, Corporation Counsel has ruled that the ordinance should specifically include both the benefits payable to the Registrars and the cost to the City. Mr. Fraser has prepared a new ordinance that includes this information. A copy of this new ordinance was sent to all members of this Board on Friday.

Since the content of the new ordinance is substantially different from the previous one, the Personnel Committee voted 5 in favor and none opposed for republication, and for a new Public Hearing, and I so move.

PRESIDENT SANTY: A motion is made and Seconded for a republication of the proposed ordinance for a pension for the Registrars of Voters. Any discussion?

MRS. CONTI: Before we go to publication, I would like to propose several amendments to this ordinance and copies are on everybody's desk of these proposed amendments.

PRESIDENT SANTY: I have a copy in my hand; it's dated tonight. Does everyone have those amendments? Do you want to start with one at a time, Mrs. Conti?

MRS. CONTI: Yes, the first one is to amend on page 2, section 1a, after the words provided in 1a, we would delete the words, "in the Classified Employees Retirement Plan," and in its place, we would say, "as provided for in section 710 of the Stamford Charter, an additional requirement set forth in this ordinance."

PRESIDENT SANTY: Is there a Second to that motion? Several Seconds. Mr. Blum does not have a copy. Could we very quickly make a copy? Mr. Blum, everyone else has it in their packet. I'm sure you'll find it. Mr. Blum, it is in the small envelope. We have a motion made and Seconded for the first amendment as written. Any discussion?

MRS. CONTI: May I explain the rationale?

PRESIDENT SANTY: Certainly.

MRS. CONTI: Actually, the Registrars are not Classified employees. They are officers and employees of the City and for that, you can see the Corporation Counsel's opinion of August 14, 1975, and Charter Section 734a and Section 110 of the Charter.

Now to make officers and employees, who are separate and expressly defined under the Charter, eligible under provisions set forth for another category of city employees, is questionable and could be legally challenged, so I suggest that we make this inconformity with Section 710 of the Charter.

PERSONNEL COMMITTEE: (Continued)

PRESIDENT SANTY: We are now addressing the first amendment to this ordinance.

MRS. McINERNEY: Yes, Madam President, I would speak against this amendment based on the fact that if this is in compliance with 710 of the Charter, 710 of the Charter also requires that the pension received is paid to the surviving spouse of the person who was under City employ, so I would say that, certainly, even though Mrs. Conti may not be happy with this resolution or this ordinance, in order to comply with Section 710 of the Charter, we would also have to realize that we would have to provide for survivor rights, and initially, the Registrars of Voters met with Corporation Counsel and Commissioner Marra, and it was decided that they would waive survivors' benefits, and it excludes vested time.

In order to waive that, they agreed to accept the payment as is included within the body of this ordinance. Now, you are offering new information which certainly is nothing that they would be aware of, and I think that had they been aware of that, Mrs. Conti, they certainly would like to have the survivor rights as everybody else who went before them did.

MR. LIVINGSTON: Move the question.

PRESIDENT SANTY: A motion has been made. Is there a Second to moving the question? All in favor of moving the question, please say aye. Opposed? We're going to move the question. The question is on the amendment to the proposed pension for the Registrars as presented by Mrs. Conti. Use the machine for your vote. We're voting on Mrs. Conti's amendment. Has everyone voted? The amendment has been DEFEATED: 25 negative, 3 affirmative, and 10 not-voting.

Mrs. Conti, do you have any other amendments?

MRS. CONTI: Yes, I do, Madam President. This is also on page 2, and this would be in Section 1c, and it would be after the final word retire, we would add a semi-colon and say, "and shall have contributed to this pension plan, a sum equivalent to 5% of the annual salary on which pension payment is based for each of the number of years required under Section 710 of the Stamford Charter to establish pension eligibility."

All our other people who receive pensions from the City of Stamford, all pay into it, and any one of these groups could turn around and challenge us legally for paying a pension that was not contributed to.

PRESIDENT SANTY: A motion has been made. Is there a Second to that amendment? Mr. Bonner Seconded it and Mr. Roos Seconded the motion. We are now discussing Mrs. Conti's second amendment to this ordinance.

MRS. McINERNEY: Perhaps, it might help to give this Board a little bit of history on prior facts with pensions within the City of Stamford. The police pension was funded up until 1938. At that point in time, the Trust Fund was used to hire people to work for the WPA and the CCE because it was depression time. After that point, the pension for the Police Department was unfunded for 30 years. The payment of police pensions came directly out of the General Funds and was included in the annual budget for the Police Department, and that was based on 1% of their salary until 1961/62, and 2% from 1962 to '68.

