

MINUTES OF REGULAR BOARD MEETING

MONDAY, MAY 2, 1983

17th BOARD OF REPRESENTATIVES

City of Stamford, Connecticut

A regular monthly meeting of the 17th Board of Representatives of the City of Stamford was held on MONDAY, MAY 2, 1983, in the Legislative Chambers of the Board in the Municipal Office Building, Second Floor, 429 Atlantic St., Stamford, Connecticut.

The meeting was called to order at 8:50 P.M. by PRESIDENT JEANNE-LOIS SANTY, after both political parties had met in caucus.

PRESIDENT SANTY: We are honored this evening to have Rev. Rose Hoover open our meeting with prayer, and I would like to ask Rev. Hoover to especially mention our beloved Gerry Rybnick in her prayers this evening. We all miss him and we would like her to ask the Almighty for blessings upon Gerry.

INVOCATION: The Rev. Rose Hoover, 8 Club Road, Stamford, Conn. gave the invocation:

"Shall we pray? Oh God, we are thankful tonight that the democratic process in which we believe will be in operation as our Representatives deal with a variety of issues affecting the lives of the citizens of Stamford. We ask that our elected officials, whatever their faith, exercise the universal principles of seeking truth and righteousness, implementing the ancient Hebrew meaning of the term 'righteousness' which is to act so that people will be in right relations with one another.

"We also ask that our leaders use compassionate realism and creativity tonight as they consider such diverse decisions, ranging from financial, property, and personnel concerns to the granting of permission for cultural happenings, and a Walk-for-World Hunger, to the consideration of the safe marking of flooded areas and Day Care funding, among others.

"We pray for the goodwill and health of all of our elected officials, especially Gerry Rybnick. We hope you will be restored to us in full health by our next meeting.

"In the spirit of right relations, may we all say Amen, and then get down to work. Amen."

PLEDGE OF ALLEGIANCE TO THE FLAG: President Jeanne-Lois Santy led the assemblage in the Pledge of Allegiance to the Flat.

ROLL CALL: Clerk Annie M. Summerville called the Roll. There were 35 members present and 5 absent. Absent were Reps. John Hogan, Sandra Goldstein, Mary Jane Signore, and Gerald Rybnick (excused due to illness), and Rep. James Dudley (excused due to illness in the family.)

The President declared a QUORUM.

MACHINE TEST VOTE: President Santy conducted a test of the voting machine, asking members to vote, in turn, yes, no, and abstain. The machine was declared to be in good working condition.

MOMENTS OF SILENCE:

For the late LYNNAE BONGIORNO - By Reps. Audrey Maihock and Elizabeth Gershman.

For the late ANTHONY COLLETO - By Rep. W. Dennis White.

PRESIDENT SANTY: I would like to wish at this time a Happy Birthday to our colleagues who have a May birthday: John Roos, Mary Lou Rinaldi, Curley Perillo, Tony Conti, and Gerry Rybnick. Happy Birthday to you, one and all, Ladies and Gentlemen!

STANDING COMMITTEES

STEERING COMMITTEE - Chairwoman Jeanne-Lois Santy

MRS. McINERNEY: Madam President, I'd like to make a Motion to Waive the reading of the Steering Committee Report, please.

PRESIDENT SANTY: A Motion has been made and Seconded to Waive the reading of the Steering Committee Report. All in favor of Waiving the reading of the Report, please say Aye. Opposed? Unanimous. We'll Waive the reading of the Steering Committee Report.

STEERING COMMITTEE (continued)STEERING COMMITTEE REPORT

The STEERING COMMITTEE met on Monday, April 18, 1983, in the Democratic Caucus Room, and the meeting was called to order at 7:35 P.M., in response to a CALL issued for 7:30 P.M. a Quorum was declared.

PRESENT AT THE MEETING

Jeanne-Lois Santy, Chairwoman	John Roos
Barbara McInerney	Donald Donahue
John J. Boccuzzi	Gerald Rybnick
Robert "Gabe" DeLuca	Lathon Wider, Sr.
Mary Jane Signore	Jeremiah Livingston
Marie Hawe	Peter Blais
Anthony Conti	John Zelinski
Burtis Flounders	Mary Lou Rinaldi
Paul Dziezyc	Elizabeth Gershman
Audrey Maihock	Advocate Reporter
Cadie Vos, Mayor's Exec. Aide	

(1) FISCAL MATTERS

ORDERED ON THE AGENDA were five of the six items appearing on the Tentative Steering Agenda. The other item was ordered Held in Committee until put back on or released by the Fiscal Committee, being \$260,000 Amendment to the Capital Projects Budget for drainage system.

(2) TRANSPORTATION MATTERS

There were no items on this Committee's agenda.

(3) PUBLIC HOUSING AND COMMUNITY DEVELOPMENT MATTERS

ORDERED ON THE AGENDA was the one item appearing on the Tentative Steering Agenda, being the sale of City-owned property on Cold Spring Road.

(4) URBAN RENEWAL MATTERS

ORDERED ON THE AGENDA was the one item appearing on the Tentative Steering Agenda, being the matter of availability of telephones in downtown areas.

(5) ENVIRONMENTAL PROTECTION MATTERS

There were no items on this Committee's agenda.

STEERING COMMITTEE REPORT (continued)

(6) EDUCATION, WELFARE AND GOVERNMENT MATTERS

ORDERED ON THE AGENDA were the first two items appearing on the Tentative Steering Agenda. The other item was transferred to the Public Works Committee, being the question of unauthorized usage of city gasoline and the issuance of gasoline ration cards, with instructions that the language be the same as it had been previously on the agenda, and not abbreviated as appearing here.

(7) APPOINTMENTS COMMITTEE MATTERS

ORDERED HELD IN COMMITTEE was the one name appearing on the Tentative Steering Agenda, being that of Walter Seely for the Fair Rent Commission. ORDERED ON THE AGENDA were the three names appearing on the ADDENDA to the Tentative Steering Agenda: Paul Carignan, Louis Casale, and Walter King.

(8) PUBLIC WORKS MATTERS

ORDERED HELD IN COMMITTEE were the first five items appearing on the Tentative Steering Agenda. One item from the Addenda to that Agenda concerning flooding conditions existing at East Main Street-Crystal Street-RR underpass and being unbarricaded was ORDERED ON THE AGENDA. ORDERED TRANSFERRED to the Planning and Zoning Committee was Item #6 appearing on the Tentative Steering Agenda, concerning the proposed discontinuance of portions of North State St. and Hill St. to be sold to General Reinsurance Company. One other item was ORDERED ON THE AGENDA being the review of Public Works Dept. bonding system for street openings.

(9) CHARTER REVISION MATTERS

ORDERED ON THE AGENDA was a report to be made by this Committee.

(10) PARKS AND RECREATION MATTERS

ORDERED ON THE AGENDA were the seven items appearing on the Tentative Steering Agenda; also two additional items: (a) concerning an Open House to be held by the Post Office; and (b) new rules and regulations from the Parks Department.

(11) HEALTH AND PROTECTION MATTERS

ORDERED ON THE AGENDA was the one item appearing on the Tentative Steering Agenda, concerning satellite transmission facilities.

STEERING COMMITTEE (continued)

(12) LEGISLATIVE AND RULES MATTERS

ORDERED ON THE AGENDA were seven of the ten items appearing on the Tentative Steering Agenda; plus one item transferring from "Communications from Other Boards and Individuals" concerning HONOR BOXES per Corporation Counsel Fraser's letter of 4/7/83. ORDERED HELD IN COMMITTEE were three items appearing on the Tentative Steering Agenda, being (a) waiver of building permit fee for New Neighborhoods for Greenwich Ave. Affordable Housing; and (b) an ordinance concerning hazardous materials and substances used and stored in the City; and (c) pornographic material being available to minor children and disturbed adults.

(13) PLANNING AND ZONING MATTERS

ORDERED ON THE AGENDA were two items appearing on the Tentative Steering Agenda: (a) Referral of Zoning Board Action re Miracle Faith Outreach, Inc. application; and (b) transferred from Public Works, the item concerning discontinuance of portions of North State St. and Hill St. to be sold to General Reinsurance Co. ORDERED HELD IN COMMITTEE was the matter of the sale of City-Owned Property.

(14) PERSONNEL MATTERS

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

(15) LABOR CONTRACTS LIAISON MATTERS

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

(16) RESOLUTIONS

ORDERED ON THE AGENDA were the two items appearing on the Tentative Steering Agenda; also one on the Addenda to the Agenda concerning withholding taxes on interest on dividends earned.

ADJOURNMENT

There being no further business to come before the STEERING COMMITTEE, on MOTION duly made, Seconded, and Carried, the meeting adjourned at 8:25 P.M., with some members remaining until 8:55 P.M.

Jeanne-Lois Santy, Chairwoman  
Steering Committee  
17th Board of Representatives

JLS:HMM

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MR. STORK: Thank you, Madam President. Out of respect for the people that are in the gallery tonight, I'd like to make a Motion to take an item up out-of-order on our Agenda tonight?

PRESIDENT SANTY: Mr. Stork, can you tell me which item it is?

MR. STORK: Yes, Ma'am. On page 8, item #1 under Planning and Zoning.

PRESIDENT SANTY: Mr. Stork has made a Motion to Suspend the Rules to take item 1 under Planning and Zoning up at this time. Is there a Second? Mr. Donahue has Seconded it. All in favor of Suspending the Rules, please say aye. Opposed? PASSED UNANIMOUSLY.

PLANNING AND ZONING COMMITTEE - Chairman Donald Donahue

MR. DONAHUE: The Planning and Zoning Committee of the Board of Representatives met on April 27, and conducted a Public Hearing on this item at 8:30 with Mr. Stork, Ms. Rinaldi, Mrs. Guroian, Mr. Jachimczyk, Mr. White, and Mr. Donahue in attendance.

- (1) REFERRAL OF ZONING BOARD ACTION DENYING APPLICATION 82-027 MIRACLE FAITH OUTREACH, INC. TO CHANGE ZONE OF PROPERTY LOCATED AT HOPE STREET AND HOWES AVENUE, FROM R-7½ TO R-5, pursuant to Section 552.3 of the Charter; also Section 550. Received at Board Office 3/25/83 3:00 P.M. Miracle Faith filed appeal with Zoning Board 3/17/83.

The Planning and Zoning Committee met after the conclusion of the Hearing to consider the testimony given that evening. There were probably over a 100 people here in attendance, and about 30 or 35 actually spoke, and some for a second time.

The property in question is situated and acts as a buffer between multi-family development to the south and west on Hope Street, and single-family residential area to the east and to the north. If the change to R-5 is granted, approximately 39 condominium-type townhouses could be developed on the site in question. Under the current R-7½ zoning classification, between 11 and 14 single-family homes could be built on the 2.3 acres.

Most of those who spoke in favor of the application said that the traffic generated by the 39 condominiums would not seriously affect traffic on Hope Street, and further that the 39 units would blend-in with the condominium development already constructed to the south and to the west. While the number of trips generated, as far as traffic from the proposed project, would certainly have an impact on an already severe traffic situation. The real concern which must be explored in the proposed change in zone is the impact that the project would have on the neighboring sound, single-family, residential area.

A few months ago, this Board over-turned a Planning Board decision. It was the Uthenwold case which is very similar in nature, even though one was a Master Plan change and this is a Zoning Map change. That application would have had about the same potential affect on surrounding properties. The subject tract of land provides a buffer between a heavily developed multi-family area, and the already described single-family neighborhood.

PLANNING AND ZONING COMMITTEE: (Continued)

MR. DONAHUE: (continuing) Since the property owners can build 11 to 14 units as of now, and could foreseeably apply for a new RM-1 zoning classification which is designed to provide a buffer-type situation between single and multi-family zones, it was the unanimously recommendation of the Planning and Zoning Committee that the application be denied. I, therefore, make this Motion: I Move that application No. 82-027 of Miracle Faith Outreach, Inc. for a change in the zoning map from R-7½, one-family residents' district to R-5 multiple-family resident district for property located at Hope Street and Howes Avenue be approved. I make that Motion in a positive sense and I would ask the Board to remember that it is the Planning and Zoning Committee's unanimously recommendation that this application be denied. So, if you agree with the Planning and Zoning Committee report, you would be voting no on this amendment.

PRESIDENT SANTY: Is there a Second? There are several Seconds to that Motion.

MR. WIDER: I Move for a Roll Call vote.

PRESIDENT SANTY: Mr. Wider can still ask for a Roll Call vote. Is there a Second to a Roll Call vote when we get around to Roll Call? Seconded. All in favor of a Roll Call vote, please say aye. Sufficient number. We will go ahead with discussion now. Any discussion? Mr. Donahue very clearly stated the Motion. He explained the position of the Planning and Zoning Committee.

MR. JACHIMCZYK: Madam Chairman, I make a Motion that we Move the question.

PRESIDENT SANTY: A Motion has been made and Seconded to Move the question. A Motion has been made. I've accepted the Motion and Seconded to Move the question. All in favor of Moving the question, please say aye. I've accepted the Motion. There's a challenge. Mr. Blum's name was first on the list. If you are sustaining the Chair, you vote yes.

MR. LIVINGSTON: Madam President, perhaps, through you to Mr. Jachimczyk, just so that we could expedite things, could we ask him as a matter of courtesy to allow Mr. Blum to speak rather than going through this process of challenging the Chair. This issue is of interest to a number of people, and to shoot right through it without allowing anyone to speak pro or con on it, I would think is being a little rash on our part.

PRESIDENT SANTY: There is only one speaker which is Mr. Blum. Mr. Jachimczyk, do you want to withdraw your Motion?

MR. JACHIMCZYK: Yes, I will.

PRESIDENT SANTY: Does the Second withdraw? The Second is withdrawn. We have one speaker on the list.

MR. BLUM: This area borders the 12th District, and it's a part of the 7th District. I went to look at the property and it is quite a big depth of properties. I wonder in a sense, if housing is a very top priority in the City of Stamford. What will we do with this property if we deny or go along with the Planning and Zoning Committee. It is understood by the people at the Miracle Faith Outreach, Inc. that what they intend to build there will be in sort with the condominiums that neighbor next to them, and across the street in the 12th District on Hope Street.

PLANNING AND ZONING COMMITTEE: (Continued)

MR. BLUM: (continuing) The City of Stamford still has a shortage of housing whether they be condominiums or rental. I feel that we should consider this property because it's a large piece of property. It is true that Howes Avenue and there are a few streets right off Howes Avenue; I can't think of them off hand, are single-family residents. My question is, "Must we stop this piece from not advancing or be sold as a condominium?" Where does the end come and what is this Miracle Faith going to do with that large chunk of land? Thank you.

MR. LIVINGSTON: Thank you, Madam President. Personally, I think the Zoning Board has made a, not the Zoning Board, the Planning Board made a grand gesture in pursuing the position that they took. I feel that our Zoning Board is again being a little short-sighted. I also feel that for our Board to vote against it, and we have to consider there have been other church groups who came before with the concern for housing. Mr. Wider pointed it out in our Caucus room and it was not that long ago that Union Baptist Church was interested in turning their old facilities into dwelling units for senior citizens and handicapped people. That was denied. Now, Miracle Faith is interested in building condominiums that would serve the general people of Stamford. At some point, at some time, we have to put aside some of our old fears. To say that we are using property to buffer one segment of the neighborhood against another, it sounds good but when you look at the overall housing picture and we look at who is trying to do what, when, and where, it would just seem to me that when we have congregations, church congregations that are made-up mostly of what is to be considered minority peoples, you can't say that they should build someplace else rather than where they're building because they don't own anyplace else.

I've seen a number of things happen in this room; a number of good things. In fact, I've seen a number of good things happen in this City for the general welfare of the overall community, but the truth of the matter is, the crux of our problem in this City, just happens to be housing, and with all these other good things happening, and if no one or if a large segment of people are denied the right to live here because there is no housing, then sometimes I wonder just what are we doing all of these hopefully good things for people. With that, Madam President, I am going to yield the Floor, but I would hope that we really give strong consideration to voting in support of Miracle Faith Church. Thank you.

MRS. GUROIAN: I think I would like to correct some misconception that I've heard here tonight, First of all, the Baptist Church application never came before this Board. We never decided on it. This is the first church application I've sat-in on in three years, so I don't know of any other church application which we have denied.

Second of all, under direct questioning from me, the Pastor of that Church told us that the intention of the church body was to sell the property and buy other property elsewhere, and because they could not, they believed they could not get enough money under an R-7½ zone or an RM-1 zone, they had to ask for an R-5 zone so that they could buy the kind of property that they wish to buy elsewhere.

PLANNING AND ZONING COMMITTEE: (Continued)

MRS. GUROIAN: (continuing) If, in fact, they intend to sell this property, they will have no control over what is developed on that property because the developer who buys the property will make that decision. So that to say that they intend to do this, they intend to do that, is to say something which has no fact behind it.

Second of all, I'd like it understood the piece of property in question, first of all, if the property is sold for the 37 buildings, two beautiful buildings will have to be torn down; the Church itself and the parish house on the corner, in order to get 37 units into that piece of property.

Second of all, that property, if anyone knows the corner, Linden House is on the corner. The property is next to it, and then the parish house is next to it. Across the street is R-7½, behind the piece of property is R-7½, all single-family homes. Across the street on Hope Street from them, are condominiums. However, on their side of the street, there are no condominiums. The whole length of the street there are no condominiums. Linden House, in fact, because St. Basil's is on the other side of Linden House; Linden House, in fact, has not been built, although it's zoned R-5, was not built to R-5 maximum intensity. So that, if this was sold for R-5 and conceivably built to R-5 intensity, you will have less intensive units, more intensive units where the church and the parish house were, and then 7-½. That is spot-zoning, in a sense, because you're going from less intensive to more intensive, to even lesser intensive; so that, it is not a buffer. If it were going to remain as a buffer zone, perhaps if they had asked for RM-1 which would have given them 27 units, they might have had a case, but the 37 units is an introduction of intensity which is not seen on that side of the street along Hope Street.

There are other reasons why this application was denied by both the Zoning Board and the Planning and Zoning Committee of your Board, but I won't go into them now because I think in the absence of time, we have a long Agenda, I'll limit myself to what I think were the key points.

One other point I think should be made. Every church would like to expand. If every church in this City that's in a residential zone, came in pleading financial hardship in that they wanted to get a larger piece of property somewhere else and use that as a basis of argument, how many pieces of R-5 would we have right in the middle of 7½ zoning all over the City? Let's be careful about what we do. I don't deny that it is a worthy church. They have a beautiful piece of property now. They have three options available to them right now; either to sell it as a church because they are not the original tenants of that church property. They bought it as a church. This is the fourth time that application is being submitted, and this is the first time it has even gone this far. So that they can sell it again as a church as they bought it; they can sell it as R-7½ as it's zoned presently. They can go into the Zoning Board and, perhaps, ask for an RM-1. They have three options available to them before they reach the R-5.

I think in view of the past history of this application, and a view of the arguments against it, the Zoning Board did exactly right, and I think the Planning and Zoning Committee of this Board voted exactly right. Thank you.

PLANNING AND ZONING COMMITTEE: (Continued)

MRS. CONTI: I Move the question.

PRESIDENT SANTY: A Motion has been made and Seconded to Move the question. There are three more speakers. All in favor of Moving the question, please say aye. Opposed? Will the no votes please raise your hands. We're going to have to use the machine. The Chair is in doubt. The Motion is to Move the question. Please use your machine. Has everyone voted? We're now voting on Moving the question. We need two-thirds which is 24 votes. The Motion to Move the question has been DEFEATED 20 affirmative, 14 negative, and 2 not-voting. We'll continue with the discussion.

MS. SUMMERVILLE: First I would like to thank my colleagues for allowing me to speak on this issue because it is very dear to me. I think the arguments on both sides were valid, but I think that sometimes we have to deviate from the rules. I look at downtown Stamford, there is no guarantee what happens if the offices in the buildings move out tomorrow, but this church has to give you a guarantee. First I want to state that I was also a part of the Planning and Zoning Committee meeting. For the record, I, too, was in attendance. I understand some of the arguments that the Committee deliberated on, but I disagree with some of them. I do think that in some cases we have to be sensitive to the needs of the City in acquiring housing. Somebody said, "but these are not going to be the kind of housing that these people can afford." Who are you to say that they can afford? Who are you to assume that they can afford? It's a large congregation. They are growing. I don't think that we should make that assumption.

Another thing I heard at the Public Hearing and the deliberation of the Committee, was about the traffic. The traffic really wasn't the issue even though they talked about traffic at the Public Hearing. That really wasn't the issue. At a Public Hearing you talk about what you agree on and what you disagree on. I would like to know who is going to stop a person traveling down Hope Street to get to the A&P? It's going to go on. The church is growing. I think they are allowed to go and come as they please. They can have as many members of their church as they want to. They can park on the public street whether it be in front of a family homeowner. You have no right to tell them they cannot park there. 37 or 39 units is not going to cause that many problems to Howes Avenue. I am also sensitive to them with their beautiful homes. Sometimes we have to change with the way the world changes.

I am not satisfied with the way the City of Stamford looks. I'm not satisfied with downtown. I look at Washington Boulevard and Tresser Boulevard. One time that was Willow Street; beautiful homes, beautiful trees when I first came here, but it changed. I have never heard Mr. Rich guarantee us what he was going to build, and I will say publicly that in the URC, that he has not lived up to his commitments. I heard him say that he was going to build 200 moderate income units. I have yet to see them built, but we continue to allow these things to happen. So what is so unique about Miracle Faith? I think they really have a unique name, "miracle," and I say to move this City and some of these Boards in this City, it is going to take a miracle. I hope some of you will re-think, and I am against the Zoning Board's decision. I hope you will vote favorably.

PLANNING AND ZONING COMMITTEE: (Continued)

MR. WIDER: Thank you, Madam Chairman. Most of the positive things have been said. All I want to come across with as Chairman of the Housing and Community Development Committee, I would like people to begin encouraging and stop discouraging. For those who didn't know, I happened to be on the Committee helping to get some senior citizen housing built by Union Baptist Church whom I have criticized for the last 20 years about failing to do anything for the people that were contributing to their existence, and they wanted to do something, and we turned them down. Whether we like it or not, the Boards turned them down and it was published in the paper.

All I am saying to you that it is about time we stopped as a Board discouraging people who want to do things. If they want to sell it to a developer, they may have to sell it. They may not have money to develop it. So, what is wrong with selling it to a developer if he is going to build condominiums, and I don't care if they are \$125,000. If I want one, I'll get it, and anyone else that wants one will get it, but it will be someplace for people to live in this town and spend some of the money that they make in this town. That's what we need to begin doing; cheapen some of these people who draw the paychecks in this City to spend some of that money in this town, and not take it to Norwalk, Ridgefield and other places. I'm opposed to ruling these people out who want to do things. I'm asking the people to let's let those people do something. Thank you.

MR. DONAHUE: I'd like to get back to the real issue here if we could? If the 39 proposed units were constructed, a good number of the adjoining single-family homes will lose the private nature of that street, the private nature of their backyards. A number of those units as proposed and as we have drawings concerning show that these units would actually be overlooking those properties. All the individuals that came and testified against this application who lived on Howes Avenue, Brooklawn Avenue, Pierce Place, and Nash Place were unanimous in their opposition for that reason. The issue of Stamford's housing problems comes up again tonight. \$110,000 condominiums, I don't believe it has ever been said that that's an area where Stamford has a shortage of, and I don't think that any housing problems we have, the answer to that will not be brought about through the construction of \$110,000 condominium units.

The application of the church located on Adams Avenue was an application for a change in the Zoning Regulations of the City not in the Zoning Map. These two cases should not be compared for that reason because the problem with the Adams Avenue site, or the Adams Avenue application involved changing the Zoning Regulations for the entire City which would have involved anyone owning R-5 or RMF property to be able to develop those properties in an over-intensive way.

The real comparison should lie with the Uthenwoldt Case that the Board unanimously voted against within the past two months, where an incursion into a solid, single-family neighborhood would have been the result or could have been the result if that application were allowed to stand. Thank you.

PLANNING AND ZONING COMMITTEE: (Continued)

MR. WIEDERLIGHT: Thank you, Madam President. From listening to all the speakers before me, it would seem that this is quite an easy clear-cut issue. That's simply the continuous and contiguous development of a neighborhood; the consistent development of a neighborhood, and that apparently is what the job of a Planning Board and a Zoning Board is. To simply disregard what our Planning Board and what our Zoning Board has said provides for the orderly and sane development of a neighborhood is foolhardy; that's why they are there. That's why our Planning and Zoning Committee of the Board of Representatives looks into these things and makes their decisions accordingly.

I would be aghast if somebody wanted to put 37 condominium units on our block, in our district, and that's the only thing I can compare it to. It would take the character of the neighborhood from one extreme to the other. Thank you.

PRESIDENT SANTY: Thank you, Mr. Wiederlight. One more speaker.

MR. TARZIA: Thank you, Madam Chairman. I look at it as to whether it's a hardship case, and I don't think it is. We have to make a decision based on what is the church going to do with this property? From what I understand, the church is going to sell the property to a developer who probably has already made a deal with the church, but the bottom-line is dollars and cents. It's not a hardship case. It's whether the church gets one-dollar or a dollar and a half. That's what it really amounts to, therefore, I am going to go along with the recommendation of the Committee. Thank you.

PRESIDENT SANTY: Thank you. There being no further speakers, Mr. Donahue, I would ask you now to repeat your Motion.

MR. DONAHUE: I Move that application #82-027 of Miracle Faith Outreach, Inc. for a change in the Zoning Map from R-7½, one-family residents' district, to R-5 multi-family residents' district for property located at Hope Street and Howes Avenue be approved recognizing that the Committee is recommending a no vote.

PRESIDENT SANTY: Are there any questions? We are going to proceed with a Roll Call vote. Ms. Summerville will call the Roll. If you agree with the Planning and Zoning Committee, you'll vote no. If you disagree with the Planning and Zoning opinion, you vote yes.

MS. SUMMERVILLE called the Roll.

PRESIDENT SANTY: Mr. Zelinski, we're right in the middle of a vote.

MR. ZELINSKI: I'm sorry. Just for clarification, how many votes are needed to either approve or disapprove?

PRESIDENT SANTY: 21.

MR. ZELINSKI: One way or the other?

PRESIDENT SANTY: Right.

MR. ZELINSKI: Otherwise...

PRESIDENT SANTY: We haven't made a decision and the Zoning Board's decision stands.

PLANNING AND ZONING COMMITTEE: (Continued)

MR. ZELINSKI: Thank you. I just wanted that clear.

PRESIDENT SANTY: Mr. Blum, Mr. Donahue repeated the Motion. He read it twice. If you agree with the Planning and Zoning Committee, you vote no. If you disagree with their opinion, you vote yes.

MR. SUMMERVILLE continued to call the Roll.

PRESIDENT SANTY: Will the Tellers please come forward? The Motion is LOST 27 negative, 7 affirmative and 1 abstention. Mrs. Hawe, would you continue with the Fiscal Committee report?

FISCAL COMMITTEE - Co-Chairpersons Marie Hawe and John J. Hogan, Jr.

MRS. HAWE: The Fiscal Committee met on Wednesday, April 27th. Present were Committee members Betty Conti, Burt Flounders, Joe Franchina, John Roos, Co-Chairperson John Hogan and myself.

Before I give the report, I would like to bring your attention to the booklet that is in the envelope that is on your desks tonight. The first section contains the cuts made by the Board of Finance which were very few. You can transcribe them into the blue book, a bunch of pages that list the revenues that all the departments take in; revenue by department, and then at the end is the budget salary listings. Everyone should have that on their desks tonight. If you don't have one, let me know, but they have been sent down.

Next Tuesday and Wednesday are the budget meetings; the 10th and 11th of May, Tuesday and Wednesday at 7 o'clock. Those are the night that the Board will vote on the budget.

I'd like to Move the following items on the Consent Agenda. Item #2.

PRESIDENT SANTY: Item #2 on Consent.

MRS. HAWE: Item #3.

PRESIDENT SANTY: Item #3 on Consent.

MRS. HAWE: Item #4.

PRESIDENT SANTY: Item #4 on Consent.

MRS. HAWE: Item #5.

PRESIDENT SANTY: Item #5 on Consent. Item #5 off Consent.

MRS. HAWE: Item #6.

PRESIDENT SANTY: Item #6 on Consent.

MR. WIEDERLIGHT: Please take that off, Madam President.

PRESIDENT SANTY: Item #6 is not on Consent.

FISCAL COMMITTEE: (Continued)

PRESIDENT SANTY: Items 2, 3, and 4 are on Consent.

- (1) \$850,000.00 - AMENDMENT TO CAPITAL PROJECTS BUDGET - CULTURAL CENTER - Amend the Capital Projects Budget by adding to the project known as #735.0701 Cultural Center, the sum of \$850,000.00 to be received from the State of Connecticut (this is in addition to the \$500,000 already appropriated to this project by the City.) Board of Finance approved March 3, 1983. Held in Committee 4/4/83.

Above also referred to COLISEUM AUTHORITY LIAISON COMMITTEE.

MRS. HAWE: At their August, 1982 meeting, the State Bonding Commission appropriated \$850,000 for Stamford's Cultural Center. This represents the State's share of the Cultural Center Project Phase 1.

On August 2, 1982, this Board passed a resolution authorizing the Mayor to file an application and enter into a contract with the State to obtain matching funds for the development for the Stamford Center for the Arts. We have all received a copy of the contract that has been negotiated with the State. In order for the City to enter into this contract with the State to secure the State's funds, the full amount of the State's share, \$850,000, must be appropriated by us. Fiscal voted 5 in favor and 1 opposed and I so Move.

PRESIDENT SANTY: Is there a Second to that Motion? Several Seconds. The Secondary Committee, Mrs. Gershman.

MRS. GERSHMAN: Yes, thank you. The Coliseum Authority Liaison Committee voted unanimously to hold this request pending further clarification of items in the contract, namely, regarding the discrepancy of control of the land with consideration of liabilities and law suits. Also, words which were omitted by eraser.

PRESIDENT SANTY: Mrs. Gershman, before you go into your report, would you tell us when your Committee met and what members were present?

MRS. GERSHMAN: Yes. The Committee met on Monday, April 25th at 7 o'clock in the Personnel Examination Room. Present were members John Hogan, Betty Conti, Gabe DeLuca, John Zelinski, and the Chairman, myself. Mr. Blum was absent.

PRESIDENT SANTY: Thank you, Mrs. Gershman.

MRS. GERSHMAN: May I continue?

PRESIDENT SANTY: Continue with your report.

MRS. GERSHMAN: Thank you. They voted unanimously to hold this request. Some of the reasons included were words which had been omitted by eraser. Further, the conditions under which the State must withhold funds if any covenant or condition of this contract is breached. Also, that the City shall protect and

FISCAL COMMITTEE: (Continued)

MRS. GERSHMAN: (continuing)...save harmless at its own expense any law suits which might be brought against the State because of this project. We wish to see these points and others clarified before the contract is signed, and the appropriation is requested. Therefore, the Committee does not concur.

PRESIDENT SANTY: Thank you, Mrs. Gershman. Mrs. Conti has a minority report. Mr. DeLuca, did you want to be listed as a speaker? Is there a correction to her report? That's what I want to know. I'll let you speak as Mrs. Conti has a minority report.

MRS. CONTI: Thank you, Madam President. I would like to say that this is an additional appropriation. We're talking about a grant so forth and so on, but actually what the Agenda item is, is an additional appropriation to the '82/83 capital projects budget. I've just learned tonight that this item is to be bonded which means that the local taxpayers will pay the interest and the principal on this for 10 or 20 years. They will never get reimbursed for the principal, they will only get reimbursed probably in inflated dollars for the \$850,000 about 3 years down the road.

Now, the contract with the State and the contract with the Stamford Center for the Arts are contradictory in some areas, and don't forget we don't even get to see much less approve the SCA contract. Likely contradictions will remain. Contradictions could be construed as breaches of State contract 4F and 5 and those of you who have the packet can look at it as I'm mentioning it. 4F and 5 of the State contract are explicit that reimbursement will be withheld if the contract is breached. Now, there are also blanks in this State contract. Do we know whether they will be submitted blank or filled-in after, perhaps, in a way that we would not approve. On page 2, 3A refers to the financing plan and budget most recently approved. Have we seen this most recent plan? Do you know? I certainly don't. Page 2, 3B, this blank covers the person or persons authorized to submit amendments to the financing plan. Who is authorized to make amendments which may commit our constituents to additional costs without our approval.

Page 6, 23B, note the blank which renders the balance of the phrase, "questionable at best."

PRESIDENT SANTY: Mrs. Conti, one moment. Does everyone have the contract? Are you following? Any questions? I'm sorry to interrupt you, Mrs. Conti, so many of them don't have it, Mrs. Conti.

MRS. CONTI: Do you want me to read the areas of it?

PRESIDENT SANTY: Maybe you better. Some received it on Saturday, but many did not receive it. It probably is still in the mail. I have it here. If there is an extra copy, we can share the reading of it. Mr. Wider, do you have the contract? Does anyone in this area have the contract? John, do you have a contract? Continue, Mrs. Conti.

MRS. CONTI: What do you want me to do?

PRESIDENT SANTY: If anyone has a question, we do have copies that they could share. Go right ahead with your comments.

FISCAL COMMITTEE (Continued)

MRS. CONTI: On page 6, 23D, why is this blank and will it remain that way? We have no way of knowing whether something will be filled-in after we approve or not, and I think that's very unwise. Now, also in the State contract, #10 on page 3, requires the municipality to insure or bond all expenses of the project and assume liability for any breach or default. While the project financing plan, and that's about the 4th attachment in your packet, indicates that the State will participate in Phase II financing, however, the State contract makes no mention at all of phases. It merely states that the State reimbursement will not exceed \$850,000 and all else is local responsibility. Page 1, items 2 and 3 for that reference.

Now, on page 3, 5D, refers to the latest approved project financing plan, but we know not who can submit such an amendment. Please note that this entire statement is incomplete and totally meaningless. What then is the City's responsibility under this provision? Please note 17 on page 4, the municipality at its own expense must protect the State from all liability, etc. Please note page 2 of the project financing plan which is about the 4th attachment in your packet, under the heading, Phase I, the third paragraph, "Acquisition Costs."

PRESIDENT SANTY: Mrs. Conti, I'm trying to follow you. You are a little fast. Just repeat the last sentence that you commented on.

MRS. CONTI: Please note page 2 of the Project Financing Plan. That's about the 4th attachment in the packet and under the heading, "Phase I," the third paragraph referring to acquisition costs says and I quote, "Purchase price plus carrying costs and improvements." What kind of money are we talking about, and should local taxpayers be responsible for improvements which we as their representatives never voted for?

We held this item for a month to allow Commissioner Marra time to finalize the contract in a satisfactory manner. When the Coliseum Liaison Committee met on Monday, the contracts had not been finalized. Two nights later when Fiscal met, contracts were supposedly finalized. In all honesty, can you read this jibberish we have been handed and consider it a complete and finalized contract? Would you bind yourself personally to a contract repleat with blanks? Would you bind your constituents with such a contract? I intend to vote no on this. I think that we have given adequate time for them to come-up with a finalized contact and this is what they have handed us as a finalized contract. I will vote no and I hope a third of you will join me. Thank you.

MR. BOCCUZZI: Point of information?

PRESIDENT SANTY: Yes, Mr. Boccuzzi.

MR. BOCCUZZI: Mrs. Conti stated that the projects are going to be bonded? Is she saying that the \$850,000 from the State will be bonded or the \$500,000 that we put-up is going to be bonded?

MRS. CONTI: Mr. Boccuzzi, we have to put the money up-front. The contract requires that the State reimburse us later. So, we are approving \$850,000 in addition to the capital projects budget which we are going to bond.

MR. BOCCUZZI: We don't bond anything until it's spent. It is my understanding from Commissioner Marra that no money, no State money will be spent until we get it.

FISCAL COMMITTEE: (Continued)

MRS. CONTI: There will be no State money until the City spends it.

MR. BOCCUZZI: Therefore, I don't think the statement is correct with the \$850,000 being bonded. I can see \$500,000, but I can't figure out how the \$850,000 is going to be bonded.

MRS. CONTI: Point of order, Madam President.

PRESIDENT SANTY: This is not a Point of order. Mr. Boccuzzi raised a question. If you finished speaking, Mrs. Conti, I'll put you on the list; we have several other speakers?

MRS. CONTI: I want to clarify what he said. He's misinterpreting. He asked a question and he's answering himself, and it's incorrect.

PRESIDENT SANTY: Mrs. Conti, I'll put you down for a second-time speaker. We'll remember that.

MR. DeLUCA: At the Coliseum Liaison Committee meeting, I voted to hold this because of the definition of lien title, but that has since been clarified where the City does not have title to the lien. Looking at Commissioner Marra's letter of April 28, the contract received the endorsement of the Finance Department, the Grants office, the Law Department, the Coliseum Authority Advisory Panel. Once again we keep hearing comments that we are going to be liable for \$850,000; it's going to be bonded; we are going to be paying principal on interest, yet it seems to be contradictory to other statements which say that the City itself doesn't have to put anything up but just the idea we can appropriate this money which will be reimbursed. I plan on voting yes for this and I hope we get the necessary votes to put this through because to keep delaying this, we may end up breaching our contract with the State, and we'll end up seeing the Coliseum Authority going down the tubes. Thank you.

PRESIDENT SANTY: Thank you, Mr. DeLuca. All the Representatives, please bear in mind that we need two-thirds of our membership and there are 35 members present. We need 24 affirmative votes.

MR. LIVINGSTON: Thank you, Madam President. I believe that enough questions have been raised, and that the least we can do is honor the Coliseum Committee's request and send this back to Committee. If we have to vote on this tonight, I don't see how any of us in good conscience could vote positive with all these loose ends. Thank you.

MR. ZELINSKI: Thank you, Madam President. As was mentioned earlier, I did attend the meeting of the Liaison Committee that Monday evening, and at that particular point in time, there were questions that were raised, however, since then and as far as I am concerned, some of the questions have been answered, and being Fiscal had voted to recommend approval, at this point in time, I would be willing to vote in favor of this appropriation, and I hope my colleagues will also. This is a very serious project and I don't think that we should take any actions that might jeopardize this. As was mentioned by Rep. DeLuca, various City departments and the Law Department have examined this. Granted there might be a question or two, but I don't think that it would amount to anything of a real important baring that would jeopardize the City or the Stamford taxpayers. I would urge my colleagues to vote in favor of this appropriation. Thank you very much.

FISCAL COMMITTEE: (Continued)

MR. WIDER: Is there a time-frame when we must appropriate this money?

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

MRS. HAWE: It is my understanding from, and I believe it was passed down from State Rep. Truglia, that the \$850,000 is pretty-much intact for the City. However, the State is now contemplating how much money the City will receive next year, and if it appears that the City of Stamford is not too eager to get to work on this first phase, perhaps there might be some hesitation to give us money next year. This I hear through Rep. Truglia. That's all I can say, but the \$850,000 is, I believe, definite at this point.

MR. WIDER: Madam Chairman, one more question. Since there are blanks in the contract, how long would it take to get those blanks filled-in? Do you have any kind of commitment from the Finance Department as to when they can get this contract ready?

MRS. HAWE: I would assume that certainly by next month they could. They were supposed to be filled-in this month. I don't think it to be any major problem with another month.

MR. WIDER: I Move to return this to Committee for another month, Madam Chairman.

PRESIDENT SANTY: A Motion has been made and Seconded to return this item to Committee.

MRS. HAWE: Point of order.

PRESIDENT SANTY: Yes.

MRS. HAWE: Would Mr. Wider clarify that because the thing that we are voting on tonight is the appropriation; not the contract. Could we return the \$850,000 to the Fiscal Committee and put the matter of the contract in the Coliseum Liaison Committee?

MR. WIDER: I was referring to the item, Madam Chairman.

PRESIDENT SANTY: Mr. Wider, your Motion is to return \$850,000 Capital Projects budget amendment back to Fiscal?

MR. WIDER: That's what I want.

PRESIDENT SANTY: That's the Motion? That Motion has been made and Seconded. We are now addressing that Motion.

MR. BLUM: Thank you, Madam Chairman. I read in the paper the other day about an item that we voted on four years ago to make senior citizen housing. I think that was Willard School. We made an appropriation and we agreed to have this as a senior citizen or congregate housing, and there was money set-aside. For some reason, no action was ever taken, and it lays there dormant and no congregate housing. That's four years ago. Let us talk about the \$850,000 that has been set-aside by the State, according to Anthony Truglia, for this Cultural Center. I'm asking you, do we intend to set this aside and put it back in Committee so as we can prolong this situation so as we will not have a Cultural Center here at the Stamford Theater?

FISCAL COMMITTEE: (Continued)

MR. BLUM: (continuing) What's the stall action? Is it the Palace Theater? That's my answer. Vote no to send it back to Committee.

PRESIDENT SANTY: The Motion before us is to return it to Committee.

MR. WIEDERLIGHT: I think we should vote yes to send it back to Committee. Rep. Conti raised many serious questions with regard to the contract. I think with the questions that were raised and all in good conscience, we cannot approve the contract until such time as the questions are answered. It's our responsibility as legislators of this Community to get the answers to these questions before we vote for \$850,000. Are we on the hook for it or are we not? We don't know. Vote yes to send it back to Committee to get the answers and come out next month and we'll be able to vote on it in a more intelligent way. I don't think we should be pushed by any time frame at this point.

MR. ZELINSKI: Yes, thank you, Madam President. I would urge my colleagues not to send this back to Committee. If you look on our Agenda, this was already held in Committee from April 4th. O.K? Now we are going to be going into a second month. I question my colleagues to bear in mind that we are talking about State funds here, and as was mentioned by Rep. Howe, the State is going over their budget for the following year, and there could be a possibility if they feel for some reason, the legislative body of the City of Stamford is not completely satisfied with this, they may take a whole new look at this project, and I dare say, we do not, I'm sure, or at least I hope we don't want to jeopardize this whole project, being it's been going along for such a long time. Yes, there have been some questions raised, but, I again, remind my colleagues that the Law Department has looked over this particular contract. If there is something wrong with it, I'm sure that the Law Department would have had it corrected, or had it changed or done something to clarify something.

Granted, there may be some so-called blank areas, but are they of a serious nature that would cause us to possibly jeopardize this whole project for this or not? Again, I see no reason to send this back again to Committee, and I would hope that we can resolve this this evening. Thank you very much, Madam President, and colleagues.

PRESIDENT SANTY: Thank you, Mr. Zelinski. May I please have your attention. There are several more speakers. The Motion on the Floor is to return item #1 under Fiscal back to Committee.

MR. BLAIS: Move the question, Madam Chairman.

PRESIDENT SANTY: A Motion has been made to Move the question. Is there a Second? Seconded. All in favor of Moving the question, please say aye. Opposed? Will the no votes raise their hands. Not sufficient. We need two-thirds to Move the question and we are going to Move the question on returning this to Committee. We will use the machine for a vote. If you vote yes, you are in favor of returning this to Committee. If you vote no, you are not in favor of returning it to Committee. Has everyone voted? We are voting on returning this to Committee. If you are in favor of returning this to Committee, vote yes. If you are against, vote no. The Motion to return to Committee has PASSED 16 affirmative, 15 negative and 5 not-voting. Item #1 is returned to Committee.

FISCAL COMMITTEE: (Continued)

- (2) REQUEST TO APPROVE PROPOSED RESOLUTION AUTHORIZING MAYOR TO SIGN AN AGREEMENT WITH THE CONNECTICUT DEPARTMENT OF HUMAN RESOURCES FOR STATE-FUNDED SUMMER BUSING PROGRAM IN THE SUM OF \$5,992, per letter from Mayor Louis A. Clapes 4/11/83.

Above also referred to PARKS AND RECREATION COMMITTEE.