PERSONNEL COMMITTEE: (Continued)

MRS. McINERNEY: (Continuing) In 1968, the pension right for the police officers was incorporated into the police contract. In 1971, the declaration of a Fund Trust was established, and in 1974, the City contributed surplus funds to see that the fund was funded and off the ground, and that resolution was passed sometime between '71 and '74.

Prior to that during the 30-year time, actually up until 1961, the percentage that was paid in was pretty poor, pretty small. As an example, there was one patrolman's spouse who received payment from the City from 1937 until 1982, at the time of her death. That included 45 years of pension from the City.

Prior to that, some of the information that has come for you or before you, and incidentally, the Fire Department, I believe was the same way, there were people who came before the Board in an item that employees or officers...there were certain people that came to the Board for pensions. Those people had their pension money based on service and the figures and funds would be taken out of the General Ledger. It somehow became known as the General Ledger Pension. All of those employees were receiving pensions, and never contributed a penny to the fund.

To my knowledge, based on a conversation with Ms. Kilgrow, and with Mr. Buchanan, there is probably only one or two people remaining in that category at the present time. Certainly, we cannot ask somebody to...the point is that this would not be the first time that someone received a pension without paying into it, and under Section 710, all of those people; Mr. Burke, Elizabeth Keeley, Mary Louise Alexander, and some of the other people, did not pay into the pension fund.

PRESIDENT SANTY: Thank you, Mrs. McInerney.

MR. BLAIS: Move the question, Madam Chairman.

PRESIDENT SANTY: A motion has been made and Seconded to move the question. All in favor of moving the question which is Mrs. Conti's amendment, please say aye. Opposed? The no votes, please raise your hand. Not sufficient. We will move the question. The question is on Mrs. Conti's amendment. We'll use the machine. Has everyone voted? The amendment has been DEFEATED 24 negative, 4 affirmative, 1 abstaining, and 9 not-voting. Mrs. Conti, are you through with your amendments? Continue.

MRS. CONTI: Since #2 failed, I am going to try an alternate. Under 1(a) also on page 2, under 1(e) after the words annual salary, we would add, "less annual social security benefits." Said 50% will be based on last year of service; and then it would continue on because Social Security has been deducted from the Registrars for all the years they have been working. That would make the City's portion reduced by the Social Security payment.

PRESIDENT SANTY: Is there a Second to Mrs. Conti's amendment. Seconded. Discussion?

MR. STORK: Thank you for the opportunity to speak finally to this. I find these amendments absurd, #1. #2, I know there are a few members of this Board who are just rankled by the idea that the Registrars of Voters might get a pension provided by the City of Stamford. Well, I hope that that is just around the corner. #3, I think the Registrars of Voters have gone beyond the call of duty in what they have accepted in the way of concessions in putting together this package. I have questioned both of them at least a half-of-a-dozen times, and in front of the Personnel Committee if they fully understood the concessions that they have agreed to?

PERSONNEL COMMITTEE: (Continued)

MR. STORK: (Continuing) Specifically, if God forbid, they became deceased the day after they left office, all benefits cease. There's no survivor benefits. True, they would not be paying into this fund, but the concessions more than offset that complaint.

As far as the amendment with regards to the Social Security deductions, I'm not aware of any other pension plan where they are segregated; it's a separate fund, it's something that you've put in, it's been deducted from your pay throughout your working career, and it should have no bearing on this pension proposal. Thank you.

MR. ZELINSKI: Yes, for the benefit of my colleagues, most, if not all, corporations that supply pensions to their employees, do take into account and do subtract Social Security from their benefits. Thank you.

MR. BOCCUZZI: Move the question.

PRESIDENT SANTY: A motion has been made and Seconded to move the question. All in favor of moving the question, please say aye. Opposed? We're moving the question. It's on Mrs. Conti's third amendment. Please use the machine. Has everyone voted? The amendment is DEFEATED 24 negative, 4 affirmative, and 10 not-voting. Any further discussion?

PRESIDENT SANTY: Thank you. Now do you want to move for the motion to republish?

MR. STORK: I have done so and it was Seconded.

PRESIDENT SANTY: Any discussion?

MRS. SAXE: I would like to have some clarification on fringe benefits that have been brought to our attention by the Stamford Taxpayers Association. Why are we singling out the Registrars at this present time or any time to give them a pension?

PRESIDENT SANTY: Is that a question to Mr. Stork?

MRS. SAXE: Yes.

MR. STORK: The only way that I know how to answer that that this Board isn't singling out the Registrars of Voters. They have sought our help.

MRS. SAXE: Well then, may I ask you does that mean that after all, we also could come to you and say, "we'd like a pension because we've sat on this Board?"

PRESIDENT SANTY: One moment. Mr. Stork, do you have an answer to that?

MR. STORK: To get a pension, you have to be a salaried official.

PRESIDENT SANTY: We are now voting on publication.