APPROVED ON CONSENT AGENDA WITH 2 ABSTENTIONS (B. CONTI AND D. DONAHUE)

- (3) REQUEST TO APPROVE PROPOSED RESOLUTION AUTHORIZING THE FILING OF A BUDGET APPLICATION WITH THE STATE DEPARTMENT OF HUMAN RESOURCES (DHR) FOR THE STAMFORD DAY CARE CENTER PROGRAM for Fiscal Year 1984, in the sum of 735,573 which is comprised of DHR Grant \$526,191; Program Fees \$143,882; School Lunch \$65,000, and PTA \$500, per Mayor Clapes' letter 4/11/83.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

APPROVED ON CONSENT AGENDA WITH 1 ABSTENTION (B. CONTI)

- (4) REQUEST FROM MAYOR CLAPES AND COMMISSIONER MARRA, LETTER 4/13/83, TO GIVE TO THE STAMFORD FESTIVAL OF THE ARTS (PINK TENT FESTIVAL), \$4,350.00 for the event to be held in Mill River Park from June 23rd through June 26, 1983. Approved by Advisory Panel 7 in favor, 1 abstention on 4/11/83. The \$4,350.00 is interest income earned; Advisory Panel passed a motion that these funds available only after the event has taken place.

Above also referred to COLISEUM AUTHORITY LIAISON COMMITTEE.

APPROVED ON CONSENT AGENDA WITH 1 NO VOTE (A. SUMMERVILLE)

- (5) REQUEST FOR APPROVAL OF RESOLUTION DESIGNATING "STAMFORD CENTER FOR THE ARTS" AS LOCAL ARTS AGENCY TO APPLY FOR FEDERAL FUNDS - (Coliseum Authority funds are to be used as local match to leverage these additional funds) - per Mayor Clapes' letter 4/12/83.

Above also referred to COLISEUM AUTHORITY LIAISON COMMITTEE.

MRS. HAWE: The National Endowment for the Arts is instituting a pilot program of grants to local arts agencies. The minimum grant is \$150,000 over a period of 3 years. The Stamford Center for the Arts is the only local arts agency in New England to have filed a letter of intent to apply for this funding but must receive this designation from the City in order to apply.

Fiscal voted 5 in favor and none opposed and one abstention and I so Move.

PRESIDENT SANTY: A Motion has been made. Is there a Second? Several Seconds. Our Secondary Committee, Coliseum Authority Liaison Committee.

MRS. GERSHMAN: Thank you. At the same meeting as previously mentioned on April 25th, the Committee voted unanimously to hold the resolution until it was clarified in the grant how much money was required by the City to match the Federal funds, and I believe that has now been clarified. But further, the grant requires local money to be the match, and the Stamford Center for the Arts wishes to use Coliseum Authority money which is State money from tax dollars.

FISCAL COMMITTEE: (Continued)

MRS. GERSHMAN: (continuing) The Committee wished to have this amply clarified to assure that the City would not be required to appropriate any additional funds for the grant.

The Committee does not concur.

MR. LIVINGSTON: Thank you, Madam President. Again I would hope that we would recognize the request of the Coliseum Liaison Committee that our Board set-up. As I see it, to make a single agency the sole recipient of Federal and State funds simply because they are the first ones to ask, I think it is ridiculous, and I am hoping that we will allow ourselves to clarify this information. Thank you.

MRS. HAWES<sup>said</sup>: Thank you. I'd just like to add a few things. Concerning what Mrs. Gershman<sup>said</sup> about the local money, if the Coliseum money, in fact, cannot be used for this as a match, and that's not clear yet, but if it cannot, then the Stamford Center for the Arts would have to go outside to raise the money to match this if they can't match it, then they wouldn't get the money from the Federal government.

They are not being designated because they were the first ones to apply. The minimum grant from the National Endowment for the Arts is \$150,000 to be matched two to one by local money. Therefore, the budget of any group so designated would have to be \$300,000, and there is no other arts agency in the City that meets that requirement.

The application to go into the NEA was due to be filed in March. They have received an extension to enable them to file at this point. However, as I mentioned before, no other agency has come forth; it doesn't appear that any other agency is qualified at this point to apply for this designation. So, it is not that another arts agency is being excluded. Thank you.

MRS. CONTI: Thank you, Madam President. I just want to say that I think it is basically discriminatory to set the precedent of allowing only one agency to apply for any type of funding. Thank you.

MR. DeLUCA: Everyone keeps saying that the Stamford Center for the Arts is the only one that is involved here. Look at the notice we received from the Mayor dated April 12th. It says, "The Stamford Center for the Arts has gained the support of the Stamford Arts Council and the Coliseum Authority Advisory Panel." It's not that the Center for the Arts acted on their own entirely. They did receive the approval of the Stamford Arts Council which is made-up of many other art groups.

FISCAL COMMITTEE: (Continued)

MR. DeLUCA: (continuing) Per my phone conversation today with Pat Marra, he emphatically stated that the City would not put up any additional funds as matching funds. It would be up to the local organizations to match the funds. If they are not forthcoming, they will not get the \$50,000 over the period of the next three years.

Many people this evening seem to be anti-Stamford Center for the Arts; instead of giving them credit for taking the initiative to file for this grant. Therefore, I would urge the people here this evening to vote for approval of this grant.

MRS. McINERNEY: I disagree with the fact that we should penalize the person who has the initiative to go after a Federal grant. I think if anything, as Mrs. Hawe indicated, that appears to be the only agency that qualifies at the present time, and they shouldn't be penalized for trying to get it. However, later on our Agenda this evening, just to make a correlation in your mind, under the L&R Committee, we have item #2 which is a proposed ordinance dealing with Public Act 82-318 regarding property tax exemptions to veterans if qualified under certain income limits and disabilities. I would like to point to your attention that we are passing this one ordinance locally tonight, although according to Mr. Faski in his letter of April 6th, we only have one veteran that qualifies for this exemption. So, it is clear; we have one ordinance for one person, and we have one person who presently qualifies under this resolution, and I don't see any difference.

MR. BOCCUZZI: Every month when anything comes up for the Center for the Arts, or the Coliseum Authority, we seem to have a big problem. The problem is always brought to us where the Coliseum Liaison Committee votes against what the other committee votes in favor of. It was my understanding that we set the Coliseum Liaison Committee up, they were supposed to be an advisory or a liaison between the Coliseum Authority and the Board of Reps. It seems that they have taken a position to be against whatever the Coliseum Authority really wants. I can't see how we are ever going to get the Coliseum Authority off-the-ground, and do the right kind of a job, and do the things this Board wants to do with a Cultural Center. We continually have one committee on the Board of Reps who for some reason or other, continually votes against anything that the Coliseum Authority wants. I think we should vote on what the appropriation really means to the City, and what we really want. It has come to a point now where we have a hang-up between a committee on the Board of Reps who we thought was going to help us out, but it seems that they are always going in a different direction.

MR. WHITE: Thank you, Madam President. The thing that bothers me in all of this is that I have kind of a feeling that I have been used here. Perhaps, it was my own inadequacy at the time, but look, when I voted for this funding, I assumed that the Coliseum Authority Advisory Committee was the linch-pin whereby the Board of Representatives since we're voting on the funding, would have a direct pipeline to give input into the Coliseum Authority, and I assumed at the time, at least that's the way it was presented to me. Perhaps, I misapprehended the situation.

FISCAL COMMITTEE: (Continued)

MR. WHITE: (continuing) The way it was presented to me was that there were certain plans floating about, but there had been no solid decision made, and it was all very much up in the air as to where it would go, and as to what its final design would be. Suddenly the funding is vivid and now I find that the site has been chosen; exactly what a group of consortium owners led by certain people prominent in the URC wanted. It's their property. It's their building. Everything is falling right into place. I understood a contract was going to be sent up but suddenly it turns out that a certain name or property designation was on it. I didn't think that was to be the case.

Now, suddenly, there are going to be office buildings on top. I thought that was just a tentative plan, but that was by no means finalized. You have a situation now where we might be voting for a particular site, a particular building owned by a group of private owners whose plans two years from now might be quite incompatible with what we want in terms of the arts. In other words, we might find that because they are going to jack office buildings on top of it, suddenly the whole Arts Center simply doesn't fit in with what they want to do because they own the land, they own the building, they can do what they want and we'll be in the classic Stamford position of why we voted for a group of people to take public monies, private monies to public monies, and in fact, to enhance their own financial situation, and suppose the City is going to get benefits but now the City is going to find itself straight-jacketed into something.

Further more, the more I read this contract through, the less I like it in other things in terms of (inaudible) philosophy. I thought it was something to do with the arts. The arts I think of music, I think of dance, I think of a painting, of a sculpture, of dramas, and so on. The implications in this is going to be other things, too; like Rock concerts, or some sort of exhibition like a circus; some circus-like situation, and to promote tours and so. I don't think we need tourism. I don't think that's the purpose of this Center for the Arts. As far as losing the funding at this stage of the game given the whole situation, so we lose it. Let us go back to square-one and think it through over again so we have some input into it.

I'm not saying that this particular site isn't the best site, but the point is that we've had absolutely no input into when I at least was led to believe that we were going to have some input into it. Now we have none. We're simply presented with a fait accompli, and I don't like it. Thank you.

MR. ZELINSKI: Thank you, Madam President. Some comments were pertaining to the Coliseum Authority Liaison Committee. I happen to serve on that Committee. I am certainly not against the Coliseum Authority, or the Center for the Arts that was mentioned. The meeting that the Committee had on Monday, since then as I mentioned earlier when we voted on item #1, I have clarified some of the questions that were in my mind. At that time, there were questions raised that I did not have the answers to, and I was in agreement with the majority of the Committee when we felt that we had to get the additional input and until we get that, that our Committee, at that time which was a week ago this evening, should vote to hold. Now since then, some of the items have been clarified, O.K.; and I have my prerogative that I can change my mind which I did on item #1, and again I would hope that item #5 is also approved this evening. Thank you.

FISCAL COMMITTEE: (Continued)

MR. WIDER: Thank you, Madam Chairman. I want to agree with Mr. Republican, Mr. Gabe DeLuca. I think that anytime an agency puts together a \$300,000 budget in this City and qualify to make an application, I think that we should be the first ones to say, "Do the best you can, and get as much as you can for the City of Stamford." We have talked about this thing for just about a whole year, and people haven't asked questions until now. I feel that the hour is late and since we have this agency who qualify to request these funds, I think we should move ahead with it. I hope that the people will vote for this item. Thank you.

MR. DONAHUE: I would just like to get one thing clear. Maybe Mrs. Gershman or Mrs. Hawe could answer this? Are we committing the City of Stamford in passing this tonight, to any kind of funding?

MRS. HAWE: No, we are not.

MRS. GERSHMAN: May I also say that that is still unsure. Commissioner Marra says...

PRESIDENT SANTY: Excuse me, Mr. Donahue raised a question. Mrs. Hawe is answering the question. The primary Committee Chairman.

MRS. HAWE: A vote on this resolution, all it does is designate the Stamford Center for the Arts as the local art agency to apply for these funds. It in no way ties us in to any kind of funding. That can only be done by an appropriation of this Board. I want to bring out the point that just as we can pass this resolution to designate the SCA as the local art agency. If in a year from now or two years from now, another agency comes forth and they want to be designated, we can un-designate the Stamford Center for the Arts by a resolution, and designate the other art's agency. I would think that we would be encouraging a group from Stamford to pursue these funds, and it's a \$150,000 to be used in the City of Stamford. I wouldn't think that we would be throwing obstacles in their path, but to answer the question, it in no way ties us into any funding. That can only be done by a vote of our Board. This does not do that.

MR. DONAHUE: Thank you, Mrs. Hawe. It has been my understanding of this resolution from the beginning. We're not entitled to say that we are going to vote for funding under this resolution. We are allowing a Stamford agency, much the way other agencies can apply for grants, to become recognized by the Federal government to apply for and accept Federal monies. That's all it is, and any implication that we are making a commitment or that we might be making a commitment is absolutely wrong. We should pass this tonight.

FISCAL COMMITTEE: (Continued)

MR. DIXON: Thank you, Madam President. I believe that it is quite possible at this point that there may be a certain amount of confusion existing with regards to the Coliseum Authority Liaison Committee. I wonder, Madam President, let me say, first of all, it has been my belief that the Coliseum Authority Liaison Committee was a committee to work between this Board and the Coliseum Authority, and to keep this Board informed as to what is happening with the Coliseum Authority. Have the duties and rules of the Coliseum Authority Liaison Committee ever been defined? Madam President, I'm speaking to the Chair now.

PRESIDENT SANTY: Yes, Mr, Dixon, continue.

MR. DIXON: My question is, has a definition of the role of the Coliseum Authority been made to a point that it is clearly understood to the members of this Board?

MRS. HAWE: I think the question was, "Has the duties of the Coliseum Authority Liaison Committee every been set-out as to exactly what their duties are?"

PRESIDENT SANTY: Mrs. Gershman, can you answer that question?

MRS. GERSHMAN: I don't think it has ever been stated formally or in writing. If you would like it to be, we would try to put something together?

PRESIDENT SANTY: Originally, when the Committee was appointed, Mr. Dixon, it was as a Liaison Committee; just what the title states. That they would have input between the Board and the Coliseum Authority. They were not to make any decisions. They were not to approve any contracts; any funding. They were just to bring a voice of the Board and the input back so that we would not be left in the dark. That was the original purpose when I appointed this special committee, and that was the extent of the duties.

I think that what has happened is that they have been over-extended possibly, Mr. Dixon, but the original intent when this was brought up and Leadership discussed it, and I appointed the Committee; these were the duties at that time.

MR. DIXON: Madam President, I think that point<sup>should be</sup> cleared up once and for all because from what I have heard here tonight, I'm led to believe that there is a conflict between the Fiscal Committee and the Coliseum Authority Liaison Committee, and I don't think that that should ever be in existence. It appears to me that there is a conflict. We have established a committee that brings forth a conflict with another committee of this Board.

PRESIDENT SANTY: I think you are right, Mr. Dixon. We're going to refer to the Minutes, but I know that's what the intent when I appointed this special committee was of this Board. Right now, why don't we address the subject at-hand, and Leadership is going to meet and discuss this at the next meeting, and we will have a decision. We are now speaking to the issue at-hand.

MR. FRANCHINA: Thank you, Madam President. I Move the question.

PRESIDENT SANTY: All in favor of Moving the question which is approval of adoption of the resolution, #5 under Fiscal, please say aye. Opposed? How many no votes? Not sufficient. We're going to Move the question.

FISCAL COMMITTEE: (Continued)

MR. BLUM: I would like to ask one question before we proceed to vote. Give me a clarification on how to vote.

PRESIDENT SANTY: Mr. Blum, the clarification is a Motion has been made to adopt the resolution designating the Stamford Center for the Arts as the local arts agency to apply for the Federal funds. You have heard both committee reports. We are proceeding with the vote; a majority of those present and voting is all that is needed for adoption. We will use the machine for a vote. Please make sure that your light corresponds with your vote. Has everyone voted?

There's a problem, and the problem here is that we have 36 people voting the last two votes, and our Clerk and Administrative Assistant have been trying to resolve this with the machine. There are 35 members present and we keep coming up with 36 votes. We are going to have to have a Roll Call vote on this. I'm sorry, Ladies and Gentlemen, but there is a problem because we have 21 affirmative, 12 negative, 2 abstaining and 1 not-voting. We're going to have to proceed. Please, Tellers, we have to clarify this once and for all. It happened on the last vote and we're trying to decide what happened. Is anyone voting in an absent seat? We'll do the Roll Call just to make sure. I have got to have it documented. We have 36 on the machine so someone is recorded as wrong.

MR. DZIEZYC: Point of order.

PRESIDENT SANTY: Yes.

MR. DZIEZYC: Would you find out which one is it? There's only 35 lights up there.

PRESIDENT SANTY: Right, what I'm asking you to do is when your name is called, make sure your light is right because we cannot find it on the machine. I'm very sorry to take-up our time, but this is an important issue. Make sure that your number and your light is exactly like your vote.

MR. ZELINSKI: May I ask you a question, please?

PRESIDENT SANTY: Yes.

MR. ZELINSKI: How many representatives are absent this evening?

PRESIDENT SANTY: We have 5 absent; 35 present.

MR. ZELINSKI: Who are the 5 absent?

PRESIDENT SANTY: Mr. Hogan, Mrs. Goldstein, Mr. Dudley, Mr. Rybnick, and Mrs. Signore. We'll proceed with a very quick Roll Call vote. I'm asking you now to please check your number and your vote. Please help us resolve this.

FISCAL COMMITTEE: (Continued)

PRESIDENT SANTY: We're going to use this Roll Call vote just as a check because we only get 35 people present, but when we vote, we get 36. The Roll Call vote on this the approval of #5, the adoption of the resolution. Please double-check.

MS. SUMMERVILLE called the Roll.

PRESIDENT SANTY: Let me interrupt you one moment. I would ask the Assistant Tellers to please count the lights; the yes, the nos, the abstentions and the absent. The two Assistant Tellers. Continue, Ms. Summerville.

MS. SUMMERVILLE continued calling the Roll.

PRESIDENT SANTY: Please be patient. The Tellers come forward. Will the Assistant Tellers please come forward and let me know what they see on the lights? Did they count the lights? Ladies and Gentlemen, we are trying to resolve this. The computer comes out with 36 but only 35 voted. I just hope that when you read these minutes, and we're trying to check every vote, that it is correctly stated. We do not know where the extra person is in that little machine over there, but we are going to have to do something about it. At least we have 35 voting. What I was basically concerned was the vote prior to this about returning it to Committee. Again, it was a 36, but there are only 35 people voting.

The Motion to adopt the resolution designating Stamford Center for the Arts as a local arts agency to apply for Federal funds HAS BEEN ADOPTED 23 affirmative, 10 negative, and 2 abstaining. That gives us a total of 35 votes. Mrs. Hawe continue with your report and thank you for your patience.

(6) \$637,119.00 - FINANCE DEPARTMENT - MEDICAL AND LIFE INSURANCE - Code 290.1330 -  
Additional appropriation per Mayor Clapes' request 4/12/83.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

MRS. HAWE: This, if you will note on the request that had come down, this is the amount that will be necessary as estimated by Travelers Insurance Company to carry us through the end of the year on this. This is the exact amount that will be needed to avoid going into deficit to pay the medical and life bills, Fiscal voted 6 in favor and none opposed and I so Move.

PRESIDENT SANTY: Is there a Second to that Motion? Several Seconds. Education, Welfare and Government, Ms. Rinaldi?

MS. RINALDI: We concur.

PRESIDENT SANTY: Unanimously?

MS. RINALDI: Yes, Ma'am.

PRESIDENT SANTY: Thank you very much.

MR. WIEDERLIGHT: Thank you, Madam President. First, before I get into the heart of my discussion, I would like to publicly thank Finance Commissioner Patrick Marra for all the back-up data that he sent to me. I appreciate it.

FISCAL COMMITTEE: (Continued)

MR. WIEDERLIGHT: (continuing) In reviewing the back-up data, I note the following: Firstly, we budgeted an amount of \$3 million last budget time, and then we have a reserve established back in June 30, 1982, of \$1,116,295.00. The amount budgeted plus the reserve that we have established equals a total of \$4,116,295.00. Subtract from that the projected expense which would carry us through the fiscal year, which is indicated of \$3,553,414.00. That number comes from the back-up material which we all received from the additional appropriation. That leaves a surplus or a reserve, at this point in time, of \$582,881.00. Now, we are asking for an additional \$637,119.00, add to \$637,119.00 to the reserve which we already have established, you get your \$1.2 million. My question that I raise is, why the \$1.2 million?

I have back-up information from the Finance Commissioner that says the City Auditors Arthur Young and Company reviewed the amount, and they reviewed the amount; that's it. Based on Travelers advice, that appears reasonable. There's no back-up information to substantiate. Keep in mind, \$1,200,000.00 is just about 33-1/3% of the total year-end projected expense. Now, is 33% an industry norm? Is it based strictly on our experience? What is the method used to compute the \$1.2? Right now we have \$562,881 as a surplus in the account. There are too many unanswered questions for us simply to be looking to appropriate another \$637,119, and until those answers come forth, I feel that I have no choice but to make a Motion to move it back to Committee for further explanation of this amount.

PRESIDENT SANTY: You are making a Motion to return this to Committee? There has been a Second to returning it to Committee. We are now discussing returning this to Committee. Mr. Blais, do you want to discuss returning this to Committee?

MR. BLAIS: Yes, Madam Chairman. Through you Madam Chairman to Mrs. Hawe, I would like to inquire as to whether the Fiscal Committee was given a copy of the insurance contract to identify the amount of reserve that's set-up under the contract, and what is required under the contract? In other words, is this \$1.2 million reserve fund that we're prematurely sending out the Insurance Company, is this required under our insurance contract?

MRS. HAWE: Let me speak a bit to this reserve, and to answer Mr. Blais, no, we don't have a copy of the contract. The reserve of \$1,200,000.00 is a reserve that is carried over from year to year. This reserve will be carried into the next fiscal year. It is \$100,000.00 a month that Travelers says that we should keep in reserve and according to the auditors, is the correct amount. So, if you accept that the fact that this reserve has been carried from last year, and this reserve will be carried to next year, etc., etc., and then you work out the figures, what Mr. Wiederlight said is correct; that the actual and projected expenditures through June 30th of this year, the end of the fiscal year, the estimated to be a total of \$3,553,414.00. You add to that the reserve amount of \$1,200,000.00 and you get a total of \$4,753,414.00. You then subtract the prior reserve from last year which was \$1,116,295.00, the net amount required will be \$3,637,000. We cut money out of this account at budget time last year. We only appropriated \$3 million when it was requested \$3,368,000, and that leaves this amount \$637,119.00 as the amount required. This reserve is an amount that is carried through from year to year. It will be carried through next year and is not an amount to be considered in the amount that we need tonight.

FISCAL COMMITTEE: (Continued)

PRESIDENT SANTY: Thank you. Mr. Blais, does that answer your question? O.K., continue.

MR. BLAIS: Thank you, Mrs. Hawe, and I'm not going to obfuscate the issue with a bunch of numbers because the real issue here is a reserve fund is apparently a good idea. However, my point is who should hold the reserve funds? What this measure calls for is us to pay the reserve funds to the insurance company so that they can get the flow from the money, and I maintain that if we're not legally obligated to pay this money in advance, then maybe we should set-up a reserve fund and let the City hold the money and get the flow until the money is required to be paid. I would ask that the Fiscal Committee look at this issue and determine whether there is, in fact, revenue saving to the City by keeping the reserve in its coffers until the time that they need it.

PRESIDENT SANTY: Thank you, Mr. Blais. The Motion on the Floor is to return this item, #6 under Fiscal, back to Committee.

MR. GAIPA: I'd like to follow-up on Mr. Blais' question. Does Mrs. Hawe, or through the Chairman to Mrs. Hawe, know for a fact, where this money is being held and what interest rate is being paid, and to whom?

MRS. HAWE: It is my understanding, and maybe Mr. Flounders can add something to this; I don't know, but it is my understanding that the City is holding this money. The City is getting interest on it at whatever the rate of interest that the City is getting at this particular time for its investments; that's my understanding. I don't think that the money is any place but right here in this City's bank account.

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

MR. GAIPA: No, I also would like to know what the interest rate is that we've collected in the past 12 months?

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

MRS. HAWE: No, that I can't tell you.

PRESIDENT SANTY: Mrs. Hawe does not have the answer to that question, Mr. Gaipa. Any further questions, or statements?

MR. BLUM: I'd like to know why Travelers, I think this is the first year or the second year that we have Travelers. I think we went over from Blue Cross-Blue Shield to Travelers, and I think that it is only the second year into Travelers. Question: Why do we have to have a surplus fund or a reserve fund for a medical insurance? That's my question to Mrs. Hawe, or to Mr. Wiederlight.

MRS. HAWE: A year or so ago, we went to an entirely new risk management system for which Mrs. Center has just sent me an updated report on her Department, and exactly what she does. If it pleases the members of the Board, I'll have copies of it sent to all of you. I don't have it with me now, but it explains in some detail exactly what she does and the status of the various insurance accounts.

MR. BLUM: Madam Chairman, I didn't get my question answered.

MRS. McINERNEY: Marie, can you explain further or is there somebody else that can?

FISCAL COMMITTEE: (Continued)

MRS. HAWE: I tried to answer his question.

MRS. McINERNEY: Mr. Blum, Mr. Wiederlight thinks he has an answer. Would you accept his answer?

MR. WIEDERLIGHT: Generally, a reserve is placed on a loss that's open after the policy period ends for future payments which might be made as a result of the illness or the accident far above what is already paid-out. In other words, for example if there was a loss paid-out of say, \$5,000.00 and the Travelers feels that it is going to settle-out for a total of \$10,000, they would reserve it for \$5,000 additional dollars, David.

MRS. McINERNEY: Is there any other discussion on this item?

MR. WIEDERLIGHT: Thank you, Madam President Pro Tempore. The item before us right now is to move this back to Committee. There are many unanswered questions. There are many questions which have been answered which I feel the answers of which need further clarification, and not wishing to put anybody on the spot, I feel to get some additional information to be able to make a proper presentation of this item, it necessitates putting this item back in Committee. We are not voting on a small item here of a \$100 or \$200, but we're voting on \$637,119, and I feel that we should be cautious and careful in what we approve. Thank you, Madam President.

PRESIDENT SANTY: Thank you, Mr. Wiederlight. Any other speakers? The Motion on the Floor is to return this item back to Committee.

MRS. CONTI: Although I voted for this in Committee, and Mr. Wiederlight has raised some very good questions, and I would like to see it returned to Committee because, I, too, would like to know who is getting the interest on the money, etc., etc. Thank you.

PRESIDENT SANTY: Thank you, Mrs. Conti. Any other speakers on the Motion to return it to Committee? No other speakers; we are going to go right to a machine vote. The Motion on the Floor is to return item 6 under Fiscal, \$637,119 Finance Department, Medical and Life Insurance back to Committee. Just a majority vote is necessary. Has everyone voted? I'll let the people that are serving our birthday cake take their time to vote. Has everyone voted? I would ask everyone to vote because this is a double-check on our little machine over here. I would like 35 votes. Please, everyone vote on this item. The item is on returning this to Committee. The Motion to return to Committee has PASSED 30 yes, 4 no. Someone did not vote. Did anyone not vote? Mrs. Gershman did not vote. So it is 35 votes; we're accurate now. The item is returned to Committee. The vote is 30 affirmative and 4 negative.

I would ask to give Mrs. Hawe your attention. It is twenty of eleven and we are still on the first committee.

MRS. HAWE: May I ask Mr. Blais, Mr. Wiederlight, Mr. Gaipa and those who had questions to either come to the Fiscal Committee meeting or else give me the questions, and I'll be sure to have them answered.

Do you want me to go over the Consent Agenda before I go to the Suspension of the Rules?

PRESIDENT SANTY: Do the Consent Agenda.

FISCAL COMMITTEE: (Continued)

MRS. HAWE: The following items are on the Consent Agenda. Item #2 which is a request to approve a proposed resolution authorizing the Mayor to sign an agreement with the Connecticut Department of Human Resources for State-funded Summer busing program in the sum of \$5,992.

#3 is a request to approve a proposed resolution authorizing the filing of a budget application with the State Department of Human Resources for the Stamford Day Care Center Program for fiscal year 1984.

#4 is a request from Mayor Clapes and Commissioner Marra to give the Stamford Festival of the Arts which is also known as the Pink Tent Festival, \$4,350.00 for the event to be held in Mill River Park in June, and I Move.

PRESIDENT SANTY: Is there a Second to that Motion? Several Seconds. We are now going to Move the Consent Agenda.

MR. DONAHUE: I'd like the record to show that I abstain on item #2, please.

PRESIDENT SANTY: Mr. Donahue is abstaining on #2.

MRS. CONTI: Please show me as an abstention on 2 and 3.

PRESIDENT SANTY: Mrs. Conti is abstaining on item #2 and #3.

MS. SUMMERVILLE: Please let the record show that I am abstaining on item #4 which is the Pink Tent Festival.

PRESIDENT SANTY: Ms. Summerville is abstaining on item #4. Any other comments?

MS. SUMMERVILLE: Madam President, I made a mistake. That's an absolutely no vote.

PRESIDENT SANTY: Ms. Summerville will be recorded as a no vote . All in favor of the Consent Agenda, please say aye. Opposed, other than the ones listed? Thank you, Mrs. Hawe.

MRS. HAWE: There are two items which I would ask the Board to consider Suspending the Rules for. Both are Board of Recreation items which should be started soon since the warm weather is now here. The first one is for \$2,752.00 for Code 665.2310 Scofieldtown maintenance. I'll Move to Suspend the Rules. The Committee voted 6 in favor and none opposed to Suspend the Rules.

PRESIDENT SANTY: Is there a Second to Suspend the Rules? All in favor of Suspending the Rules to consider this one item not on the Agenda, please say aye. Opposed? Mrs. Hawe, do you want to Move that item?

(7) \$ 2,752.00 - BOARD OF RECREATION - Code 665.2310 Scofieldtown - Maintenance of Facilities - requested by Mayor 4/4/83. Approved by Board of Finance 4/21/83.

MRS. HAWE: This request was originally included in another appropriation which we approved in March. However, the Committee recommended deletion of these funds since they had been requested for the wrong account. When Mr. Giordano was at our Fiscal Committee meeting two months ago, we advised him to resubmit this request under the correct account number and this is the correct account number. This is that resubmission. Fiscal voted 6 in favor and none opposed and I so Move.

FISCAL COMMITTEE: (Continued)

PRESIDENT SANTY: Any discussion? All in favor, please say aye. Opposed? 1 no vote Ms. Summerville. Otherwise it PASSED UNANIMOUSLY by voice vote.

MRS. HAWE: I Move for Suspension of the Rules for another item for the Board of Recreation. Fiscal voted 6 in favor and none opposed to Suspend the Rules.

PRESIDENT SANTY: There is a Second to Suspending the Rules. All in favor of Suspending the Rules, please say aye. Opposed? Mrs. Hawe, the Rules are Suspended.

- (8) \$51,080.28 - BOARD OF RECREATION - AMENDMENT TO THE CAPITAL PROJECTS BUDGET BY ADDING THERETO A PROJECT TO BE KNOWN AS #650.083 CUBETA STADIUM LIGHTS to be financed by transfer of funds from various Board of Recreation capital projects which will be closed-out. Board of Finance approved 4/21/83.

MRS. HAWE: Fiscal voted 6 in favor and none opposed and I so Move.

PRESIDENT SANTY: Is there a Second to that Motion? Seconded. Any discussion? All in favor of #8, please say aye. Opposed? PASSED UNANIMOUSLY. Mrs. Hawe, I would ask you to give the Administrative Assistant those Motions in writing so we have a record of it,

MRS. HAWE: I will, Thank you,

PRESIDENT SANTY: That concludes your report?

MRS. HAWE: Yes, it does.

TRANSPORTATION COMMITTEE - Chairwoman Sandra Goldstein - NO REPORTPUBLIC HOUSING & COMMUNITY DEVELOPMENT COMMITTEE - Co-Chairmen Lathon Wider & David Blum

MR. WIDER: Thank you, Madam Chairman. I was informed that the evaluation of the property was not completed so we have to hold it in Committee.

- (1) REQUEST THAT BOARD CONSIDER THE SALE OF CITY-OWNED PROPERTY ON COLD SPRING ROAD (LOTS S/7, S/8 AND S/10) FOR \$60,000.00 TO MR. FRANK PELLI - Mayor Clapes and Nancy Mitchell's letter 2/9/83; and Atty. Howard Shiffman of Epifanio, Toohar & Shiffman's letter 2/9/83, for housing development with 4 units with sale price limit of \$93,000 and 4 units to be \$105,000; or lower, if interest rates permit. Board of Finance has this on their Pending Agenda.

HELD IN COMMITTEE

PRESIDENT SANTY: Mrs. McInerney is leaving the Floor. She has requested to be excused. We now have 34 members present.

URBAN RENEWAL COMMITTEE - Co-Chairperson John Roos and Annie Summerville

- (1) THE MATTER OF THE AVAILABILITY OF TELEPHONES IN DOWNTOWN AREAS.  
Submitted by Rep. Dudley. Held 3/7 and 4/4/83.

MS. SUMMERVILLE: We expect to give you a progress report on this item at the next meeting. Thank you.

ENVIRONMENTAL PROTECTION COMMITTEE - Chairwoman Audrey Maihock

MRS. MAIHOCK: There are no items on our Committee Agenda.

EDUCATION, WELFARE AND GOVERNMENT - Co-Chairwomen Mary Lou Rinaldi & Barbara DeGaetani

MS. RINALDI: The E, W, and G Committee met on Thursday, April 29th at 7:30 p.m. Present were Committee members Reps. Gershman, Blais, McInerney, DeGaetani and Rinaldi, as well as Rep. Phil Stork. Also present were members of the Commission on Aging and Corporation Counsel Ben Fraser.

- (1) REP. McINERNEY'S LETTER 3/10/83 REQUESTING FOLLOWING BE PLACED ON COMMITTEE'S AGENDA: "Inequities within the Commission on Aging policies to provide equal treatment/services to all of Stamford's citizens over age 62."  
Held 4/4/83.

MS. RINALDI: With respect to item #1, our Committee met with the Commission as well as its Staff, to discuss ways in which the Commission could make itself more accessible to the needs of the elderly. Specifically, we discussed more intensive busing routes into North Stamford and night-time schedules for issuing Senior citizens' identification cards. We plan on meeting again with the Commission and its new director to discuss future plans and programs next month.

- (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, its Commissioners, 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 and 3/21/83. Held in Committee 3/7/83.

HELD IN COMMITTEEAPPOINTMENTS COMMITTEE - Co-Chairperson Mary Jane Signore and Handy Dixon

MR. DIXON: Thank you, Madam President. The Appointments Committee met on Thursday, April 28th, in the Republican Caucus Room. Committee members present were Reps. Barbara DeGaetani, Ann Summerville, Anthony Conti, John Boccuzzi, Gabe DeLuca, Joseph Tarzia, and myself, Handy Dixon.

This time, Madam President, I would like to Move to the Consent Agenda item #1.

PRESIDENT SANTY: Item #1 on the Consent.

APPOINTMENTS COMMITTEE: (Continued)

MR. DIXON: Item #1 is Mr. Paul Carignan, a reappointment to the Board of Recreation. Item #2, Mr. Louis Casale, a reappointment to the Sewer Commission.

PRESIDENT SANTY: Item #2 on Consent.

MR. DIXON: Item #3, Mr. Walter King, a reappointment to the Zoning Board of Appeals.

PRESIDENT SANTY: Mr. King is on Consent.

MR. DIXON: Each of the three items, Madam President, having received a unanimous vote of approval from the Appointments Committee, I would Move now for their confirmation.

PRESIDENT SANTY: There's a Second.

MRS. PERILLO: I just want the record to show that I am abstaining on all three names. I did not interview.

PRESIDENT SANTY: Mrs. Perillo is abstaining on all three names. The Motion has been made and Seconded to approve the Consent Agenda.

MR. BLUM: Inasmuch as I wasn't present in the Appointments Committee to listen to this, I'd like to abstain, also.

PRESIDENT SANTY: Mr. Blum is an abstention on all three names, Mr. Blum?

MR. BLUM: On all three names.

PRESIDENT SANTY: Mr. Blum is abstaining on all three names.

MR. FLOUNDERS: Madam Chairman, let the record show that I am abstaining on Mr. Louis Casale, #2.

PRESIDENT SANTY: Mr. Flounders is abstaining on Mr. Casale. All in favor of the Consent Agenda other than the Representatives that made note, please say aye. Opposed? They are on the Consent Agenda except for the Representatives as so noted.

BOARD OF RECREATION

(1) MR. PAUL CARIGNAN (R)  
28 Tupper Drive

Re-appointment

TERM EXPIRES

December 1, 1985

APPROVED ON CONSENT AGENDA with 2 abstentions (M. Perillo and D. Blum)

SEWER COMMISSION

(2) MR. LOUIS CASALE (R)  
155 Frederick Street

Re-appointment

December 1, 1985

APPROVED ON CONSENT AGENDA with 3 abstentions (M. Perillo, D. Blum & B. Flounders)

ZONING BOARD OF APPEALS

(3) MR. WALTER KING (R)  
161 Old Logging Road

Re-appointment

December 1, 1987

APPROVED ON CONSENT AGENDA with 2 abstentions (M. Perillo and D. Blum)

MR. DIXON: That completes the report, Madam President.

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

MR. FLOUNDERS: Madam President, there was no Public Works meeting inasmuch as it had to be cancelled at the very last minute.

- (1) REVIEW OF PUBLIC WORKS DEPARTMENT BONDING SYSTEM FOR STREET OPENINGS - submitted by Rep. Peter Blais 4/5/83.

HELD IN COMMITTEE

- (2) REQUEST THAT DETERMINATION AND RESPONSIBILITY BE DETERMINED WHY FLOODING CONDITIONS HAVE EXISTED FOR TWO WEEKS IN THE AREA OF EAST MAIN STREET AT THE RR UNDER-PASS AND CRYSTAL STREET; AND ON HAMILTON AVENUE; WHY LIGHTED BARRICADES HAVE NOT BEEN ERECTED AROUND THESE DANGEROUS CONDITIONS AS REQUIRED BY LAW, ETC. - submitted by Rep. Peter Blais 4/18/83.

HELD IN COMMITTEE

- (3) PROCEDURES USED FOR THE AUTHORIZATION OF GAS ALLOTMENTS - submitted by Rep. John Boccuzzi 12/13/82. ALSO UNAUTHORIZED CITY GASOLINE USAGE AND WHO IS ELIGIBLE FOR GASOLINE RATION CARDS - submitted by Rep. John Zelinski 12/13/82; which mentions gas issued to Acting Supt. of Sanitation and two Clerks of the Works. Held in Committee 1/10/83, 1/24/83 and 2/22/83. Re-submitted by Rep. Zelinski 4/8/83.

HELD IN COMMITTEE

MR. BLUM: Before you gone on to a new Committee, I'd like to ask a question. in regards to a Walter Seeley. What has happened to his...

PRESIDENT SANTY: Mr. Blum, it is not on the Agenda, and we are not going to take up any item that is not on this Agenda unless you want to Suspend the Rules.

MR. BLUM: What is it, being held?

PRESIDENT SANTY: Yes. Mr. Flounders gave the Public Works Committee report and said that no meeting was held.

MR. BOCCUZZI: Madam President, at this point, I beg that this Board gives me a few minutes in reference to our Public Works Committee, and the meeting. On Wednesday, the 27th, Mr. Flounders, Chairman of the Public Works Committee, called and stated that it was impossible for the Commissioner or Deputy Commissioner to attend the Public Works Committee meeting due to a previous commitment that they had. I told Mr. Flounders that I had no problem with it, and that we probably caught them at a bad time, and they could not attend. But, on Thursday night, when I came down to an Appointments Committee meeting and I picked up the packet that usually is put aside for the Representatives, in it I found a letter that was addressed to Mr. Flounders and Mr. Perillo, Co-Chairmen of the Public Works Committee. After reading the letter, I can only come to the conclusion that I doubt very much if the Commissioner of Public Works and the Deputy Commissioner had a previous commitment. The reason why I say that is that if you look at your letter, and everybody has one, it says that there were 45 copies made, it says, "Be advised that I do not intend..."

PRESIDENT SANTY: Excuse me, Mr. Boccuzzi, what part are you reading of the letter?

MR. BOCCUZZI: Paragraph 2.

PUBLIC WORKS COMMITTEE: (Continued)

PRESIDENT SANTY: Paragraph 2.

MR. BOCCUZZI: It starts out, "It is noted that the three items on your Agenda involve no legislative matters but are, in fact, what I consider an attempt for an informal investigation of Public Works, a matter that was voted down by the full Board at its last meeting. Be advised that I do not intend to participate in this sort of back door attempt to implement something that your Board had voted against."

Madam President, I must remind the Commissioner and also members of the Board, that when the Investigating Committee was put on the Floor, those people who were against it, said, "Why don't you put the items in Committee. Let the Committee decide if an investigation is necessary." So, we put an item in Committee. Now, the Commissioner is accusing us of going in the back door to have an investigation. How are we going to find out the facts if he says, "Be advised that I do not intend to participate in this sort of back door attempts." I don't think the Commissioner could have it both ways. He can't have an investigation and can't say that he's not going to participate in any items that are put in Committee because he doesn't think they should be there.

I also come to paragraph 3, where it says, "That if an inquiry is made, an investigation is started, I have the opportunity through Counsel to cross-examine all parties including members of the Board of Representatives, under oath in sworn testimony." I assume by that statement that the Commissioner has to realize that if an Investigating Committee does come to pass, this Board will set down the ground rules and not him. I don't think that the statement cross-examine through Counsel including members of the Board of Representatives, shows any faith in this Board at all.

As far as the three items being put on the Agenda, they were put on by the Steering Committee. They were assigned to the Public Works Committee, and, therefore, I don't think the Commissioner has any right to tell us what Committee they should be in, as he states.

As far as the item on the legal issue of the gas permit, it was not this Board who brought this item up, it was the Commissioner of Finance who stated a certain person was receiving gas that was not suppose to receive it to the tune of 1500 gallons. This Board only wants to know what system is being used. It is not a matter for the Board of Finance; it's a matter for the Public Works because at one point, the Commissioner of Public Works stated, and this is up in the Mayor's office, and, I believe, Leadership of the Board was at this meeting when we were discussing gas allotment, the Commissioner of Public Works stated that if everybody came down and took their gas on a Friday in the winter, we would draw all the gas out, and if we had a snowstorm, there would be no gas for the City vehicles. Therefore, I consider that is an item for the Public Works Committee to look into.

Also, if you will go to the second page, fifth paragraph where the Commissioner states, "First, and foremost would be an investigation as to why the ordinance for a safety engineer did not appear on your current Board of Representatives' Agenda when it was submitted by this Department to a member of the Board of Representatives at a pre-Steering meeting prior to your last Board meeting?"

Madam President, I ask you, the pre-Steering meeting is not the official Steering meeting of this Board?

PUBLIC WORKS COMMITTEE: (Continued)

PRESIDENT SANTY: Of course, Mr. Boccuzzi.

MR. BOCCUZZI: Why does he want to investigate. He knows. He should know by this time or maybe you should tell him how many days ahead of time he has to have it sent in. What goes on in pre-Steering, what is agreed up there is not the law. It has to come down and we all have to vote on it. These kind of letters sent to this Board, I think, is what the problem is between members of this Board and the Commissioner of Public Works. I think the Commissioner at times, over extends his responsibility when it comes to this Board and tells us what we should do, what we shouldn't do, what should go on an agenda, what shouldn't go on an agenda, how we should vote, and what we should do. If these kind of letters persist to appear at such late dates when he is suppose to be coming to a meeting, I can see why there is no cooperation between certain members of this Board and his Department. I think you should advise him that these kind of letters as far as I'm concerned, and I know that there are other people on this Board who resent them; I think these kind of letters we can do without. Thank you.

PRESIDENT SANTY: Thank you, Mr. Boccuzzi. You will note that several months ago, I wrote a letter to the Commissioner explaining the procedure of the Steering Committee when this other question was brought up. He did get one of those letters.

MR. BOCCUZZI: I know he did. He got the letter, Madam President, but he still insist on why we didn't put it on.

MR. FLOUNDERS: Thank you. First of all, I would like to state that I agree with virtually everything Mr. Boccuzzi said in connection with this letter. But, I would also like to make it clear that I knew about this Thursday just as I reported to Mr. Boccuzzi. I'd like to also state that if there were any untruths involved, it was not me who was lying. First of all, I know that Mr. John Canavan was in New York City for the entire day and evening, and I have no reason to believe that the Commissioner did not indeed have a conflict. However, and I think this is the key thing, I wish Mr. Boccuzzi would have discussed this perhaps with me just before. I have no intention and I'll state this to this Board without equivocation, I have no intention of not holding the meeting that was planned for last Thursday using this very Agenda, the meeting shall be held. It is not my fault that people don't show up for whatever reason they claim they cannot show up. It is my fault that I had a conflict that particular evening anyway with the Fiscal Committee on budget hearings. It is my intention that the meeting, the Agenda that was not discussed last Thursday, will, indeed, be discussed with the appropriate representation from the Department of Public Works for next month's meeting.