PERSONNEL COMMITTEE: (Continued)

MRS. McINERNEY: Move the question, please.

PRESIDENT SANTY: A motion is made and Seconded to move the question. All in favor of moving the question which is on the publication of this ordinance, please say aye. Opposed? 1 no vote. We are now going to move the question, and the question is on the publication of the ordinance concerning the pensions for the Registrars of Voters. Please use your machine. Has everyone voted? The motion to publish has been APPROVED 26 affirmative, 3 negative and 9 not-voting. Mr. Stork, continue with your report.

MR. STORK: Thank you, Madam President and Members of the Board. The Public Hearing will be held Thursday, March 24, at 7:30 p.m. here in the Main meeting room.

- (4) PROPOSED RESOLUTION FROM BOARD OF TRUSTEES OF THE CLASSIFIED EMPLOYEES' RETIREMENT FUND 1/13/83, for Cost-of-Living adjustments to pensions of retirees. Returned to Committee 2/9/83.

HELD IN COMMITTEE

MR. STORK: Item #4 on our Agenda has been held by a vote of 5 in favor and none opposed.

PRESIDENT SANTY: Ms. Summerville has a question to that.

MS. SUMMERVILLE: Through Madam Chairman, to Chairperson Mr. Stork, can you tell me why this has been held?

MR. STORK: Yes, we had written a letter based on our meeting from the previous month, and it has not been responded to; that's why we're holding it pending that information.

MS. SUMMERVILLE: Who did you write the letter to?

MR. STORK: The letter was to the Mayor.

MS. SUMMERVILLE: Thank you.

PRESIDENT SANTY: Thank you, Mr. Stork. Do you want to continue with your report?

- (5) DETERMINE THE PROCEDURE UNDER WHICH BOTH UNIONIZED AND NON-UNIONIZED PERSONNEL ARE RECEIVING SALARY INCREASES, "ADJUSTMENTS", ETC., outside of approved labor contracts, or in the absence of a previously-approved Compensation Plan by this Board; i.e., on 2/8/83 a personnel administrator received Board of Finance approval to transfer money to achieve a "salary adjustment" although this Board approved salary increases on March 1, 1982 for non-union administrators; also several Public Works MAA/AFSCME employees received increases over and above their labor contract provisions (these are just a few examples). Submitted by Rep. Gabe DeLuca 1/26/83 and 2/15/83.

MR. STORK: Thank you. Item #5 was deleted from our Agenda at the request of Rep. DeLuca. He stated that it was improperly before us and that its intent would be covered under item #7.

PRESIDENT SANTY: We are incorporating #5 with #7?

MR. STORK: Yes.

PERSONNEL COMMITTEE: (Continued)

- (6) FACT-FINDERS' REPORT ON LABOR CONTRACT BETWEEN LOCAL 786 INTERNATIONAL ASSN. OF FIREFIGHTERS, STAMFORD UNION for two years effective July 1, 1982, calling for 9% and 8½% respectively. Board of Finance Chairman Everett Pollard under date of 2/9/83 recommendations rejection (5-0) and will supply a cost breakdown to this Board. Mayor Clapes' letter 2/2/83 recommends denial; March 29, 1983 is deadline for either party to contract to reject, otherwise becomes automatic.

MR. STORK: Labor Negotiator Tom Barrett and Peter Brown from Local 786 appeared to give their presentation regarding the Fact-finders' report. Essentially, there are no major changes in the contract except in the area of wages. In fact, Madam President, the recommended wage increases border on the preposterous. Year one of the contract 7/1/82 to 6/30/83, will be at 9% or a cost to the City of \$433,263 plus an additional 75% or \$324,947 to pay for fringe benefits. Thus bringing year one's total to \$758,210. Year two of the contract which is 7/1/83 to 6/30/84, will be at 8½% or a cost to the City of \$446,020 plus an additional 75% or \$334,515 to pay for fringe benefits. Thus bringing year two's total to \$780,535. The total cost to the City over the two-year life of this contract, Madam President, would be \$1,538,745 covering 212 men.

A positive motion was made to approve the Fact-finders' report and that positive motion was defeated by a vote of none in favor and 5 against. It is the opinion of the Personnel Committee that should this Board vote to deny approval of the Fact-finders' report, that both sides return to the bargaining table in another effort to reach a mutual agreement prior to going to binding arbitration.

Both sides indicated to us their willingness to do this at our meeting, therefore, Madam President, I move for approval of the Fact-finders' report with the reminder that the Personnel Committee voted unanimously for denial.

PRESIDENT SANTY: Thank you. Is there a Second to that motion? Seconded. Discussion?