President Santy: Thank you, Mr. Flounders. I think everyone understood that when you said they were held. That Agenda will go on.

MR. BOCCUZZI: Madam President, I just want this Board to realize and know that I in no way accuse Mr. Flounders of anything, because when he told me they couldn't appear, he said there was a letter and he hasn't seen it yet, and I respect him for it. In no way am I saying that he did anything that was not proper. Burt, if you feel that that is the way I came off, I want to apologize to you.

PUBLIC WORKS COMMITTEE: (Continued)

MR. FLOUNDERS: I just want to clarify it.

MR. BOCCUZZI: I had no intention of saying that you, personally, had anything to do with the meeting not being held.

PRESIDENT SANTY: I think the problem here is that the letter left some hard feelings on everyone; not just the one-side of the aisle. The way it is worded. The Public Works Committee Chairmen, Mr. Flounders and Mr. Perillo, I'm sure are going to hold a meeting. These items are going to be on the Agenda and I am sure there will be representation from the Committee and if not, we'll give them another month. They couldn't attend, but now maybe, Mr. Flounders, and Mr. Perillo, if you plan a date ahead of time, even before our next Steering Committee, and give them a date enough in advance so that they can't say that they have a conflict. I think this may rationalize some of the problems that we've had this evening.

MR. PERILLO: Assuring that the Steering Committee will put these same items on the Agenda, then we can act on it, but if they are not on the Agenda, what are we acting on?

PRESIDENT SANTY: Mr. Perillo, they are being held in Committee. That's the only reason why the Steering Committee will (inaudible) at this time. We all recognize the problems here, and I think we all want them resolved, and we certainly want the questions answered. They were put on by Steering and I'm sure there shouldn't be any problem with that. Mr. Blais, you're next to speak. Thank you for being patient.

MR. BLAIS: Thank you, Madam Chairman. I'd like my fellow members, and peers on the Board, to know that I found the Commissioner's letter of 4/28/83, to be insulting the intelligence of the members of this Board. This letter utilized good schematics to abrogate those agreements made by City fathers some 35 years ago. When the powers and duties of City government were divided between the various institutions, this Board was given the responsibility and right to review on-going City administrative operations. Furthermore, as a member of this Board, I am sworn to conduct the responsibilities of a Board member, and I will not abrogate those responsibilities given to me by my constituents.

If Mayor Clapes is unable to get his Commissioner to responsibly conduct his duties, I am prepared to seek the assistance of State or Federal agencies where necessary, and furthermore, to seek legal counsel to preserve my rights as a Board member. I obtained this position with certain duties and responsibilities, and I will not injure this position.

MR. WIEDERLIGHT: I'd like to remind the Board members that when Commissioner Spaulding appeared at the Appointments Committee for his confirmation hearing, one of the things he said is that if he doesn't want to come to a Committee meeting, he is not going to come to a Committee meeting, and that by confirming him that night, we should know that fact. So, for those of you that are looking forward to getting some answers to these important questions, don't be too disappointed if the Commissioner doesn't show because he is on record as stating at the Appointments Committee hearing, that he will not show if he does not want to show.

PUBLIC WORKS COMMITTEE: (Continued)

PRESIDENT SANTY: Thank you, Mr. Wiederlight, but I think that that problem has been resolved. I think that if the Public Works Committee can get together after this meeting and set up a date enough in advance and send a Committee notice, then Mr. Spaulding or his representative and his representative should attend the Public Works Committee, and I would expect that he would. If not, we can go further from that point on.

CHARTER REVISION COMMITTEE - Co-Chairmen John Roos and Jeremiah Livingston

PRESIDENT SANTY: I wish that you all pay attention to Mr. Roos because he's giving you some dates now, and we have set up our Special meeting and I think you might want to take notes so that you can put it on calendars.

(1) REPORT

MR. ROOS: On the 10th of this month, our Charter Revision Commission will submit its report to the Town Clerk. She will then transmit this to the Board of Representatives. We then have within 45 days to have a Public Hearing or Hearings. It is planned to have a Special meeting June 14th, on a Tuesday, at 7 o'clock to study and present any recommendations we may wish to make.

We, the Board of Representatives, have 15 days to submit any changes recommended. Some procedures are ambiguous and need some clarification, and our Corporation Counsel is preparing a brief now on just what our procedure should be from here on.

At the next meeting, the Board will have a complete schedule available to be studied and approved by Corporation Counsel and our Committee. Thank you.

PRESIDENT SANTY: I want to thank Mr. Roos and Mr. Livingston and the entire Committee for the work they are doing so far.

MRS. GUROIAN: I would also like to add to it something John did not say, and that is that within 45 days after the Commission hands over their recommendations for the Charter changes, this Board must have a hearing. It's after the hearing is held that the Board will meet to vote on the recommended changes and approve or make recommendations to the Commission for changes in specific areas in which time it goes back to the Commission, and the Commission sends it back to the Board. And, it is after this point that we need some clarifications as to what the actual role of the Commission is, and what the actual role of the Board is at that point.

MR. BLUM: The question that I am asking is when is this Board going to vote on the Charter? I heard that we're going to be here right after a Steering Committee meeting on the 26th.

PRESIDENT SANTY: Mr. Blum, Mr. Roos stated our first meeting to discuss the Charter changes in the Charter is on June 14th. That is the only date you have to remember. That is our first date to consider the Charter changes.

CHARTER REVISION COMMITTEE: (Continued)

MRS. GUROIAN: Point of order. Also remember the hearing because that hearing is being held by the Board of Reps.

PRESIDENT SANTY: You all will be getting notices of these meetings. You don't have to remember them, but it would be nice if you wrote them down incase you have some advance engagements you want to cancel for our Charter Revision meeting. You will all be receiving enough notice.

MR. ZELINSKI: Thank you, Madam President. Through you to Rep. Roos, I was a little confused about that. I did write down the date of June 14th. Is that the date that we meet or is that the date that the Charter Revision Committee of this Board is going to have a Public Hearing to get input from the public? There was a little misunderstanding. I just wanted to get that clarified.

PRESIDENT SANTY: Mr. Roos, do you want to go over it again?

MR. ROOS: Yes. Before the 14th, we will have a Public Hearing, and we haven't set that date.

PRESIDENT SANTY: The Public Hearing for the Charter Revision Committee of this Board has not set up their Public Hearing yet, but the first meeting for this Board to consider the Charter is June 14th. Prior to that, the Charter Revision Committee will be sending you all notices where a Public Hearing will be held, and we're all expected to attend with our input.

PARKS AND RECREATION COMMITTEE - Chairman Robert "Gabe" DeLuca

MR. DeLUCA: The Parks and Recreation Committee met on Monday evening, April 25, 1983, to discuss the items on tonight's Agenda. Attendees were Committee members Owens, Gaipa, and Franchina, Recreation Superintendent Bruno Giordano, and Ed Condon of the Parks Department. I also wish to mention that fact that old reliable Committee member, Jerry Rybnick, was absent due to illness.

Our Committee voted 4 in favor and none opposed to place items 3, 4, 5, and 6 on the Consent Agenda.

- (1) REQUEST FOR PERMISSION TO HOLD 10KM FOOT RACE ON SUNDAY, MAY 8, 1983  
(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, 3/7, 4/4/83.

MR. DeLUCA: Our Committee voted 4 in favor and none opposed to take this off the Agenda permanently because the authors of this request have not been able to come up with a sponsor, and until they do so, we wish to leave it off the Agenda. We will bring it up if they ever request it again.

PRESIDENT SANTY: You want item 1 off?

MR. DeLUCA: Off permanently.

PRESIDENT SANTY: Thank you. Item #1 is off the Agenda.

PARKS AND RECREATION COMMITTEE: (Continued)

- (2) REQUEST FOR PERMISSION TO HANG BANNER OVER SUMMER STREET FROM 5/10/83 TO 6/9 FOR BUSINESS EXPO '83 being held by SACIA at Yacht Haven West on Wednesday and Thursday, June 8, and 9, 1983. Sponsored by SACIA and the Connecticut Small Business Development Center. Contact Kim Harlow, Expo Coordinator, 359-3220. Letter received 4/4/83 from Marion Stalk, Vice-Chairman and Director.

MR. DeLUCA: We voted 4 in favor and none opposed to make the following adjustment. It should read from May 16, 1983 to 6/9 for Business Expo '83. The reason for the push up in the date was that due to the cooperation of Kim Harlow, the coordinator for Expo '83, working in conjunction with Joe Gallo of the Stamford postoffice, it was agreed to give the Stamford postoffice one week to hang their banner up which will be under item 8, which I'll be reporting on later. Therefore, I move for acceptance by a vote of 4 in favor and none opposed to grant Expo '83 permission to hang their banner.

PRESIDENT SANTY: Is there a Second to that motion? Seconded. Any discussion. No discussion. All in favor, please say aye. Opposed? PASSED UNANIMOUSLY by a voice vote.

- (3) REQUEST FOR PERMISSION TO HOLD A PARADE ON SUNDAY, MAY 29, 1983, by the Memorial Day Observance Committee and Chairman of the Stamford Patriotic and Special Events Commission, Carmine Vaccaro, Chairman; to start at 1:00 p.m. and Memorial Observance at 3:00 p.m. Letter 3/31/83.

APPROVED ON CONSENT AGENDA

- (4) REQUEST FOR PERMISSION TO HOLD A BICYCLE RACE ON MAY 29th 12 Noon to 3:00 p.m. - sponsored by The South End Community Center, Bill Macklin, Director; letter 4/6/83.

APPROVED ON CONSENT AGENDA

- (5) REQUEST FOR PERMISSION FROM THE COUNCIL OF CHURCHES AND SYNAGOGUES TO HOLD THEIR ANNUAL "CROP WALK" on May 15, 1983, to help alleviate the existing massive starvation in the world; from Margaret Halleck, Arrangements Committee, 348-2800; also North Stamford Congregational Church. Letter 3/25/83 states start and end of WALK will be Scalzi Park in front of Wright Technical School; expect 600 walkers.

APPROVED ON CONSENT AGENDA

- (6) REQUEST FOR PERMISSION TO HANG A BANNER ACROSS BEDFORD STREET AT LATHAM PARK FROM MAY 15th to MAY 25, 1983 - to publicize Girl Scouting and invite the public to OPEN HOUSE AT STAMFORD HIGH SCHOOL on May 25, 1983. From Ann Balas, Executive Director. Received 4/14/83.

APPROVED ON CONSENT AGENDA

- (7) REQUEST FOR APPROVAL OF TENTATIVE FEE SCHEDULE FOR 1983/84 FOR BOARD OF RECREATION ACTIVITIES - from Recreation Supt. Giordano 4/6/83.

MR. DeLUCA: Our Committee voted 4 in favor and none opposed with the following corrections or amendments. If you will bear with me, there's is quite a few.

PARKS AND RECREATION COMMITTEE: (Continued)

MR. DeLUCA: (continuing) On item #5, where it says, "Cubeta Stadium, A1 for non-City recreation sponsored activity," the proposed fee was \$50.00. Our Committee voted to increase this to \$100.00. Item A2 for non-City recreation sponsored activity, the proposed fee was \$110.00, it should read \$150.00. Item 6, Indoor Adult Basketball, this should be deleted because it is a duplication of item #3. Item #8 which talks about Paddle Tennis, we would like to include the words, "Dorothy Heroy." This way, people know what courts we're talking about.

Item #14, Tennis, we would like to include the words, "Scofieldtown Park and Dorothy Heroy Park." The fees for 1983 should read \$2.00 per person, \$5.00 minimum for residents. Non-resident should read \$3.00 per person, \$8.00 minimum. We would like to include the words, "Senior citizens and youth under 17, no-charge Monday through Thursday prior to 3:00 p.m."

Item #15, Theatre, I'd like to put the word, "Kweskin Theatre," and the proposed rates would read Adults \$3.00 on Thursday, \$5.00 on Friday, \$5.00 on Saturday, \$6.00 per musicals.

Item #18, should read under proposed fees, "adjusted to cost." I now move for acceptance with the corrections as stated.

PRESIDENT SANTY: We are now on #7 under your Agenda. Is there a Second to that Motion? Seconded. A Motion has been made and Seconded for the fee schedule with changes as read by Mr. DeLuca.

MR. WIDER: Thank you, Madam Chairman. Through you to Mr. DeLuca, who recommended these fee increases?

MR. DeLUCA: Our Committee voted 4 in favor and none opposed for these fee increases.

PRESIDENT SANTY: Who submitted the changes to you, Mr. DeLuca?

MR. DeLUCA: Our Committee recommended the changes. The Board of Recreation came in with the same fees as last year, and checking my records dating back to 1980, were the same fees. We feel that from 1980 to 1983, with inflation and everything else going up, the slight fee increases that we are making would have no hardship on anyone. If you really look at Cubeta Stadium, item #5, the increase is related to non-city recreation. This is for non-residents who wish to use Cubeta Stadium. We feel if non-residents use our facilities, there is no reason why we shouldn't extract as much as we could. We feel that a \$100.00 fee when you consider the fact that the \$50.00 fee dates way back to 1980, this would not be a hardship on anyone.

MR. WIDER: Excuse me, Madam Chairman, I'm afraid I have to disagree with this Committee. I think the Committee has taken it upon themselves to put an assessment on the citizens of Stamford over-riding people that we have employed to bring those things about. If the Board of Recreation came in with those fees, I don't see why they should increase them, and frankly, we have thought about the inflation, and so forth, but we haven't thought about the unemployment and the number of people who can't afford these increases. Several things that happened this year really turned me off. We have come with recommend additional fees and I don't see any suggestions of any improved service. Now, if they are offering some improved service, then I would go along with it. Other than that, I cannot vote to increase fees in view of the fact that we have so many people unemployed in this City right now. This unemployment figure that we see in the paper is erroneous. There are a lot of people out of jobs in this City and I don't see how the Committee could come up and represent constituents and talk about increasing fee. Thank you.

PARKS AND RECREATION COMMITTEE: (Continued)

MR. DeLUCA: May I just correct that?

PRESIDENT SANTY: Yes, you can, Mr. DeLuca.

MR. DeLUCA: I'm sitting here, and I am really snowed-under as to what Mr. Wider is saying. He keeps saying that we cannot increase the fees for residents. I hate like heck to say it; I have to be blunt. If he was paying attention to what I've been saying, to what our Committee recommended, we are not increasing the fees for residents. All our increases are for non-residents. If he is against us increasing fees for non-residents who are non-taxpayers, if he feels we should give non-taxpaying, non-residents the same benefits that we're subsidizing our own residents for, then I think I'm in the wrong game here or in the wrong City. I would like to go to Greenwich.

MR. WIDER: I must respond, Madam Chairman.

PRESIDENT SANTY: Yes, Mr. Wider.

MR. WIDER: I think I'm entitled to that. In the absence of it not being in front of me, I had no other choice but to assume that you were talking about my people in the City of Stamford who had bought these places, and I had no intention of seeing you robbing them. Thank you.

PRESIDENT SANTY: The motion on the Floor is the new fee schedule, #7 with the changes.

MRS. GERSHMAN: Thank you. I have two questions. One is under Paddle Tennis, when you put Dorothy Heroy, does this exclude other paddle tennis courts in Town. Is this just for Dorothy Heroy?

MR. DeLUCA: They are the only ones because Sterling Farms is separate entity which the Board of Recreation has no control over. Dorothy Heroy is the only area that has paddle tennis.

MRS. GERSHMAN: I'm sorry. I thought they had control of the Sterling Farms paddle tennis courts.

MRS. GERSHMAN: I have one other question. Did Mr. Giordano concur with these increases?

MR. DeLUCA: Yes, by all means. He was present at our meeting.

MRS. GERSHMAN: And did the Board of Recreation also concur? I mean Commission.

MR. DeLUCA: Tom Pia was not at the meeting, but I believe that they would concur. We never called them up. This is our recommendation, and as I stated before, I think what the Board of Recreation is doing is each year pull out the same copy and forward it to us. And dating back to 1980, we just kept having the same sheet coming up to us. That's why our Committee in view of the fact that we keep hearing about user fees, and the fact that the increase is only pertaining to non-residents, we felt we were justified and this Board tonight to go along with our recommendation.

PARKS AND RECREATION COMMITTEE: (Continued)

MR. LIVINGSTON: Thank you, Madam President. Through you, Madam President, I have a question to Mr. DeLuca. I realize that he uses the word that these are, "recommended changes." He believes that the Board of Recreation will go along with it, but it seems to me that there is a matter of procedure that's about to be violated. If the Board of Recreation is totally unaware in an official way of what Mr. DeLuca and his Committee is doing, it seems to me that we just may be leaning towards doing something wrong.

I'd like through you, Madam President, to Mr. DeLuca, to respond to this.

PRESIDENT SANTY: Mr. DeLuca, would you like to respond?

MR. DeLUCA: I felt that since the Recreation Superintendent Bruno Giordano was present at our meeting, and he felt that the increases were justified. Plus, I don't see where we are violating anything because I believe Section 204 of the Charter; I don't have the Charter with me, but the Board of Representatives is the one to dictate policy or institute policies as far as the relations to Parks and Recreation; Parks Department and Recreation Department. Not that I'm saying (inaudible) to invoke this Charter powers that we had, but in view of the fact that Superintendent Giordano was there, and he felt that the increases were warrant and justified. He assured us that he could see no problems with the Recreation Commission, therefore, I don't see why we should delay this and there is nothing unreasonable about it. I feel that this should be passed this evening without any problem.

MR. BLUM: I would just like to say to Mr. DeLuca, it would be a poor thing to say about the inflation. That man up on top in Washington tells me that the inflation is coming down, but he didn't tell me what was the result of the inflation. So we better not say, "because the inflation is up." I wonder if I should believe you or Mr. Reagan?

MR. GAIPA: I was going to re-emphasize to Mr. Wider about the non-city recreation activity where the fees were increased at Cubeta Stadium. Also, a couple of other points, too. If you don't have these complicated sheets in front of you, I agree, Mr. Wider, it is very hard to follow. It's hard for me to follow with it in front of me. Two other areas where I think we made some good movement was we established a parity between the downtown Scalzi Park tennis costs, and the up-country Scofieldtown Road-Heroy costs. It didn't make sense to me when I play downtown to pay more there than the people uptown were paying. We equated those tennis costs between Scalzi and the up-country.

The other point was that there seemed to be, and as a former member of the Board of Recreation, I ran into a real problem on Thursday where Stamford's senior citizens were being dished out of seats by out-of-towners. We have documented this but have never done anything about it. Now, we are making sure that a resident senior citizen has a card by which he will show it and get free admission on Thursday night to the Kveskin Theatre. Thank you.

MS. SUMMERVILLE: Point of information.

PARKS AND RECREATION COMMITTEE: (Continued)

PRESIDENT SANTY: Yes, Ms. Summerville.

MS. SUMMERVILLE: Through you to Mr. (no audio on tape)

MR. GAIPA: Anything north of Bull's Head.

MS. SUMMERVILLE: You mean Bull's Head in Stamford?

MR. GAIPA: Yes.

MS. SUMMERVILLE: Yes.

PRESIDENT SANTY: Thank you.

MR. DIXON: I would just further question the legality of this action. It just seems to me that the Committee is recommending unprecedented action, and is usurping the powers and authority of <sup>the</sup> Recreation Commission. You say that Mr. Giordano was present. That's all well and good, but Mr. Giordano did not initiate these increases. Had he initiated the increases and if the increases came from the Board of Recreation, all well and good, but the increases are being recommended by the Committee to the Board, and it will be the Mayor who will initiate these increases. I just don't believe that's right.

MR. DeLUCA: Can I reply?

PRESIDENT SANTY: Yes, Mr. DeLuca, you can reply. I think your Committee has been put on the coals tonight.

MR. DeLUCA: Just as a correlation to what Mr. Dixon said. Our making recommendations for increases as compared to when we sit here and review the budget, and we make recommendations for reductions against the departments.

MR. CONTI: Thank you, Madam President. My question has been answered.

MR. DZIEZYC: Move the question.

PRESIDENT SANTY: A motion has been made to move the question. Is there a Second? Seconded. All in favor of moving the question, please say aye. Opposed? PASSED UNANIMOUSLY. We're going to move the question. The question is on #7 under Parks & Rec., the tentative fee schedule with changes as presented by Mr. DeLuca. We are going to use the machine. Mr. DeLuca and his Committee. Please use your machine. If you approve the new fee schedule, vote yes. If you are against the fee schedule, vote no. Has everyone voted? The motion has PASSED 29 affirmative and 3 negative votes.

Mr. Tarzia has left and there are 33 people present.

PARKS AND RECREATION COMMITTEE: (Continued)

- (8) REQUEST FOR PERMISSION TO CLOSE OFF FEDERAL STREET TO HOLD A "STAMFORD POST OFFICE OPEN HOUSE for the general public on SUNDAY, MAY 22, 1983, from 12 noon to 5:00 p.m. at the Main Office, 421 Atlantic Street. Federal Street to be closed off to traffic between 11:30 a.m. and 5:30 p.m. From Postmaster DePanfilis and Joseph Gallo 4/18/83 letter and phone call.

MR. DeLUCA: Our Committee voted 4 in favor and none opposed with one change. We like to add one other sentence granting them permission to hang a banner on Summer Street from May 9, 1983 to May 15, 1983. As stated earlier, this was an agreement made with Expo '83 to give the postoffice one week to hang their banner to advertise their affair, and I move for acceptance.

PRESIDENT SANTY: Mr. DeLuca, would you give those dates to Mrs. McEvoy after the meeting?

MR. DeLUCA: Yes. Granting the postoffice to hang a banner on Summer Street from May 9, 1983 to May 15, 1983.

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

MR. BOCCUZZI: I'm going to vote in favor of this on one condition that Mr. DeLuca goes over to the postoffice and tells them not to park in our parking lot and park the right way around our entrance.

PRESIDENT SANTY: Amen, Mr. Boccuzzi.

MRS. MAIHOCK: Through you, Madam President, to Mr. DeLuca. Mr. DeLuca, I was just wondering what caused the occasion of the Open House. Have they made new improvements in the postoffice? I wasn't quite aware of why they are having this open house.

MR. DeLUCA: We all received something in the mail. At least, I did at home stating that they made improvements. They want to have the people come in. It's an Open House. They want to reassure the people that they are going a good job, and that they are proud of their achievements.