MR. DUDLEY: I'd like to speak against the recommendation, and I'd like to speak concerning the Fact-finders' report. I'm not in favor of the Fact-finders' report. What I see here is a problem between the City and the Unions that is not easily resolved. The City's zero percent wage increase offer is unreasonable as is the Union's offer. I do not want this contract to go to binding arbitration. I had spoken to the Union representative who was at our meeting of the Personnel Committee, and I stated that very clearly. My main concern was would they be willing to sit down and re-negotiate? The Union representative at that time said that he would be willing to re-negotiate if there was an offer made, and it is my opinion that I will reject this Fact-finder with the ~~pretense~~ that in the hope that the City and the Unions will sit down again, and I am not voting against this so it would go to binding arbitration. Thank you.

MR. BOCCUZZI: I am going to speak against the Fact-finders' report. As you can see by the numbers stated by Mr. Stork, with one contract we are talking about a million and a half. This City is involved with some 9 contracts. Therefore, when you get through, and if you agree to this one, you are going to have to agree to all of them with the same rate, I think we will have a traffic problem in this City; going out, and believe me, I'll be part of it.

PERSONNEL COMMITTEE: (Continued)

PRESIDENT SANTY: Thank you, Mr. Boccuzzi. I heard several, "me, toos."

MR. ZELINSKI: I would also be in agreement that this Fact-finders' report should be rejected by our Board. However, I think that some type of recommendation should possibly go with it so that it doesn't go to binding arbitration; that the City would come up with a fair percentage increase. I think it would be outrageous for them to have a zero percent increase. They do have to live in this City; they have expenses with the cost-of-living going up, and so forth, and I think they do deserve some type of an increase, and I think that the City should come up with some type of fair and equitable percentage that can be, hopefully, accepted by the Unions. I think they realize the City's position also, and with their negotiating they came up with a figure that was possibly higher than they anticipated, but I think that they were also equally shocked at the City's figure of zero percent. I hope that the word does get back to our Negotiator, Mr. Barrett, to have the City offer some type of a fair and equitable percentage that these men would deserve, and hopefully would accept. Thank you.

MR. BONNER: Thank you, Madam Chairman. I agree with Mr. Stork's analysis of this situation. But, I would also like to say that the Union request is completely out-of-line, it's completely unreal. I would like to further state that the Mayor's suggestion of zero increase is not, is not out-of-line. The Unions are professional negotiators. They start very high and suggest that anyone that starts low, is unreal. In this case, zero is not unreal. I would like to read a comment here from the newspaper dated March 2, Pittsburgh. These are professional negotiators who have come up with this type of a contract; "Pittsburgh by a vote of 169 to 63, 169 to 63, the United Steelworkers' Local Union Presidents, Local Union Presidents of the United Steelworkers, yesterday approved the first contract in the Union's history that cuts wages and benefits for their members." These people are realizing the facts of the day, and I think we have to realize the facts of the day, and our Negotiator, Mr. Barrett, has to start in order to counter the unions' requirements at below zero. He has to get to zero. Zero is not an unreal figure to live with. Thank you, Madam Chairman.

MR. BLUM: I would like to speak in regards to the last and final offer of the Union as opposed to the final and last offer of the City, Mr. Bonner. Mr. Bonner, the original offer, I believe of the Fire Department, might have been in negotiations quite higher. When you negotiate a contract, true that they start high, and true that the City might start very low; believe me, nothing, if that is the only thing that the City can give is zero, then the Fact-finder had no other alternative but to give the final offer of 9%. I think when you are studying labor relations, you will find that it is better sometimes to offer something. Had the City offered maybe 3% or 2% or maybe 5%, maybe the Fact-finder might have offered or taken the City's position. Believe me, the Fact-finder is left with nothing. If that's what you feel is collective bargaining; that is not collective bargaining.

Let me tell you, Mr. Bonner, I also took a 12% decrease in wages. The steelworkers are not the only ones that have taken concessions. Railroad workers, public workers have taken concessions in New York City. Where do you end? Maybe the best thing is to vote this down and start negotiations all over again. Thank you.

PERSONNEL COMMITTEE: (Continued)

MR. DeLUCA: Mr. Blum said he took a 12% decrease. We're not asking the firemen or anybody to take a decrease; we're just saying don't take anything. Here we're saying stay status quo. Everyone keeps saying that the Mayor started off with a zero. I don't believe it's the Mayor who started off with a zero. I think it's the taxpayers in the City of Stamford. They have been calling up the Mayor and the Representatives saying, "it's time to draw the line, no increases to be given this year." At least for one year, we got to hold the line. As Rep. Boccuzzi stated, this contract runs a million and a half. We give out 9 other contracts the same way, definitely, we would have to be moving out.