PRESIDENT SANTY: Any other discussion? I'm very happy that we're in a jovial mood. We're going to have a tough month ahead of us, but please, it is now 11:30 at night, and we have to get on with the Agenda.

MS. SUMMERVILLE: Even though Federal Street will be closed off, will we be able if we attend this affair, to come into our parking lot without cards? There is no availability of parking in the area.

MR. DeLUCA: We understand that they are trying to make arrangements at Champion International to use some of their facilities.

PRESIDENT SANTY: Any other discussion?

MR. WIDER: Madam Chairman, I should amend this motion to put the banner across Atlantic Street instead of Summer Street. Why put it so far away from the postoffice. It doesn't make any sense.

MR. DeLUCA: Can I just reply to that?

PARKS AND RECREATION COMMITTEE: (Continued)

PRESIDENT SANTY: Yes, Mr. DeLuca.

MR. DeLUCA: Unfortunately, the City of Stamford, if you recall several years back, we didn't have even one location because of the weakness of the poles. Thanks to the good graces of the Board of Reps being persistent, we got the Traffic Department and other people to put up stronger poles at Lathan Park and at the Ridgeway Shopping Center, across Summer Street. Those are the only two safe spots to hang banners.

MR. DONAHUE: I'd like to Move the question.

PRESIDENT SANTY: A motion has been made to move the question. Is there a Second? Seconded. All in favor of moving the question, please say aye. Opposed? We're going to move the question, and the question is on approving Stamford's Postoffice Open House with the hanging of their banner. All in favor, please say aye. Opposed? PASSED UNANIMOUSLY by a voice vote.

(9) REQUEST FOR APPROVAL OF NEW RULES AND REGULATIONS FOR PARKS DEPARTMENT -  
submitted by Mr. Condon of the Parks Department.

MR. DeLUCA: We voted 4 in favor and none opposed with one change which was recommended by the Park Commission in the business office of the Parks Department. It's on page 4 of the Regulations, just above the last sentence which says, "These rules and regulations," above that sentence we should include the sentence, "Violation of any of the regulations in these sections, shall be considered an infraction and the appropriate fine shall be levied." And I so move for acceptance.

PRESIDENT SANTY: A motion has been made and Seconded. Any discussion? No discussion. We'll move right to a voice vote on the approval of the Rules and Regulation for the Parks Department as we received in the mail dated April 14, 1983. All in favor of these Rules and Regulations, please say aye. Opposed? PASSED UNANIMOUSLY with 1 no vote, Mr. Wider.

MR. DeLUCA: We'll go back to the Consent Agenda. Item #3 which is on Consent.

PRESIDENT SANTY: Item #3 is Consent.

MR. DeLUCA: Request for permission to hold a parade on Sunday, May 29, 1983, by the Memorial Day Observance Committee. Item #4, request for permission to hold a bicycle race on May 29th, 12 noon to 3:00 p.m. Item #5, request for permission from the Council of Churches and Synagogues to have their annual Crop Walk on May 15, 1983. Item #6, request for permission to hang a banner across Bedford Street at Lathan Park on May 15 to May 25 to publicize Girl Scouting. I move for acceptance of these.

PRESIDENT SANTY: Is there a Second to the Consent Agenda? Seconded. All in favor of the Consent Agenda which is items 3, 4, 5, and 6, please say aye. Opposed? PASSED UNANIMOUSLY.

PARKS AND RECREATION COMMITTEE: (Continued)

MR. DeLUCA: I know the hour is getting late. I have to live dangerously and try to bring up three items under Suspension of the Rules. Each item is important. Item #10 is from the Stamford Power Squadron, request for a banner, and this is made up of the Stamford Power Squadron Flotilla 74, U. S. Coast Guard Auxiliary, Stamford Red Cross and Star of Life Medical.

PRESIDENT SANTY: Do you want to move for Suspension of the Rules to consider that item?

MR. DeLUCA: I move for the Suspension of the Rules to consider this item.

PRESIDENT SANTY: There's several Seconds. All in favor of Suspending the Rules to consider this item, please say aye. Opposed. 1 no vote, Mr. White. Otherwise PASSED UNANIMOUSLY by voice vote, with 1 no vote, Mr. White.

- (10) STAMFORD POWER SQUADRON - hang banner across Latham Park from 6/4 - 6/12/83 - to advertise National Safety Boating Week. Submitted by Gabe DeLuca 5/2/83.

MR. DeLUCA: I move for acceptance granting the Stamford Power Squadron permission to suspend an appropriate banner across Latham Park from June 4, to June 12 to advertise National Safe Boating Week. I move for acceptance.

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

MR. DeLUCA: I'd like to Suspend the Rules to bring up an item which was in our packet tonight. It's an important item because it involves the area high school athletes. It was submitted by the Fairfield County Striders to hold a running road race in Stamford on May 15th.

PRESIDENT SANTY: Mr. DeLuca has made a motion to Suspend the Rules to consider this item. Is there a Second? Seconded. All in favor of Suspending the Rules, please say aye. Opposed? PASSED UNANIMOUSLY Mr. White voting no.

- (11) FAIRFIELD COUNTY STRIDERS - permission to run a road race on May 15, 1983, to benefit area high school athletes. Bloomingdale's sponsoring and paying expenses of the event. Map of route enclosed which had been submitted to SPD Lt. Steve DeVito. Letter from Jim Gerweck, 71 Jonathan Road, New Canaan 966-1580, of the Fairfield County Striders.

MR. DeLUCA: I move for acceptance granting the Fairfield County Striders permission to hold a road race in Stamford on May 15th.

PRESIDENT SANTY: Is there a Second? Seconded. Any discussion? All in favor of this item, please say aye. Opposed? Mr. Jachimczyk voting no otherwise PASSED UNANIMOUSLY by voice vote.

PARKS AND RECREATION COMMITTEE: (Continued)

MR. DeLUCA: I'd like to Suspend the Rules, once again, for a request from the Miracle Faith Outreach to hold a rally at the Town Hall, the Old Town Hall steps, to have various officials and church leaders speak.

PRESIDENT SANTY: Is there a Second to this item? Seconded. All in favor of Suspending the Rules, please say aye. Opposed? PASSED except Mr. White is a no vote and Mrs. Gershman is a no vote. PASSED.

- (12) MIRACLE FAITH OUTREACH request to hold a rally on Old Town Hall steps to have various officials speak.

MR. DeLUCA: What this really is, a year ago, we gave Miracle Faith Outreach permission to hold a parade in July 1983, and they called me up wanting to know if they can gather various government officials, church leaders to speak briefly at the Old Town Hall steps. Really, it is nothing that we should take action on, but they just wanted to cover all bases to be sure they were following procedures. Therefore, in complying with their request, I move for acceptance granting them permission to meet at the Old Town Hall steps at the conclusion of the Rally.

PRESIDENT SANTY: A motion has been made and Seconded. Any discussion?

MR. WHITE: A Rally for what end to what end; just out of curiosity?

MR. DeLUCA: I really don't have the map here. We voted on the Rally a year ago. That document is at home. This is just giving them permission to use the Town Hall steps to meet and talk. My own personal opinion, this here is not needed.

MR. WHITE: To hold a Rally on the Town Hall steps is public property. It might be quite some size and you don't know what the purpose of the Rally is or what the subject will be. What if it is to overthrow the U. S. Government? I realize the remark is procedures, but I don't think it is out-of-order.

MR. DeLUCA: I don't dignify the remark with a reply. Some people just get carried away.

MRS. GERSHMAN: I would like to say that I do think that this should have been put in writing even on our desks tonight, and for that reason I'm going to vote against it because I don't think that a phone call is sufficient.

MR. DeLUCA: I have it in writing.

PRESIDENT SANTY: Mr. DeLuca does have it in writing, Mrs. Gershman.

MS. SUMMERVILLE: Mr. DeLuca has it in writing. They spoke to him earlier. It is really a matter of courtesy that they are doing this. When other people have rallies on the Old Town Hall steps, I have never seen it come before this Board. That was a ceremonial thing when the bicycles were given to the Police. The Veterans are forever holding rallies. The mail people are forever holding rallies. I haven't seen it come before this Board. So, what is the question? It's just a matter of courtesy, as Mr. DeLuca said that they brought it before the Board, to let you know that they are not rioting; they are there in a peaceful, orderly way. It's just a matter of a rally. I can assure you that they are not the type to overthrow the government.

PARKS AND RECREATION COMMITTEE: (Continued)

MR. LIVINGSTON: Yes, but even if they were the type to overthrow the government, in this country we do have the right to assemble and to demonstrate and to petition government. Thank you.

MR. BLUM: I pledge allegiance for freedom and justice for all.

PRESIDENT SANTY: Thank you, Mr. Blum. The motion has been made and it's been Seconded, and we had discussion, all in favor of #12, Miracle Faith Outreach rally as presented by Mr. DeLuca, please say aye. Opposed? Mrs. Gershman is opposed. 1 opposition, 1 no vote, otherwise PASSED UNANIMOUSLY.

MR. DeLUCA: I am happy to say that that concludes our report.

PRESIDENT SANTY: Thank you, Mr. DeLuca. You're a very active Committee.

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

MR. DZIEZYC: Thank you, Madam President. The Health and Protection Committee met on Tuesday, April 26th, in the Main Room with Co-Chairman Mike Wiederlight, Barbara DeGaetani, and myself in attendance.

- (1) FOR FINAL ADOPTION - PROPOSED ORDINANCE REGARDING POSSIBLE HAZARDS IN SATELLITE TRANSMISSION FACILITIES - submitted 4/19/82 by Reps. Grace Guroian and Betty Conti, W. Dennis White. Held in Committee from 5/3/82 through 2/9/83. Approved for publication 7/12/82. Held 2/22 and 4/4/83.

HELD IN COMMITTEE

MR. DZIEZYC: We voted 3 to 0 to hold pending review of changes requested by Stamcag. A number of citizens spoke in favor of an ordinance to regulate microwave transmission, but they submitted a list of changes that they asked us to approve and I submitted those to the Clerk to send to Corporation Counsel. That is the end of my report.

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

MR. CONTI: Thank you, Madam President. The L&R Committee met on Monday, April 25th. The meeting was called to order at 7:40. Present were myself, Co-Chairman, and Mr. Zelinski, Co-Chairman, Mrs. Saxe, Mr. Donahue, Mrs. Maihock, and Mr. Bonner. Also, present at the meeting, were Mrs. Dwight Marshall, Gus Goings, Jerry Parks, Mr. Feldman, Bob Johnson, Guy Farina, Mr. Condon, Mr. Brennan, and there were some people in the audience; Richard Hamlin, Mrs. Buffold, Cynthia Harris, and Katherine Hodges.

- (1) 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 from 9/9/82 through 4/4/83.

HELD IN COMMITTEE

LEGISLATIVE AND RULES COMMITTEE: (Continued)

MR. CONTI: It was passed 5 to 1 to send this to the Mayor to get a resolution to come back by July 1st, for clarification; so we can take this off the Agenda finally, and get some action concerning it.

PRESIDENT SANTY: Item 1 is held.

MR. CONTI: Yes.

MR. DONAHUE: Madam President.

PRESIDENT SANTY: Mr. Donahue, did you want to address that?

MR. DONAHUE: Please. With regards to this ordinance, a resolution was recommended for approval by the Legislative and Rules Committee and has been distributed to the members of the Board and should be considered at this time.

PRESIDENT SANTY: Mr. Conti, do you want to move that resolution?

MR. CONTI: Yes. We also had the stuff coming from the Mayor on that. Do you want to work on the resolution now? We'll do it that way then.

MR. DONAHUE: The point of the resolution is for this full Board to recommend to the Mayor what he should do with regards to this ordinance.

PRESIDENT SANTY: We did receive <sup>it</sup> dated April 22nd. Do you want to move for adoption of this resolution?

(1A) RESOLUTION PROPOSED April 27, 1983, by Rep. Donahue instructing Mayor and his officials to determine costs and solution for this problem - item #1 above.

MR. CONTI: I would move for adoption of this resolution.

PRESIDENT SANTY: What was the vote of the L&R Committee regarding this resolution?

MR. CONTI: It was 5 - 1.

PRESIDENT SANTY: 5 in favor and 1 opposed. A motion has been made and Seconded to approve the resolution.

MR. DONAHUE: The reasons for bringing this to the Board tonight is basically this; over two years ago, the Mayor through the Public Works Commissioner and Corporation Counsel's office, suggested an ordinance to give a tax credit to owners of condominiums and multi-family dwellings in lieu of refuse collection. That ordinance was defeated by this Board. A number of us fully expected at that time that the Mayor would bring this issue to a conclusion with alternate proposals, or with additional information. To date, that has not occurred. In fact, after two years, the same ordinance was returned to the Board with a new dollar amount which may be incorrect, by the way, supported by the exact same back-up information which was presented to this us at the time of the original submission. It was incomplete information over two years ago, and is now out-of-date. This Board must deal with this issue and the resolution reminds the Mayor that it is his responsibility to see that the ordinances of the City and the Charter are carried out, or the dictates of the same are carried out.

LEGISLATIVE AND RULES COMMITTEE: (Continued)

MR. DONAHUE; (continuing) Once the questions asked herein are answered, the Board can consider various solutions which hopefully will be suggested by the Mayor, and I hope that we as a Board, will not allow the Chief Executive of the City to ignore this issue any longer. I, therefore, ask that this Board pass this resolution tonight. It sets a time limit of approximately two months, and is the only way that we are ever going to get this issue resolved.

PRESIDENT SANTY: Thank you, Mr. Donahue. We are now discussing the resolution that we all received in the mail.

MR. ZELINSKI: Thank you, Madam President. Again, for the benefit of the colleagues who were not on the previous Board of Representatives. This same ordinance, this tax credit ordinance that is so-called, was defeated on April 6, 1981, by the vote of 13 in favor, 17 against, and 5 abstentions. It clearly states in our Code of Ordinances under Section 8-2, that the Area of responsibility of the City shall be the collection of garbage. It also specifies in our Charter under the appropriate heading under the Public Works Department, and I had the occasion to be invited to a public forum that was sponsored by the Condominium Owners Association on April 21, of this year. Also, on the panel, was Public Works Commissioner Spaulding and two gentlemen who represented private collectors in the City of Stamford.

As a result of that meeting, I did send a letter to all my colleagues dated April 25th, which I believe everyone did receive. As a result of that meeting and considerable thought on the matter, as far as I'm concerned, there is only two feasible solutions to the problem. The tax credit does not do the job because in some cases it does provide amply for the reimbursement, if you will, for the owners of condominiums to have their garbage pick-up by privates, and in other areas, it does not. So, it does not clearly adhere to the Code of Ordinances or the Charter.

PRESIDENT SANTY: Mr. Zelinski, I just want to remind you, we are now discussing the resolution.

MR. ZELINSKI; Yes, right.

PRESIDENT SANTY: I just can't follow your line of...

MR. ZELINSKI: I'm getting right to it now. Just a little back-up that has already been said. The only two solutions to the problem would be #1, to have the City purchase the necessary equipment which would be the so-called, "front-end loaders," or else to have the City go out for a bid to the privates to have the privates collect which they are doing now. I don't believe it's necessary to pass this resolution. I was the one vote on the Legislative and Rules Committee that voted against it because it clearly states under the third paragraph, "Now therefore be it resolved by the 17th Board of Representatives that the Mayor shall cause a report or a series of reports to be made on to the Board," on about six different areas there. I think it's our responsibility. I was asked at that forum if the Mayor or the Public Works Commissioner didn't do something, why didn't the Board of Representatives do something and I didn't have an answer. O.K? I did explain that it was voted down at the previous Board, but still the garbage was not being collected, and I think we have a responsibility to take the initiative here and not to delay more, another two months to have the Mayor decide if he wants to even go along with this resolution.

LEGISLATIVE AND RULES COMMITTEE: (Continued)

MR. ZELINSKI: (continuing) He's not bounded. What are we going to do? Will we put him in jail if he doesn't go along with this resolution, doesn't get us the information? All that simply has to be done is #1, to have the Public Works Department, the Commissioner, to find out the cost and he has, come to our meetings and give us some ballpark figures as far as what the cost would be to purchase two truck to pick-up these dumpsters, O.K? #2, to have the Purchasing Agent make up bid specifications to have the privates come in for a bid for either the whole job or else have it done by sections, that areas of the City which have condominiums that should have their garbage collected. And, I really think that we should do this. I don't think that we should put it back to the Mayor and have<sup>a</sup> two months delay. In the meantime, the condominium owners are now having their garbage collected. Clearly, the City is in violation of the law here, and I think as a legislative body, we should simple take the initiative and get that information. Demand that, and make the decision because the Mayor or the Public Works Commissioner has not seen fit to do it, and I don't think this resolution is going to have any affect whatsoever except delay us for two months. Thank you.

MR. WIEDERLIGHT: ...the staffing to do such a study as Mr. Zelinski has indicated. I don't feel that there is anybody within this room that has the technical expertise to analyze the needs and what it takes to do the job. The Mayor has at his utilization, the services of many experts, and I am sure these people are quite familiar with the problems and could turn-out a report with the utmost of immediacy. We don't have a research assistant or research analyst on our staff at this point in time. I really feel that Mr. Zelinski is over-simplifying the question, one truck, two trucks. That's something that an expert must give their views on and I feel that the resolution is proper, and will get the job done because I'm sure the Mayor understands the problem at hand and he will take the necessary action. Thank you.

MR. BLAIS: Thank you, Madam Chairman. I agree with Mr. Zelinski to the point that condominium owners deserve garbage collection, and they deserve it now. But that does not permit us the latitude to take a haphazard approach to this situation. I know that my only view finds that the City's statistics were based on erroneous assumptions and unstatistical data. I could not, from where I stood outside the City administration, come up with exact numbers that I could be sure of to say that this is the way to go. I have reviewed a number of hours, over 200 hours in the area, and I looked at the number requirements closely, but I still could not say whether we need one vehicle or five vehicles. I would ask my colleagues to vote for this resolution simply so we can act on an intelligent set of numbers and look at all the variables to make an intelligent decision, and I going to ask you all to vote yes on this resolution. Thank you.

MR. BLUM: Madam Chairman, for many years since this item has been on our Agenda, and that goes back at least two years when it was defeated by the previous Board, these people have not forgotten and they are going to continue to call their representatives who have condominiums in their area. I sort of agreed with Mr. Blais at one time, when he asked Commissioner Spaulding, I believe, two years ago about the cost of the front-loader, and we got no answers.

LEGISLATIVE AND RULES COMMITTEE: (Continued)

MR. BLUM: (continuing) These condominiums have been collected by private haulers. They found that they were getting good collections. I want to tell you one thing. I was sort of surprised. There are some condominiums in my district that do get City pick-up. I was sort of surprised to hear that. I have others who have been calling me quite often in regards to this particular item. If we do pass this resolution this evening, and we have to wait two more months, this first came to us in September of 1982. This will bring us probably into July, and we have to study again these figures, and we are going to go over, and over and how long must these people wait; either tax credit or have their garbage picked-up? That's the question. How long are they going to wait? Must they wait until the moon comes over the mountain?

MR. BONNER: Thank you, Madam Chairman. As reported, the resolution was recommended by a majority of the Committee. As I understood it, it was favorably received by those condominium owners that were there. They did recognize that there were six options placed on this resolution, and I think they were pleased to recognize that there would be a solution within those six. If placed in the Mayor's office, it does put the responsibility there, and it is up to our Committee, I would say, to pressure him and his office until we do get the information that we need. I recommend a vote for the resolution. Thank you.

MR. BOCCUZZI: I'd like to speak in favor of the resolution. I know that we have been going around and around on this particular item, and we can't seem to get the answers that we are looking for whether it be from Public Works or from the Mayor or anyone else. I recall at one time, the Public Works Commissioner saying that it is cheaper to have the privates pick it up; they could do it cheaper than the City, and then I think he changed it around. I think if we send this resolution to the Mayor, it puts the ball in <sup>the</sup> court and just once I would like to see him grab the bull by the horns, make a decision, come up with the answer to the situation, to the problems. He has at his disposal, many more people than this Board does. He can put together the report with his Cabinet and he can go into finding the exact cost, what it cost. How many more people it would take? How much would the privates charge for collecting and maybe the easiest way out of this whole thing is just underwrite the collection for the private collectors. Condominium owners should have their garbage collected by the City. They are paying tax for it, and this is a service that they have never gotten. If it comes to the point if it is cheaper to have the privates do it and have the City underwrite it, I think that's the route we should go, and solve this problem. I think it is going to be up to the Mayor and his Cabinet and the people he has to work with to send down a program that could be agreed to by this Board and the condominium owners.

MS. RINALDI: Move the question.

PRESIDENT SANTY: A motion has been made and Seconded to move the question. The question is on Mr. Donahue's resolution. All in favor of moving the question, please say aye. Opposed? We're moving the question. We'll use the machine for final adoption of Mr. Donahue's resolution as received in the mail.

LEGISLATIVE AND RULES COMMITTEE: (Continued)

PRESIDENT SANTY: Has everyone voted? The resolution has been ADOPTED 32 affirmative, 1 abstention.

- (2) FOR PUBLICATION - PROPOSED ORDINANCE SUPPLEMENTAL - concerning Public Act #82-318 (effective the assessment year commencing October 1, 1982 and thereafter) which is enabling legislation which may grant additional property tax exemption (to 100%) to veterans if qualified under certain income limits and disability as specified; also permits 100% tax exemption to un-remarried widow of such veteran. Submitted by Rep. Sandra Goldstein 3/16/83 and Acting Tax Assessor 1/23/83 Ed Faski. Held in Steering 2/22/83; Held in Committee 4/4/83.

MR. CONTI: There was a time limit or is a time limit on this and the Committee decided in their wisdom to ask for a waiver of publication with a vote of 5 to 1, and I so move.

PRESIDENT SANTY: A motion has been made to waive publication of the proposed ordinance concerning Public Act #82-318. There's a Second to that. Any discussion? All in favor of waiving publication, please say aye. Opposed? Two no votes. Mrs. Maihock on waiving publication and Ms. Summerville.