As far as rejecting this, I think it's a step in the right direction. We keep worrying what would happen when they go to binding arbitration. Fortunately, for some of us that were on the Liaison Committee with the Labor Negotiator, Rep. Boccuzzi and I had the pleasure of sitting in at a meeting with the MEA people before the binding arbitrators, and I must say, it was highly enlightening and very educational because the Chairman of the Binding Arbitration Committee just so happened to have the last name Peter Blum. I guess no relation. He brought it to our attention that these people get a step increase in addition to their 8% increases. When you figure up that step increase, that comes out to almost 4% in some cases. So by us voting a two-year contract, 8% this year, 8% next year, we include that 4% step increase for some people; that's like a 12% increase we're talking about.

Therefore, I learned that any future contracts that I have to vote on, I think I have to vote against step increases in here. So, therefore, I have to agree with the report given by Phil Stork even though one of the items coming up, I will not agree with. We should reject this here and let them go to binding arbitration and then the union is going to have to make up their own mind even if the binding arbitrator says, "Hey, we're going to grant you 8%." I think the fact-finders and the arbitrators are going to have to realize that we're not living in Utopia anymore. They have to face realities. They keep saying that Stamford, the unemployment is 3.2%, 3%, the lowest in the country, but they are talking about a region which includes New Canaan, Darien, and Greenwich. I would venture to say that Stamford would be closer to a 7 or 8% unemployment, not the 3%, and therefore, I would be willing to take our chances with the binding arbitrator and the following police or what have you, even with the binding arbitrator saying they get a 9%, they better think hard about accepting that 9%, too.

MR. ROOS: When I think of the calls I've received from people saying, "what are you going to do about these taxes, how much further is this going to go?" And, I think most of my calls were very envious of what we pay our people here. When I think of a fringe benefit that I hear runs 74% of the salary, it's unbelievable. Sure the unions start high in hopes that somewhere will reach the middle, but I think we don't have to start with a 9½% and start thinking of 3 and 4 and 5%. I think Stamford is paying a very, very good salary. I don't think its people can pay much more in taxes, and I think there will be a great exodus here if we keep on being as generous as we have been. There is a certain limit to this as far as we can go; people are out of work, inflation is coming down, hopefully things are going to be cheaper, and I think that our dollar is going to go further. I do think that it's time we draw the line here. Thank you.

PERSONNEL COMMITTEE: (Continued)

MR. WIDER: Thank you, Madam Chairman. I listen to some of these people talking out of two sides of the mouth; I become really concerned. I've noticed that some of us have been a part of raising every kind of fee in the City of Stamford from ground openings, installing electric meters, and so forth, and all of us live here; and all of us have to pay the going rate for service, and if we are going to pay those rates, we are going to have to have money to pay them with.

If you walk to your grocery store, you're talking about inflation coming down, walk to your grocery store and check the prices, and see how much they have come down. I am not saying that we should pay 9%. I remember last year when we asked some people to meet with Mr. Barrett to see that these contracts were equitably negotiated. Now we come to find out that someone is criticizing; I didn't hear anyone saying what we were there to offer Mr. Barrett in the way of suggesting where he should draw the line. You become a little confused when we talk about raising the cost-of-living. If you think things are coming down in Stamford, you get out and price an apartment this week, and go and price the same apartment next week on the same market and you will find yourself with no place to live in the City of Stamford because you just can't afford it.

I think that we do have to draw a line but I would hate to feel that my house was burning down, and because we didn't pay our firemen, they didn't save my house. I think that is what we are talking about. Let's not kid ourselves. These people have some of our lives in their hands, and with the high-risers we have around Stamford, we need the best that we can get. I wrote all over the country to find out what kind of equipment they ordered to protect the high-rise buildings, and I will be honest with you, they haven't got anything in the City of Stamford to reach some of the buildings we have. I really don't know what you are saying. in a way, because we are paying the highest tax in the City of Stamford right now.

PRESIDENT SANTY: Thank you, Mr. Wider. Please members keep your remarks to the impending motion. Mr. Jachimczyk for the first time this evening and welcome to the Board.

MR. JACHIMCZYK: Thank you. Madam President, I make a motion that we move the question.

PRESIDENT SANTY: There's a motion made and Seconded to move the question. All in favor, please say aye. Opposed? We are moving the question. The question is on the Fact-finders' report regarding the labor contract between Local 786 International Association of Firefighters, Stamford Union. This has been brought forth by the Personnel Committee with a favorable recommendation bearing in mind that the Personnel Committee voted unanimously to reject. If you vote no, you will be going with the Committee's report to reject. If you vote yes, you approve of it. No, if you reject it; yes, if you approve. Has everyone voted?

The Fact-finders' report has been REJECTED 2 affirmative, 25 negative, 1 abstaining and 10 not-voting.