MS. SUMMERVILLE: I would like the record to show that the reason I voted no on waiving publication because I think this is a serious matter and the entire public should be informed of it. I cannot be sure that there is only one person that is affected in this entire City. I think it is only fair that we allow the entire City to be aware of it so that it would be fair for all if there should be anyone else for this particular item.

PRESIDENT SANTY: We have now waived publication. Mr. Conti, do you want to make a motion to approve?

MR. CONTI: I so move.

PRESIDENT SANTY: A motion has been made to approve the ordinance concerning Public Act #82-318 which provides additional property tax exemption for qualifying disabled veterans. There is a Second to that. Any discussion? No discussion. We're going to use the machine for a vote. Has everyone voted? The ordinance has been APPROVED 29 yes, and 4 abstaining.

- (3) ACCESS EASEMENT AND MAINTENANCE AGREEMENT - submitted by Mayor Louis A. Clapes 2/14/83 - between the City of Stamford and Holiday Inns, Inc., to provide ingress and egress to Holiday Inn Site across parkland, in exchange for park improvements not to exceed \$25,000 and park maintenance not to exceed \$2,000 per year, to be provided by Holiday Inns, Inc. Planning Board approved 2/9/83. Held in Committee 4/4/83.

HELD IN COMMITTEE

MR. CONTI: This is being held for clarification with a vote of 6 - 0 by the Committee.

LEGISLATIVE AND RULES COMMITTEE: (Continued)

- (4) FOR PUBLICATION - PROPOSED ORDINANCE SUPPLEMENTAL AMENDING CHAPTER 10, SECTION 13 OF THE CODE OF ORDINANCE, AND ORDINANCE #246 SUPPLEMENTAL CONCERNING SETTING A MAXIMUM FINE FOR PERSONS WHO VIOLATE THE PROVISIONS OF CHAPTER 10. Text to be furnished by Health Department. Submitted by Rep. John Zelinski 2/22/83. Held in Committee 3/21/83.

HELD IN COMMITTEE

MR. CONTI: This is also being held by a vote of 6 - 0.

- (5) REQUEST FROM REP. JOHN ZELINSKI 3/24/83 - "THE CODIFICATION OF THE CODE OF ORDINANCES OF THE CITY OF STAMFORD."

HELD IN COMMITTEE

MR. CONTI: The Committee set-up a sub-committee of two which is Mr. Zelinski and Mrs. Maihock. They are going to be working on this and report back to the Committee.

PRESIDENT SANTY: Item 5 is being held.

MR. CONTI: Yes.

- (6) FOR PUBLICATION - PROPOSED ORDINANCE SUPPLEMENTAL - MAYOR LOUIS CLAPES' REQUEST TO GIVE FOR \$1.00, CITY-OWNED PROPERTY (SOUTHWEST CORNER OF WEST MAIN STREET AND GREENWICH AVENUE) TO NEW NEIGHBORHOODS, INC. (URC returned portion of this land to City as no longer needed.) Dwelling units to be sold for approx. \$60,000.00 each. Mayor's letter 4/8/83. Single-family, owner-occupied housing to be provided.

MR. CONTI: This was passed unanimously with a vote of 6 - 0, and I so move.

PRESIDENT SANTY: A motion has been made. Is there a Second to that? Seconded. For publication, the proposed ordinance request to give a \$1.00 for City-owned property at the southwest corner of West Main Street and Greenwich Avenue to New Neighborhoods, Inc. Discussion?

MR. ZELINSKI: Yes, thank you very much, Madam President. For any of these Representatives who happened to see the April 26th Advocate pertaining to the Committee meeting, it did erroneously state that the New Neighborhoods wanted to and I'm quoting from the paper, "Skirt requirements to post legal notice of the sale so they can start work on the townhouses as quickly, and that the Committee, however, recommended that legal notices be posted and a public hearing be heard on the sale before the full Board votes on it later this year." For the record, the Committee did not vote to have a public hearing on this, and hopefully, we will be voting for final adoption at the June meeting; not later on this year as specified, and also New Neighborhoods did not say that they wanted to skirt any issue on this requirement. They just specified because of the time-element that was involved with Community Development being the ones that were supposed to draft legal requirements and the ordinance in this case, we're sort of behind on this, and that they did want to begin work on it, and I would hope that the full Board would vote on this, and, again, I just wanted that clarified if they read that in the paper. Thank you.

LEGISLATIVE AND RULES COMMITTEE: (Continued)

PRESIDENT SANTY: Bear in mind, we are discussing publication of this ordinance.

MR. JACHIMCZYK: Madam President, I move the question.

PRESIDENT SANTY: A motion has been made and Seconded to move the question. All in favor of moving the question, the question is on publication of this ordinance, please say aye. Opposed? We're going to move the question which is on publication. All in favor of the publication of this ordinance, please say aye. Opposed? No votes, please raise your hands. PASSED UNANIMOUSLY by a voice vote except for Mrs. Conti who votes no, and Mrs. Perillo who votes no for publication.

- (7) FOR PUBLICATION - PROPOSED ORDINANCE SUPPLEMENTAL - GOVERNING THE DEMOLITION OF HAZARDOUS BUILDINGS: CREATION OF DEMOLITION BOARD AND ESTABLISHMENT OF RELOCATION/DEMOLITION FUNDS - per Mayor Clapes' letter 4/12/83, or contact Robert Johnson, Asst. SCDP Director.

HELD IN COMMITTEE

MR. CONTI: It was voted 6 - 0 to hold pending more information on this.

PRESIDENT SANTY: Item 7 is held.

MRS. CONTI: As long as the Committee is holding this, may I ask them to look into an aspect they may not have considered? Would they please find out for us what the cost of this ordinance is going to be to implement so that when they make their report, they can give us that information, too?

PRESIDENT SANTY: Thank you, Mrs. Conti. #7 is being held.

MR. CONTI: Thank you. It's so noted.

- (8) FOR PUBLICATION - PROPOSED ORDINANCE SUPPLEMENTAL (Text to be provided) - LETTER 4/7/83 FROM CORPORATION COUNSEL P. BENEDICT FRASER CONCERNING "HONOR BOXES" BEING PLACED ON PUBLIC STREETS AND SIDEWALKS BY NEWSPAPER VENDORS AND PUBLISHERS.

HELD IN COMMITTEE

MR. CONTI: This also was voted to be held in Committee 6 - 0 until we get more information on it. Thank you.

PRESIDENT SANTY: Thank you, Mr. Conti. #8 is being held.

MR. ZELINSKI: Yes, just for the record, Madam President, Rep. Dudley did telephone me the night prior to the meeting saying that he would be absent due to the illness of his mother. I just wanted that noted. That was the reason he was absent. Thank you.

MR. BLUM: My question is to Mr. Conti in regards to the publication of this particular ordinance, the "honor boxes" being placed on public street and sidewalks, I believe there came out a report about this nation-wide that they are going to make this particular item an illegal matter inasmuch as they have done this in the Capitol of the United States; the U.S.A. paper. On Glenbrook Road along...

LEGISLATIVE AND RULES COMMITTEE: (Continued)

PRESIDENT SANTY: Mr. Blum,...

MR. BLUM: Why is it being held? Let's go through with this publication and get the boxes out.

PRESIDENT SANTY: Mr. Blum, Mr. Conti gave his Committee report. It is being held. He concluded his report. We are now going on to another Committee. Do you want to make a motion to take this out of Committee?

MR. BLUM: It would never pass.

PRESIDENT SANTY: And that concludes the L&R Committee.

MR. CONTI: That concludes my report. Thank you.

PLANNING AND ZONING COMMITTEE - Chairman Donald Donahue

- (1) REFERRAL OF ZONING BOARD ACTION DENYING APPLICATION 82-027 MIRACLE FAITH OUTREACH, INC. TO CHANGE ZONE OF PROPERTY LOCATED AT HOPE STREET AND HOWES AVENUE, FROM R-7½ TO R-5, pursuant to Section 552.3 of the Charter; also Section 550. Received at Board office 3/25/83 3:00 p.m. Miracle Faith filed appeal with Zoning Board 3/17/83.

This item was considered under Suspension of the Rules earlier on the Agenda. See page 6 of the Minutes. Item defeated by a vote of 7 yes, 27 no, and 1 abstention.

- (2) REQUEST FOR APPROVAL OF PROPOSED RESOLUTION CONCERNING A NOTICE OF INTENTION TO DISCONTINUE PORTIONS OF NORTH STATE STREET AND HILL STREET IN ORDER THAT AN ORDINANCE MAY BE SUBSEQUENTLY ADOPTED TO ENABLE ELM STREET CORPORATION (GENERAL REINSURANCE COMPANY) TO PURCHASE SAME FOR \$507,744.00 VIA QUIT CLAIM DEED, per letter 3/8/83 from Richard J. Tobin, Esq., Cummings & Lockwood, Attys.; also 2/4/83 letter from James Ford, Traffic & Parking Director, stating "General Reinsurance has agreed to undertake substantial off-site traffic control improvement work which is estimated to cost in excess of \$500,000.00." (Chapter 64 provisions apply)

MR. DONAHUE: The sum in there is not accurate. It's closer to \$600,000, I have the exact sum here.

PRESIDENT SANTY: You want to give us the exact sum?

MR. DONAHUE: \$599,362.00. It comes to about \$32.00 a square foot. (Note: Correct figure is \$599,360)

PRESIDENT SANTY: That's \$599,362.00. Are you moving for adoption of this resolution? (Note: Correct figure is \$599,360.00)

MR. DONAHUE: I'd like to explain some of the background of this. This resolution shows an intention to discontinue Hill Street and a portion of North State Street as City streets. The resolution only begins a process which may eventually lead to these streets becoming the property of the only adjoining non-public property owner which is General Reinsurance and is referred to as Elm Street Corporation.

PLANNING AND ZONING COMMITTEE: (Continued)

MR. DONAHUE: (continuing) Upon passage of the resolution, the Mayor is directed to cause a report to be made to this Board as to whether this is an appropriate action for this Board to take. These streets will next be abandoned by ordinance, and publication and a public hearing will occur before final adoption. If the Board finally approves the ordinance and the subject properties are transferred, the City will receive the sum named before, \$599,360, which is the going rate for property sale in the downtown area.

With this in mind, and with the knowledge that a cul-de-sac will be created on North State Street, creating an island of City-owned property bordered by State-owned property, and property owned by General Reinsurance, with a vote of 5 in favor and zero opposed, and 1 absention, the Planning and Zoning Committee recommends passage of the resolution and I so move.

PRESIDENT SANTY: There's a Second to that. Discussion?

MR. BLUM: This North State Street, many people that I know travel this way to get to Elm. As far as Hill Street is concerned, it no longer exists. There was one house there that was torn down. The street itself doesn't exist because the building already is being put on the entire Hill Street. The problem of North State Street is a problem that the State Traffic or the State's Transportation does not want an outlet from Clark's Hill Avenue into this area because the ramp coming down from the turnpike. So, it's a foregoing conclusion, <sup>that</sup> North State Street and Hill Street already belong to General Reinsurance; it's just a matter of a formality here.

I do want to state this. There are many times that they put a gate or a fence across this, and I complained to the Public Works and I complained to the Traffic Department that this land does not belong to General Reinsurance and this fence was knockdown many times because they have already assumed that this property already belongs to them. Hill Street, forget about; it doesn't exist anymore. It now has the foundation of the General Reinsurance on Hill Street. So, what can I tell you? That's the same thing with the hotel across the street. That little property, they took that for granted and took the property prior to even paying a dime for it.

PRESIDENT SANTY: Thank you, Mr. Blum.

MRS. MAIHOCK: Through you, Madam Chairman to Mr. Donahue, please. I would like to know how would this impact on traffic flow in that area? That seems to be a very busy area. Secondly, there is a letter mentioned from James Ford, Traffic and Parking Director, what did he say about the impact on the traffic, if anything?

MR. DONAHUE: A cul-de-sac will be created on North State Street. This is an agreement between the State and the City. It's a foregoing conclusion as Mr. Blum has said that this will occur one way or another. The Traffic Department was represented at our Committee and they concur that this is the best way to solve the situation over there. As part of the requirements of General Reinsurance, they will have to spend some money also on traffic signalization to complete this project. This has all been agreed to with the Traffic Department.

PLANNING AND ZONING COMMITTEE: (Continued)

MS. SUMMERVILLE: I say enough is enough. We have given streets downtown to big business over and over again. We're coming here with proposals for planning and zoning and trying to correct some of our problems that have been done in the past, and we continue to make excuses. We've given away a portion of Main Street. We've given away streets that were in the Urban Renewal Quadrant that these large corporations are sitting-on, and when I say, "enough is enough," I sometimes wonder the rationale behind some of these committees. On one hand they are saying the traffic, traffic, and on the other hand, they are saying, "It's fine because it's downtown." You say, "It is already done," I say it can be undone, and I say to General Reinsurance, "open that street." I, myself, travel that road in my work and I find it blocked-off just like Mr. Blum said. What are we sitting here for; just to ignore this Board; to continue just because they want to build a monstrosity down there, and they figure they want somemore land so who cares? It's only the Board of Representatives. I say vote no on this issue.

MR. OWENS: Thank you, Madam President. I, too, am very opposed to the closing of this street entirely; to General Reinsurance, to anyone else that comes in this City because, personally, I use that particular street, and I'm quite sure the residents in that area and businesses, especially, like Ramada Inn, people leaving there would probably use that if it is a thoroughfare at this point. I also have been very opposed to Main Street being completely wiped-out the way it is. Why should people always have to go out of their way to get someplace because we want to put up buildings over our streets? If we want to do that, why don't we pass a City ordinance thereby giving rights, aerial rights to some of these buildings, and in that way, we can still pass under with no headache in mind. I would like the other members of this Board to vote this down. I think it is disgusting.

MR. WIDER: Thank you, Madam Chairman. I heard Mr. Donahue allude what the State has done. May I remind Mr. Donahue that I have all the plans that the State did. I served at those hearings and on the committee to plan bringing the turnpike through Stamford, and that was not one of the recommendations of the State; to eliminate North State Street. As a matter of fact, North State Street was the by-product of the Turnpike; to bring you down to the City of Stamford around the edges of the Turnpike. So, what has happened here, the General Reinsurance Company got to the people with the dollars, and they are not only buying the people, they are buying our street, too, and I really oppose this.

I have a lot of people who live over in that area who use that street to go to work, that go to the railroad station, and so forth. Why are we going to eliminate that when we have no entry to the Turnpike until you get downtown? You're eliminating the only near route. I think this is outrageous, and frankly speaking, I don't know what I will have to organize, but there may be some organizations with taxpayers that if we are going to inconvenience them, I don't think they should pay taxes for it. Thank you.

PLANNING AND ZONING COMMITTEE: (Continued)

MR. WHITE: Thank you, Madam President. I wouldn't be opposed to turning over these street, Madam President, if, in fact, we could get from General Reinsurance their promise that they would landscape all the vacant area that's turned over to them plus the area not, in fact, used by the present plans of the building. The building itself is an architectural monstrosity. It really is. General Reinsurance did not do us very much of a favor by putting up that sort of a building. It really is a wretched situation. Of course, it is a reflection to the fact that we don't have an architectural review board, and it a reflection to the fact that we have zoned the town very, very badly, and we still have not yet redone our land use boards yet, and we're going to get this sort of thing until we do. I wouldn't be opposed to turning these streets over, if, in fact, we could illicit, probably extract would be a better term, from General Reinsurance Corporation, their promise that all the vacant land they get from the City, plus all the land not, in fact, taken by the building that presently is, in fact, planned, that they would landscape the grass and trees; this whole area, and that might give a much more pleasing and ascetic quality of life aspect to the whole situation.

General Reinsurance went down to Greenwich, built on the waterfront, built a monstrosity down there, milked that, and then took off out of there; came up here to Stamford, of course. And, incidently, they still have not sold the building down in Greenwich. They are probably going to rent that out so they make money all the way around. I would say that the best thing that we should do, I think, is if we can get from them, the promise among other things to landscape the area, at least, that will give some sort of a half-way rational setting downtown. Thank you.

MR. JACHIMCZYK: I'm in favor of this resolution for the fact that it will bring about a public hearing on this issue. It will give the people a chance to talk out against this matter. I'm opposed to it because I think this is another example, as Mr. Wider and Mr. Owens pointed out, the haphazard planning that is going on in this City where a building is being constructed, and then all of a sudden, they realize that in order to complete the building, they have to do something either in violation of the zoning laws or taking over streets, otherwise, the building can't be completed. I really think that we should pass this resolution just for the fact that we could have a public hearing, and let the people come out and really express themselves and say to other City officials how fed-up they are with this haphazard and ridiculous planning we have in this town.

MRS. GERSHMAN: I have two questions. I would like to know whose district this property is in, and if they have not already spoken, what are their recommendations? The two Representatives.

PRESIDENT SANTY: The two Representatives have spoken. Mr. Dudley is out ill, but Ms. Summerville has spoken for the Representative.

MRS. GERSHMAN: And does Mr. Dudley concur with Ms. Summerville?

MRS. SUMMERVILLE: Absolutely.

MRS. GERSHMAN: Thank you.

PLANNING AND ZONING COMMITTEE: (Continued)

MR. DONAHUE: I'd like to clarify a few things. #1, this only begins a process which would bring a public hearing about. Questions about what our obligations are to close North State Street should be answered, and this would give members of the Board the opportunity to find that out. It is my understanding that it is an agreement between the State and City not brought about by the original planning for the Thruway, but brought about instead by realignment of exits 7 and 8.

No one is giving anything to anybody. We have been asked to sell these properties for a some of almost \$600,000.00 including the request to discontinue North State Street or a portion of that Street and Hill Street. The City also ask that other parcels not included in the General Reinsurance petition be included and General Reinsurance has agreed to purchase those properties at the same cost of approximately, as I say, \$32.00 a square foot.

We're being asked to begin the process. Publication of an ordinance will occur, but the Mayor must issue a report; that's the only thing we're being asked to do tonight. I think it's in our best interest that we pass this resolution, show that intent and see what that report says before we make a judgement on something that's at least another month in the offing.

MRS. CONTI: I would like to ask a question. If we don't pass this resolution, does that mean that this street will remain open to traffic permanently?

PRESIDENT SANTY: Mr. Donahue.

MR. DONAHUE: No, it does not.

PRESIDENT SANTY: Does that answer your question, Mrs. Conti?

MRS. CONTI: Could we have some explanation because there seems to be a difference of opinion here?

MR. DONAHUE: As I already stated a number of times, there's an agreement between the City and the State of Connecticut that North State Street will be dead-ended before it crosses Elm Street. The agreement has to do with the realignment of exits 7 and 8, dating back a couple of years.

PRESIDENT SANTY: Mrs. Conti, are you finished with your questioning?

MRS. CONTI: Perhaps, Mr. Donahue could make available to the Representatives from this District, the information on this because there seems to be some vast misunderstanding.

MR. GAIPA: 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, please say aye. Opposed? The no votes, please raise your hands. The Chair is in doubt. We'll have to use the machine.

PLANNING AND ZONING COMMITTEE: (Continued)

PRESIDENT SANTY: (continuing) Please use the machine to move the question. We're voting on moving the question which is on the adoption of the proposed resolution considering the intention to discontinue portions of North State Street and Hill Street. We are voting on moving the question only. Has everyone voted?

Mr. Flounders has left. Mr. Livingston has left. Mr. Tarzia has left. We have 31 members present. We need 21 votes.

The motion to move the question has PASSED 21 affirmative, and 9 negative. We are moving the question and that is on the adoption of the proposed resolution as discussed. We will now use the machine for a vote. Has everyone voted? The resolution has been ADOPTED 22 yes, 5 no, and 2 abstaining.

MR. DONAHUE: That concludes the report of Planning and Zoning.

PERSONNEL COMMITTEE - Chairman Philip Stork

MR. STORK: Thank you, Madam President. The Personnel Committee met on Wednesday night, April 27th, at 8:00 p.m. in the Republican Caucus Room. Members of the Committee in attendance were Reps. Dziezyc, Gaipa, Gershman, Dixon, Jachimczyk, and myself. Rep. Dudley was excused.

- (1) 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 3/7/83, 4/4/83.

HELD IN COMMITTEE

MR. STORK: Correspondence has been completed on item #1. However, new questions have been generated by the Committee and we will have Finance Commissioner Marra at our next meeting for a presentation. He has already called me to agree to appear at our next meeting. The vote was 5 in favor and none against and one abstaining to hold this item.

PRESIDENT SANTY: #1 was held.

- (2) FOR FINAL ADOPTION - 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. Approved 3/7/83 for publication and public hearing. Held in Committee 3/21/83.

MR. STORK: Item #2 was held by a vote of 6 in favor and none against due to the fact that the Corporation Counsel has not yet rendered his legal opinion.

PRESIDENT SANTY: #2 is held. Mr. DeLuca, do you have a question?

MR. DeLUCA: Is it permissible to make a motion on this item now?

PRESIDENT SANTY: Yes. Did you finish with item #2? Do you want to give the full Committee report?

MR. STORK: Yes, the vote was 6 to 0 to hold.

PERSONNEL COMMITTEE: (Continued)

PRESIDENT SANTY: The vote was 6 to 0 to hold #2.

MR. DeLUCA: I'd like to make a motion at this time, to take this item out of Committee and bring it up for a vote this evening.

PRESIDENT SANTY: Is there a Second to that Motion? Several Seconds. Item #1 is held, Mr. Wider, and item #2 which was being held by the Committee, but Mr. DeLuca has made a motion to bring it out of Committee and it has been moved and Seconded.

MR. DeLUCA: I believe this is an important item and should be acted upon this evening. I realize that the Corporation Counsel did not render an opinion or did not review the ordinance that was sent to them approximately two months ago. However, at a April 18th meeting in the Mayor's office, I asked the Corporation Counsel if he had a chance to review the ordinance which was submitted to him. He responded that he needed another month. However, he did say that it would be permissible if we wanted to finalize this ordinance, and at a later date, when he had time to review the ordinance as presented if adopted this evening, he may or may not make changes. If changes were necessary, he would make the changes and resubmit it to this Board for amendments. I feel that the repeal of ordinance #319 is important for many reasons. If members of this Board have been reading the Minutes of the Personnel Commission, you will notice many items that have an impact upon our tax rate. An example would be the February 24, 1983 Personnel Commission meeting, where it was voted to increase the salaries of the Registrars of Voters included as part of non-union management (tape not very clear) which is also to include the police and fire chiefs as well as their deputies. These people were never a part of the non-union management group to begin with, and shouldn't be.