- (7) PROPOSED ORDINANCE DELETING ORD. #319 AND SUBSTITUTING NEW ORDINANCE IN ITS STEAD - CONCERNING SALARIES AND COMPENSATION OF EMPLOYEES - submitted by Rep. Gabe DeLuca 2/1/83.

PERSONNEL COMMITTEE: (Continued)

MR. STORK: Item #7 on our Agenda has been held in Committee by a vote of 4 in favor and none opposed and 1 abstaining in order to get an opinion from Corporation Counsel, and that concludes the report of the Personnel Committee, Madam President.

MR. DeLUCA: I can sympathize with the Personnel Committee's request to hold this in Committee for one month pending an opinion from the Corporation Counsel, but in view of what has been transpiring in the past several months, and as late as the other day regarding the fantastic increases, reclassifications, creating of new jobs, and transfers; just another way of increasing people's salaries, I'd like to make a motion to take this out of Committee to vote on this ordinance this evening. We may hear arguments that the reason it's being held is #1, as Mr. Stork said is to get an opinion from the Corporation Counsel. We'll probably hear arguments to the effect that maybe the Personnel Committee needs more time to study whether they can handle such a request because if the people read the ordinance, it states that all job reclassifications, creation of jobs, or any promotions, job transfers or reallocation must first be approved by the Board of Representatives. (inaudible) does the Personnel Committee have the time to review all these requests to see that they are justifiable or not? My answer to that would be if you would hold an extra meeting a month or maybe our good President can set up a separate committee to strictly handle requests such as this.

As late as the other day, we pick up the paper where our Welfare Director who has only been on board less than a year...

PRESIDENT SANTY: Mr. DeLuca, before you go into it, let's have a Second to the motion. Several Seconds. You can continue if you have anything further to state.

MR. DeLUCA: That's all I'd like to say. I'd like to see this taken out of Committee and voted on this evening. If there are any changes to be made, let the Corporation Counsel come down to us and say, "O.K., these are the changes that should be made." We could always go back and repeal or make the changes at a later date. We have done this in the past and there is no reason why we can't do this this evening.

PRESIDENT SANTY: Thank you, Mr. DeLuca. For the record, Mr. Livingston has left. We now have 30 members present. I would ask the members when they are leaving, to clean up their desks. Remember, the custodial service is not here when we leave and sometimes we leave this in a little untidy position. Please make an attempt to clean it up and help in the caucus rooms, also. Any further discussion?

MR. BOCCUZZI: Madam President, I have to agree with Rep. DeLuca. What happens when the Personnel Commission or the Board of Finance acts on a transfer in the salary account, and the Board of Representatives does not have the authority or the will to act on it? What happens is that you get a built-in increase in the salary account for the following year's budget which we had no control over. The minute the Board of Reps cuts a salary account, the person who got the increase 99 times out of a 100, is far up in the steps or has so much seniority that the cut doesn't affect them, and consequently what happens, the little person at the bottom of the scale who was hired maybe for one or two years, has to get laid off, or an additional appropriation has to be approved by this Board.

PERSONNEL COMMITTEE: (Continued)

MR. BOCCUZZI: (continuing) I can't see how a person could be working for the City of Stamford and get a \$9,000 raise in one year regardless of how great they are. What happens? From what I understand, when these department heads or people that come to work for the City of Stamford, and the salary scale is advertised, the person applying for the job is told, "Well, you come in at this price and we'll get you an increaseⁱⁿ six-months to a year." Consequently what happens is they get it, and we don't have a chance to vote on it. I think this is taking away some of the authority of the Board of Reps. How are we supposed to control or be fiscally responsible to the taxpayers, to the people we represent, when we have no control over certain boards increasing the salary accounts? It's my belief that the Personnel Commission, if they indeed think a person should get an increase, it should be approved by the Board of Finance and the Board of Representatives. It's going to take a little longer. It's going to mean a little more work on our part, but I think when we take over the budget at budget time, if there's an increase in the salary account because of an increase given by Personnel and this Board, then we are accountable for it. But when that increase is there and we had nothing to do with it, we're not accountable for it, they are, the Personnel Commission, but they don't have to listen to the people screaming and hollering about taxes; we do. We are the ones that have to be the bad guys at budget time and reduce the salary account and lay some poor person off at the bottom of the scale. I firmly believe that we should get this control, and we should use it wisely.

PRESIDENT SANTY: Thank you, Mr. Boccuzzi. Mrs. Saxe has a question to a statement Mr. Boccuzzi made. I'll allow that, Mrs. Saxe.

MRS. SAXE: Mr. Boccuzzi, in reference to the large 9% jump in some of the directors of the people in the City of Stamford, was it not something that was put in the MAA contract and worked into a background that ended up by giving this kind of a step?

MR. BOCCUZZI: Not that I know of.

MRS. McINERNEY: As a point of order, we are only addressing the issue whether or not this ordinance should come out of Committee. We're not discussing the merits of anybody's conversation at this point.