On March 30, 1983, the Personnel Commission granted approval to hire the Commission on Aging Executive Director at grade A-10-5 instead of A-10-4.

April 22, 1982, the Personnel Commission Meeting Minutes granted approval to create two new positions in the Health Department. Things like these which are approved end up in the budget year after year and never get knocked-out of the budget, and the tax rate keeps going up because of inflated reclassifications and positions being created.

Another item which really concerns me is that fact that coming before the Board of Finance, under Ordinance 319, is a request from the Planning Board to utilize \$5,874.00 of the Planning Board funds for the purpose of bringing into the Classified service, the position of a Senior Neighborhood Planner. Mind you, this is a position that is formerly funded by Community Development Program. This is a position that we deleted in our budget deliberations last year. Now, the Planning Board is more or less using the back door since they got funds, since the Community Development no longer has funds for this position, now we have a chance to bring this woman as a Classified position. I can go on to mention other items in the Minutes of the Personnel Commission. I feel that it is mandatory for us to approve this ordinance this evening to put a stop-gap for all future actions of this type. Therefore, I would urge this Board this evening to adopt this ordinance and when our Corporation Counsel Ben Fraser does have time to review the ordinance that he has, we can go back and make the amendments that are required. In the meantime, something has to be done whereby the Board of Representatives has approval because this does have an impact.

PERSONNEL COMMITTEE: (Continued)

PRESIDENT SANTY: Mr. DeLuca, the motion is to bring this out of Committee and that's what we are discussing now. To bring this out of Committee.

MR. ZELINSKI: I Second the motion.

PRESIDENT SANTY: It has been Seconded. We're discussing it now. My question, Mr. Stork, has this ordinance been published at all?

MR. STORK: No, not to my knowledge.

PRESIDENT SANTY: When was it published, Mr. DeLuca?

MR. DeLUCA: March 12, 1983. I have the ordinance right here.

PRESIDENT SANTY: It was published March 12, 1983. Fine. The motion is to take this out of Committee. The date of the ordinance that we should have received is 2/2/83. We should all have had it.

MRS. CONTI: Thank you, Madam President. I am confused about this ordinance. I sympathize with Mr. DeLuca's efforts and the goal he's trying to reach, but as I read this, we are to get all the transfers that now go only to the Finance Board? Is that correct?

MR. DeLUCA: Yes, transfers or any inter-personnel that the Personnel Commission approves. In other words, what has happened, department heads are going before the Personnel Commission, saying, "I want to reclassify John Doe two steps, or I want to create a position." Any of these here come before the Board of Representatives for approval. It is automatically done at the wishes of the Personnel Commission who votes for the reclassifications, votes for the creation of these positions, and a year later when we get the budget books, we see new positions in the book. I feel that, especially, like in the case of this Neighborhood Planner which we knocked-out of the budget last year, and now they are coming in to make this a classified position.

MRS. CONTI: Excuse me. Again, are we prohibited by the Charter from acting on these transfers?

MR. DeLUCA: Yes, we are. That's one of these that was submitted to the Charter Revision Commission that if the Board of Finance wasn't dissolved, that the Board of Representatives should have the final say on all kinds of transfers within operating expense accounts. Right now, they do not have that provision. At the present time, we have Ordinance 319.

MR. ZELINSKI: Yes, thank you. Just to maybe clarify Rep. Betty Conti's question to Rep. DeLuca, providing it does specify in the Code of Ordinances which is also our laws, I don't believe it would be any type of a conflict even though it doesn't specifically specify in the Charter that we can do it, but also does not prohibit us from doing it. So, if Rep. DeLuca's motion passes, I will interpret that as not doing anything illegal. I am thinking on the matters that I would wholeheartedly support Rep. DeLuca's motion not only to take it out of Committee, but vote for final adoption. Right now, the Law Department has a situation before them whereby the assistants and one of the Deputy Corporation Counsels are suing the other Deputy Corporation Counsel because of a situation that Rep. DeLuca alluded to whereby the Personnel Commission did upgrade the one Deputy Corporation Counsel, Mr. Boodman, and not some of the other ones. Consequently, I think that this ordinance that Rep. DeLuca is trying to pass were in place, that maybe that

PERSONNEL COMMITTEE: (Continued)

MR. ZELINSKI: (continuing) could have been prevented, and rather than have the other lawyers have to take this to a Court of Law. So, I would hope that this would come out of Committee, and we would vote in favor of it. Thank you, Madam President.

PRESIDENT SANTY: To remind the members, the motion on the Floor is to take this item out of Committee. There are 29 members present. Mrs. Hawe has left the meeting and Ms. Summerville has left the meeting.

MR. BLUM: Thank you, Madam Chairman. I wholeheartedly agree with Mr. DeLuca because this is what we have been fighting about for two or three years ago. And what it is, is the Merit Rules. The Merit Rules allow the department heads to go in and ask for a change in classification. They change them from clerk-typist II to clerk-typist I to secretary, and let me tell you what happens; the big concern. The big concern is now they get to the higher rate without our approval, and then a contract comes through, and they get 5 or 8% of the higher rate. Now, think of that and that is something that has been going on all the time as long as when I was in the Personnel Committee and we questioned it at that time, and nothing was done about it. I agree with Rep. DeLuca. It's time that we do something about it.

MR. STORK: Thank you. I just thought I should explain the rationale from the Committee's point-of-view as to why it was held. I had explained to the Committee Mr. DeLuca's request that we proceed forward on this item, however, the Committee felt as a whole that it was kind of a improper procedure to go ahead when we had a Corporation Counsel opinion pending. That is from the Committee's point-of-view. From a personal point-of-view, I do agree with Mr. DeLuca that the quicker we move on this item, the better. I'm certainly aware as most of us are, the expensive decisions that the Personnel Commission renders on a month to month basis, and Mr. DeLuca, I can be persuaded to change my mind. Thank you.

MR. BOCCUZZI: I would also like to agree with Mr. DeLuca. This has been a problem that I have been working on with Mr. DeLuca. The reason that I think that we have to do something is that what happens, this goes back to maybe what Mrs. Conti was asking. The department head goes in looking for an upgrade and they have the money in their salary account to pay for this fiscal year. This Board never sees it. We will only see it at the next budget where that increase will be already locked-in. One situation that comes to mind is when the Welfare Commission was in looking for some money for a Field Worker or something, and they needed the money for the salary and we appropriated it. Within about 10 days or two weeks later, they were before the Personnel Commission and I believe they got the Welfare Director a \$9,000 plus raise. They never came to us. They had the money all the while. This is what Mr. DeLuca and I get upset about. First you come in looking for a few dollars for a Field Worker, and then you turnaround and give a \$9,000 plus raise and you don't even come down to us. You already have the money somewhere in your salary account. I think this is the problem that we are trying to put our finger on and control. It is going to mean a lot more work for the Board, there's no doubt in my mind, but in the long run, it will be something that we will control and the taxpayers will benefit by.

PERSONNEL COMMITTEE: (Continued)

MR. BOCCUZZI: (continuing) You know what happens; comes budget time, you take a few dollars out of the salary account because you are mad that somebody got an increase during the year and you didn't have anything to do with it. That person keeps his increase or her increase, stays on the job and the last fellow that was hired gets laid-off because now they are \$5,000 short in their salary account. I don't think this is fair to the bottom of the pay scale. I think that if we repeal this and put forth the new ordinance, I think at least if we have to blame somebody for something, it is going to be ourselves, and I think that we should have the right to vote on it first.

MR. ZELINSKI: Madam President, point of information.

PRESIDENT SANTY: Yes, Mr. Zelinski.

MR. ZELINSKI: We haven't got 21 people on the Floor.

PRESIDENT SANTY: Members, please take your seats. We only have 29 members present, so we'll need 21 here all the time. The motion before us is to take it out of Committee. We're not voting the merits of ordinance. We're just voting on taking it out of Committee.

MRS. MAIHOCK: Through you, Madam Chairman to Mr. DeLuca, I am certainly in favor of the improvements which would occur from Mr. DeLuca's suggestions, but, Mr. DeLuca, if it is prohibited by the Charter, I don't see how we can legally proceed.

MR. DeLUCA: It is not prohibited by the Charter. It's by the Merit Rules itself; not by the Charter. We have an Ordinance 319 which we are just trying to repeal the ordinance, and this ordinance here will make it stronger whereby we have the input; final say on it.

PRESIDENT SANTY: No other speakers, we are going to move right to a machine vote. The vote is on taking this item out of Committee, the ordinance deleting Ordinance 319 and substituting a new ordinance in its stead concerning salaries and compensation of employees. We're voting on taking it out of Committee. Please vote. Use your machine. Has everyone voted? There should be 29 people voting. Just a majority to take it out of Committee. The motion to take out of Committee has PASSED 19 affirmative, 6 negative and 1 abstaining.

Mr. DeLuca, do you want to move now for final adoption?

MR. DeLUCA: I'd like to move now for final adoption of this ordinance.

PRESIDENT SANTY: Is there a Second? Seconded. Any discussion? No speakers; we don't have to move the question. I would ask everyone to take their seats. We need 21 votes for this ordinance. We are now voting on final adoption of proposed ordinance deleting 319 and substituting new ordinance in its stead concerning salaries and compensation of employees. We received this 2/2/83 in the mail. Please use your machine for a vote. If you approve the ordinance, vote yes. If you do not, vote no. Has everyone voted? Mr. Blais, what does your vote record? And what did you want it to say?

MR. BLAIS: Yes.

PERSONNEL COMMITTEE: (Continued)

PRESIDENT SANTY: Yes. Mr. Blais, what is your number? 34. The ordinance has been adopted 25 affirmative and 1 negative. I will repeat the vote right. We changed Mr. Blais' vote; it's 25 affirmative, no negative. PASSED UNANIMOUSLY by those voting.

MR. DeLUCA: I wish to thank everyone.

- (3) FOR PUBLICATION - PROPOSED ORDINANCE SUPPLEMENTAL "CONCERNING A PENSION PROVIDED BY THE CITY OF STAMFORD TO LOUIS A. CLAPES" - submitted by Mayor Louis A. Clapes 4/12/83.

MR. STORK: Thank you, Madam President. Our Committee was prepared to move forward on this item and make a recommendation tonight, however, everybody has on their desk, a letter from the Mayor stating that he is withdrawing his request for a pension so our report on this item would now be boot.

PRESIDENT SANTY: Thank you, Mr. Stork. Item #3 is off the Agenda.

- (4) REQUEST FROM REP. 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.

HELD IN COMMITTEE

MR. STORK: Our Committee has finally had all of its correspondence answered. The Committee voted 6 in favor and none opposed to hold, and in the meantime, request the Benefits Manager to draft a resolution incorporating freeze guidelines and we should have some further report on this next month. And that concludes the report of the Personnel Committee.

SPECIAL COMMITTEESHOUSE COMMITTEE - Chairman Gerald Rybnick

PRESIDENT SANTY: There is no report from the House Committee except to remind all the members before leaving tonight, to clean-up their desks and help with the cleaning-up of the Caucus Rooms.

COLISEUM AUTHORITY LIAISON COMMITTEE - Chairwoman Elizabeth Gershman

MRS. GERSHMAN: I believe the report was essentially made before, but I will give a final report to the Administrative Assistant for the Minutes unless you want me to read it now?

PRESIDENT SANTY: I don't think so. Thank you, Mrs. Gershman.

Note: Coliseum Authority Liaison Committee report for May 2, 1983 as submitted by Elizabeth G. Gershman, Chairman, as follows:

COLISEUM AUTHORITY LIAISON COMMITTEE: (Continued)

"The Coliseum Authority Liaison Committee met on Monday, April 25, at 7:00 p.m. in the Personnel Examination Room, Municipal Office Building, Stamford, CT. Present were Chairman Elizabeth Gershman, and members John Hogan, Betty Conti, Gabe DeLuca and John Zelinski. David Blum was absent.

"The discussion of the three items on the agenda, as second committee on these items to Fiscal, has already been shared with the Board earlier in the meeting. The votes were 4-1, 1 absent on item #1, \$4350 for the Stamford Festival of the Arts; Unanimous to hold item #2, 850,000 amendment to Capital Projects for the Stamford Center for the Arts; and 3, Unanimous to hold, Stamford Center for the Arts National Endowment for the Arts Test Grant. /s/ Elizabeth G. Gershman, Chairman."

LABOR CONTRACTS LIAISON COMMITTEE - Co-Chairperson John Boccuzzi & Barbara McInerney

- (1) THE MATTER OF UNLIMITED SICK LEAVE FOR NON-UNION ADMINISTRATORS: AND THE MATTER OF NECESSARY ADJUSTMENTS TO LIBERAL VACATION LEAVE to be examined and considered - submitted by Robert "Gabe" DeLuca 3/15/83. Held in Committee 4/4/83.

MR. BOCCUZZI: I believe everybody has a report on their desks. If there are any questions, I will try to answer them. (Report attached to Minutes)

PRESIDENT SANTY: I think we all received a copy of that report, and we thank you. It's a good report, Mr. Boccuzzi and Mrs. McInerney, and the Committee.

PETITIONS - NONERESOLUTIONS

- (1) PROPOSED RESOLUTION RE POLISH HERITAGE WEEK - submitted by Rep. John Zelinski 4/13/83.

PRESIDENT SANTY: Mr. Zelinski, do you want to move for adoption of #1.

MR. ZELINSKI: Yes, I so move. Everyone has it. I don't have to read it.

PRESIDENT SANTY: It's a proposed resolution regarding Polish Heritage Weeks. It's been moved and Seconded. All in favor of adopting this resolution, please say aye. Opposed? PASSED UNANIMOUSLY.

- (2) PROPOSED RESOLUTION HONORING DON RUSSELL - submitted by Rep. Joh Zelinski 4/13/83.

MR. ZELINSKI: I would like to move that the second resolution honoring Don Russell also be moved. Thank you.

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

RESOLUTIONS: (Continued)

MR. BLUM: I'd just like to ask Mr. Zelinski, why he's making this resolution, at this time, when Mr. Don Russell received this honor quite a few months ago, or a month ago?

MR. ZELINSKI: If I may, Madam President. Thank you, Madam President. Yes, I can answer that: #1, unfortunately, I did not find out about it until after the last meeting, and secondly, Mr. Russell is one of my good constituents, and I'd like to honor him. Thank you.

PRESIDENT SANTY: Thank you. All in favor of adopting this resolution, please say aye. Opposed? PASSED UNANIMOUSLY.

- (3) PROPOSED RESOLUTION OPPOSING THE WITHHOLDING OF TAXES FROM THE INTEREST EARNED ON DIVIDENDS BY STAMFORD CITIZENS ON THEIR SAVINGS - submitted by Rep. John Zelinski 4/18/83.

MR. ZELINSKI: Item #3, and I so move.

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

MR. BLAIS: I think that this issue has already been resolved by the Congress of the United States, and that this resolution, at this time, would be untimely.

MR. DZIEZYC: Not yet, because the House of Representatives didn't pass it.

MR. ZELINSKI: Yes, Rep. Blais is partially correct. The United States Senate has voted on a resolution by a Senator from Wisconsin to hold until 1986. However, I spoke to Congressman McKinney's office today, and was informed that they will be voting, the House will be voting out of their Committee on this, on June 2nd, so this is pertinent that we vote on this tonight, and I would hope that we get this passed. Thank you.

PRESIDENT SANTY: We need 21 people on this Floor. Please take your seats. The Agenda is almost completed. You're now speaking to the 3rd resolution.

MR. BLUM: I intend to vote no against this resolution because for the simple reason, they're not exactly after that little person who might have even \$10,000 in the bank who declares, who is honest enough to declare his interest; they are after the big guy who finds shelter not to declare his interest on dividends. Believe me, they withhold my tax on my wages, I don't see why they can't withhold the interests and dividends of some of those who look for shelters, and I intend to vote against this resolution, and I hope it goes down in the Congress.

PRESIDENT SANTY: Take your seats because we are going to put this resolution to a vote.

MR. DeLUCA: 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 which is the adoption of #3 resolution, please say aye. Opposed? Will the no votes please raise their hands. There's not enough. We're going to move the question. The question is on the final adoption of the resolution opposing the withholding of taxes from the interest earned on dividends by Stamford Citizens on their savings.

RESOLUTIONS: (Continued)

PRESIDENT SANTY: (continuing) We're going to use the machine for a vote. If you are in favor of the resolution, vote yes. If not, vote no. Please use your machine. Has everyone voted? The resolution is NOT ADOPTED. The motion has failed by a vote of 13 negative, 11 affirmative. The motion is defeated.

ACCEPTANCE OF THE MINUTESMarch 7, 1983 Regular Board Meeting - HELD

PRESIDENT SANTY: Are there any additions or corrections to the March 7th Minutes as received in the mail?

MR. BOCCUZZI: Madam President, I make a motion that we hold these Minutes due to the fact that all throughout the Minutes, we had a problem with the tape or something. The problem is, Madam President, that I think somebody is going to have to sit down with somebody and try to figure out what's been left out to get properly before us. I think a lot of the discussion that was had, that was pertinent to the vote, is not in there. I think maybe Annie and you, and a few of us could probably sit down and check it out.

PRESIDENT SANTY: A motion has been made to hold the March 7th Minutes because of the difficulty with the tape. A motion has been made and Seconded. I would ask the Representatives to please give your attention; there's a motion to hold the Minutes of March 7th because we did have difficulty with the tape to try to resolve it. All in favor of holding the Minutes, please say aye. Opposed? Minutes are being HELD so we can resolve the tape problem.

April 4, 1983 Regular Board Meeting - NOT READYCOMMUNICATIONS FROM OTHER BOARDS AND INDIVIDUALS - NONE

OLD BUSINESS - NONE

NEW BUSINESS - NONE

ADJOURNMENT

MR. BLAIS: Madam Chairman, I move for adjournment.

PRESIDENT SANTY: Is there a Second for adjournment? Seconded. All in favor of adjourning, please say aye. Meeting adjourned at 12:53 a.m. See you next Tuesday, budget meetings.

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

APPROVED:

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

MAY 2, 1983 REGULAR MEETING  
ATTENDANCE ROSTER; 35 Present;  
5 Absent (Dudley, Goldstein,  
Hogan, Rybnick, Signore)

**STAMFORD BOARD OF REPRESENTATIVES**

05/02/83 20:53:03

NUMBER PRESENT = ~~34~~ 35; 5 absent.

Y 1 CONTI B	Y 11 ROOS J	Y 21 LIVINGSTON J	Y 31 ZELINSKI J
Y 2 GURDIAN G	Y 12 DELUCA R	Y 22 BOCCUZZI J	N 32 SIGNORE M J
Y 3 FLOUNDERS B	Y 13 DEGAETANI B	N 23 HOGAN J	N 33 PERILLO A
Y 4 WIDER L	Y 14 CONTI A	Y 24 FRANCHINA J	N 34 BLAIS P
Y 5 SAXE A	Y 15 TARZIA J	Y 25 DZIEZYC P	Y 35 RINALDI M L
Y 6 MCINERNEY B	Y 16 WHITE W	Y 26 BONNER J	N 36 RYBNICK G
Y 7 GERSHMAN E	Y 17 MAIHOCK A	Y 27 DIXON H	Y 37 DONAHUE D
Y 8 OWENS B	Y 18 GAIPA W	N 28 GOLDSTEIN S	Y 38 WIEDERLIGT M
Y 9 JACHIMCZYK D	Y 19 BLUM D	Y 29 PERILLO M	Y 39 HANE M
Y 10 STORK P	Y 20 SUMMERVILLE A	N 30 DUDLEY J	Y 40 SANTY J L

ATTENDANCE CODE: Y = Present  
N = Absent.

Voting Code: Y = Yes  
N = No  
A = Abstain  
- (Dash) = Absent from the Meeting)

**STAMFORD BOARD OF REPRESENTATIVES 05/02/83 21:53:28**

VOTE # 1 YES 16 NO 15 ABSTAIN 0 NOTVOTING 4

Motion to Return to Committee Fiscal #1. APPROVED 16 Yes, 15 No, 4 Non-Voting.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40		
Y	Y	Y	-	Y	Y	Y	-	N	N	N	N	N	Y	N	Y	Y	N	N	Y	-	N	*	N	Y	Y	Y	Y	Y	*	Y	*	N	*	-	N	N	*	N	Y	Y	N

**STAMFORD BOARD OF REPRESENTATIVES 05/02/83 22:15:56**

VOTE # 2 YES 21 NO 12 ABSTAIN 2 NOTVOTING 10

Motion to Approve Fiscal #5: Approved 22 Yes, 11 No, 2 Abstain. (Resolution)

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40		
N	N	Y	Y	N	Y	N	A	Y	N	Y	Y	Y	N	A	N	Y	Y	N	N	N	Y	*	Y	Y	Y	Y	Y	Y	*	N	*	Y	*	Y	Y	Y	*	Y	N	Y	Y

**STAMFORD BOARD OF REPRESENTATIVES 05/02/83 22:37:36**

VOTE # 3 YES 30 NO 4 ABSTAIN 0 NOTVOTING 0

MOTION TO RETURN TO COMMITTEE FISCAL #6; APPROVED 30 Yes, 4 No.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40
Y	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	*	N	Y	Y	Y	*	Y	*	Y	*	Y	Y	Y	*	Y	Y	N	N

**STAMFORD BOARD OF REPRESENTATIVES 05/02/83 23:24:46**

VOTE # 4 YES 29 NO 3 ABSTAIN 0 NOTVOTING 0

MOTION TO APPROVE P&R ITEM #7, AS AMENDED BY GABE DeLUCA; APPROVED, 29 Yes, 3 No.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40		
Y	Y	Y	N	Y	*	Y	Y	N	Y	Y	Y	Y	Y	*	Y	Y	Y	Y	N	Y	*	Y	Y	Y	Y	*	Y	*	Y	*	Y	Y	Y	*	Y	Y	*	Y	Y	*	Y