PRESIDENT SANTY: Can you answer that question at that point?

MR. BOCCUZZI: I don't believe he was tied into MAA when he was hired.

PRESIDENT SANTY: The question before us is to bring this item out of Committee. That's what we are discussing.

MR. BLUM: I agree that this ordinance should come before us for if in a contract, even if it was we'll say 5%, and they do get the step increases, then it's 5% next year of that step increase; so imagine what 5% can wind-up to when they get the step increases through the Personnel Commission; has nothing to do with the contract. There are certain fair-haired boys that will get that step increase.

PRESIDENT SANTY: I will ask the members to please restrict their comments to the impending motion which is to bring this item out of Committee.

PERSONNEL COMMITTEE: (Continued)

MRS. GERSHMAN: Thank you. I do agree with the purpose and the idea in back of Mr. DeLuca's ordinance, but I would speak against bringing it out of Committee at this time. The Personnel Committee certainly appreciates it, but they would like to work on it more. How many times have we brought ordinances out that have had to be redone, had to have double hearings; we've had to have them rewritten, and rewritten. The only thing the Personnel Committee wants at this time, is to please have another month to have it looked over by Corporation Counsel to work out some of the problems in it; to give it some thought, and bring a viable resolution before the Board; not to talk it out here on the Floor, but to bring something that we really can be secure in passing. Therefore, I would urge you to keep this in Committee and not bring it out at this time. The Committee is not ready to have it come out.

MRS. GOLDSTEIN: Thank you. I'd like to ask Mr. DeLuca what is the intent of bringing this out of Committee? Is it to publish the ordinance or for final adoption because that will affect the way I vote on his motion?

MR. DeLUCA: I think this here vote is going to be a no because the intent is for final adoption.

MRS. GOLDSTEIN: If it's for final adoption, and Mr. DeLuca is asking to by-pass publishing something that has yet to have Corporation Counsel to look at this ordinance, then I'm afraid I am going to have to vote against bringing it out of Committee. If instead, he will want to have it published so that simultaneous with publication, Corporation Counsel could look at it then it would affect my vote.

MR. DeLUCA: I'll settle for compromise; I understand compromise is one of the best things. I'll accept publication.

PRESIDENT SANTY: Right now, the motion before us is to take from Committee, but bearing in mind if it passes, Mr. DeLuca will move for publication.

By the way, Mrs. Hawe, Happy Birthday. It is ~~passed~~ ^{past} midnight and your birthday is March 8th.

MRS. HAWE: I move the question.

PRESIDENT SANTY: A motion has been made. Is there a Second to moving the question? Several Seconds. All in favor of moving the question on taking this item out of Committee, please say aye. Opposed? We're going to move the question. Use your machine. If you are in favor of taking this out of Committee, please vote yes. If you are against it, vote no. Now would you please vote using the machine. If you are in favor of taking this item out of Committee, vote yes. If you are against, vote no. Has everyone voted? The motion to take from Committee has PASSED 21 affirmative, 7 negative, 0 abstaining and 10 not voting.

Mr. Zelinski, are you voting from your seat?

MR. ZELINSKI: Yes.

PRESIDENT SANTY: Thank you.

PERSONNEL COMMITTEE: (Continued)

MR. DeLUCA: I'd like to make a motion for publication.

PRESIDENT SANTY: A motion has been made and Seconded for publication of this ordinance. Any discussion?

MR. DUDLEY: Move the question.

PRESIDENT SANTY: A motion has been made to move the question. Is there a Second? Seconded. All in favor of moving the question, say aye. Opposed? We're going to move the question. Please use your machine. We're voting on publication of this ordinance. Now use your machine if you are in favor of publishing. Has everyone voted? We are voting on publication. The motion to publish has PASSED 20 affirmative, 4 negative, 3 abstaining and 11 not-voting. Mr. Stork, will you so note in your Committee?

MR. STORK: Yes, Ma'am.

PRESIDENT SANTY: This is on publication. That completes the Personnel Committee report.

SPECIAL COMMITTEESHOUSE COMMITTEE - Chairman Gerald Rybnick

MR. RYBNICK: Madam President, in the envelope that I have given you tonight, I wish you would read the letter very carefully because Mr. Spaulding has many reasons in there to make it a little bit harder to get a new card, and when you are parking during the daytime, make sure you are in the visitors' places. Thank you.

PRESIDENT SANTY: Thank you, Mr. Rybnick. Mr. Rybnick, don't go, Ms. Summerville has a question.

MS. SUMMERVILLE: Through you, Madam Chairman, to Mr. Rybnick, I'd like for Mr. Rybnick to ask Mr. Spaulding, are City employees allowed to park in those visitors' spots which is the front row? I have come here on occasions, and I know one particular person in the Mayor's office whose car is always parked in that space. Is there any provisions made that those City employees do not park in the visitors' space?

MR. RYBNICK: I shall get an answer for you.

MR. BLAIS: Thank you, Madam Chairman. I would like to ask, through you to Mr. Rybnick, what are the rules that Mr. Spaulding is announcing? I know I never received a copy of the rules, #1, and #2, I think maybe we should have the House Committee determine whether Mr. Spaulding is the proper person to set the rules for the use of the parking lot, and I would make a motion to that effect right now.

HOUSE COMMITTEE: (Continued)

PRESIDENT SANTY: Mr. Blais, what is your motion?

MR. BLAIS: That we have the House Committee investigate as to who should be setting the rules for the parking lot?

PRESIDENT SANTY: Why don't you make it an inquiry instead of an investigation?

MR. BLAIS: Inquiry.

PRESIDENT SANTY: Mr. Blais is making a motion that the House Committee Chairman make an inquiry into the Public Works Department...what was the last part of that motion?

MR. BLAIS: Who should be making the rules over the parking lot?

PRESIDENT SANTY: Who should be making the rules over the parking lot? Is there a Second to that motion? There's a Second. Any discussion? We'll move right to a vote. All in favor of Mr. Blais' motion, please say aye. Opposed? We'll have to use the machine for that vote. Please use your machine if you are in favor of Mr. Blais' motion. If you are in favor of it, vote yes. If you are opposed, vote no. Has everyone voted? Please use your machines and vote. Ladies and Gentlemen, it's almost 1:30. I know it's late, but we still have a couple of items that are very important on this Agenda. Have you all voted? The motion has been DEFEATED 13 negative, 8 positive, 1 abstaining and 16 not-voting. That concludes your report, Mr. Rybnick? And, I think we should thank you again for the delicious refreshments, and thank our Administrative Assistant who gets our cake.

COLISEUM AUTHORITY LIAISON COMMITTEE - Chairwoman Elizabeth Gershman(1) REPORT TO BE MADE.

MRS. GERSHMAN: I have placed a report on the desks tonight, and I think that it will be sufficient. Thank you.

PRESIDENT SANTY: Thank you.

LABOR CONTRACTS LIAISON COMMITTEE - Co-Chairpersons John Boccuzzi and Barbara McInerney

NO REPORT

PETITIONS - NONE

RESOLUTIONS

PRESIDENT SANTY: We have two resolutions to be voted on now.

(1) SENSE-OF-THE-BOARD RESOLUTION HONORING ALPHONSE PIA - submitted by Gabe DeLuca 2/15/83.

PRESIDENT SANTY: Mr. DeLuca, do you want to move for adoption of that resolution?

MR. DeLUCA: So moved.

PRESIDENT SANTY: Is there a Second? Seconded. Any discussion? All in favor, please say Aye. Opposed? PASSED UNANIMOUSLY.

RESOLUTIONS (continued)

- (2) SENSE-OF-THE-BOARD RESOLUTION COMMENDING GABE DeLUCA FOR COMMUNITY SERVICE - submitted by Jeanne-Lois Santy.

PRESIDENT SANTY: Is there a motion? A motion has been made, several people making it. Is there a Second? Several Seconds. All in favor, say aye. Opposed? Ladies and Gentlemen, are there any opposed? Mrs. Gershman is opposed. Mrs. Conti and Mrs. Gershman are opposed to the resolution. Mrs. Maihock is abstaining. Mrs. Gershman is voting no, and Mrs. Conti is voting no. Otherwise, it PASSED.

ACCEPTANCE OF THE MINUTES

JANUARY 10, 1983 Regular Meeting - Held 2/9/83.

PRESIDENT SANTY: There is one correction, page 26, "now" should be inserted instead of "not." Are there any other additions or corrections to Monday, January 10th meeting?

MRS. McINERNEY: I submitted mine to the secretary already.

PRESIDENT SANTY: Are there any other amendments or changes? Is there a motion to accept with the corrections? There is a motion to accept with the changes and corrections. A Second? Seconded. All in favor, say aye. Opposed? APPROVED as amended.

FEBRUARY 9, 1983 Special Meeting

PRESIDENT SANTY: We do not have February 9th meeting, but you should be getting them within the next few days.

COMMUNICATIONS FROM OTHER BOARDS AND INDIVIDUALS - NONE

OLD BUSINESS - NONE

NEW BUSINESS - NONE

ADJOURNMENT:

MRS. McINERNEY: I move for adjournment.

PRESIDENT SANTY: A motion is made for adjournment. Seconded. All in favor, aye. Opposed? Adjourned at 1:30 a.m.

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

JLS:HMM:AK
Encls.

APPROVED:

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