

MINUTES OF SPECIAL MEETING

MONDAY, AUGUST 29, 1983

17th BOARD OF REPRESENTATIVES

CITY OF STAMFORD, CONNECTICUT

A SPECIAL MEETING of the 17th Board of Representatives of the City of Stamford, Connecticut, was held on MONDAY, AUGUST 29, 1983, pursuant to a "CALL" issued by the President, Jeanne-Lois Santy, under provisions of Section 202 of the Stamford Charter.

The meeting was held in the Legislative Chambers of the Board of Representatives, Second Floor, Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut.

The meeting was called for 8:00 P.M., and the President of the Board, Jeanne-Lois Santy, called the meeting to order at 8:30 P.M.

PRESIDENT SANTY: Please take your seats. Anyone who is not a member of this assembly, please leave the floor. Will the Representatives please take your seats, and right after you take your seats, I am going to ask you to stand and salute the Flag.

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

ROLL CALL: Clerk of the Board ANNIE M. SUMMERVILLE called the attendance roll.

There were 33 present and 7 absent. Absent were Reps. Owens, Tarzia, Blum, Livingston (excused-death in family), Jachimczyk, Hogan (excused-father ill), and Blais.

PRESIDENT SANTY: There being 33 present, and 7 absent, the CHAIR declares a QUORUM.

MACHINE TEST VOTE: President Jeanne-Lois Santy conducted a test of the voting equipment, asking members to vote, in turn, Yes, No, and Abstain. The machine was found to be in good working order.

PRESIDENT SANTY read the "CALL" of the Meeting:

"CALL" OF THE MEETING:

"I, Jeanne-Lois Santy, President of the 17th Board of Representatives of the City of Stamford, Connecticut, pursuant to Section 202 of the Stamford Charter, and Section 3-191 of the General Statutes of the State of Connecticut, as amended, do hereby CALL a SPECIAL MEETING of said Board of Representatives, for:

MONDAY, AUGUST 29, 1983

at 8:00 P.M.

In the Legislative Chambers

Municipal Office Building

Second Floor, 429 Atlantic Street

for the following purpose:

To decide upon a date when the proposed revised Charter changes are to be put before the Electors for approval or disapproval.

(Signed) Jeanne-Lois Santy, President
17th Board of Representatives"

PRESIDENT SANTY: I remind the Board this evening that 21 votes are required, per Section 9-1(n) of the Connecticut General Statutes. First person to speak is Mrs. McInerney.

MRS. McINERNEY: At this time, I would like to introduce a Motion before the Body, and that Motion would be that the Charter Revision ballot proposals appear on the November 8, 1983 election. Seconded.

PRESIDENT SANTY: This is for the regular November 8, 1983 Election. Discussion?

MRS. McINERNEY: It is my feeling that during the course of the last several months, the Charter Revision Commission and the Charter Revision proposals have gotten much press coverage, and are very much aware and available in the light of the voters of this community. I believe that the public hearing that was held earlier this year was probably one of the largest hearings they ever had pertaining to Charter Revision. I think the people understand what is happening; they want to have an opportunity to act on the new government for Stamford for the 1980s and I think the best time for this action is while it is fresh in their minds, which is this November, and I would urge everybody to try to support that date.

MR. DeLUCA: Yes, I would be wholeheartedly in favor of the Nov. 8th date for Charter Revision, and rather than stay here and talk for the next 20 minutes as to why it should be done, and I think it is mandatory that it is done on Nov. 8th. Some comments in the past were that people cannot digest every item that has been changed and they will need a Special Election, or several additional months to read and understand what is going on. I think this is pure hog-wash. The public has been aware of the public hearing, there has been much publicity in the paper. By delaying for a Special Election, all we

MR. DeLUCA (continuing)...are going to do is give Special Interest groups time to act. We will not get a complete turn-out or a full turn-out, as we would have during the Nov. 8, 1983 General Election.

And it would seem to me that some politicians, or people running for office, do not wish to speak on this issue during the November 8th Election, and I believe that they are putting pressure on people to delay. I think it is time that whoever is running for office stands up and is accounted for. Let them speak on the issues and some of the changes being recommended. To delay this beyond November 8, 1983 would be an injustice to the public and to the people, and therefore, I would urge everyone to vote on this this evening so we can get out of here early. It is an item that has received the publicity and it is nothing that should be delayed any further.

MR. DIXON: Madam President, before we go any further, would you please clear up something for me, please? I recall in the last meeting that this Motion was made and it was defeated, this Nov. 8th date was put before the Body by Motion, but it was defeated. It was also ruled at that meeting that, I believe, this Motion cannot come up again. If you would make a ruling, please?

PRESIDENT SANTY: I think we all received a ruling from Corporation Counsel's Office signed by Mr. Hennessey that it is proper to consider it; there was no ruling made at that meeting. I think someone asked for a ruling before this meeting took place, but the meeting was not adjourned to this meeting. This is a Special Meeting called for that purpose, and Corporation Counsel ruled that it was proper to consider the Nov. 8th date, or any other date that we defeated at the last meeting.

MR. BONNER: I believe that the Nov. 8th date is a proper date for voting rather than an alternate date because I believe that it will have greater publicity, greater interest, and greater turn-out, and hence greater majority vote. In addition to that, I believe there will be a savings which I believe will be a bonus of perhaps of savings of \$10,000 to \$20,000.

MR. DIXON: I will pass. Thank you.

PRESIDENT SANTY: I am making you a copy of my ruling and Ms. Summerville will give it to you momentarily.

MR. BOCCUZZI: I Move the Question. Seconded.

PRESIDENT SANTY: All in favor, please say Aye. Opposed? PASSED UNANIMOUSLY. We will now vote on the Nov. 8th date. There is a request for a ROLL CALL VOTE. Those in favor of a Roll Call Vote, please raise your hands. Sufficient. We will have a Roll Call Vote. Will the Tellers please come forward? Mr. Stork and Mr. Wiederlight are ready.

REP. GUROIAN: Madam Chairman, how many votes are needed to pass?

PRESIDENT SANTY: As I said earlier, 21 votes are needed. The Motion is for the proposed Charter changes be put before the electorate on Nov. 8, 1983. If you vote Yes, you are in favor of Nov. 8th. If you vote No, you are opposed to Nov. 8th. Any questions?

MR. DIXON: I just hope I am not out-of-order, but if this goes on the Nov. 8th ballot, will it at that time require a 2/3 I believe something like 15,000, or just a simple majority to approve?

PRESIDENT SANTY: Just a simple majority at the polls, Mr. Dixon. Tonight, we have to have 21 of us voting to have the date set. The Clerk will call the roll call, and please use your microphones. (The Roll Call sheet is attached at the end of these minutes.) This is for Nov. 8, 1983.

FIRST ROLL CALL - The Motion is DEFEATED: 16 Yes, 17 No; (7 absent).

MR. ZELINSKI: At this time I would like to make a Motion, being that the Motion that we just voted on has been defeated and consequently cannot be brought up again this evening, and rather than stay here all evening as some of my colleagues have said earlier during the discussion of the previous Motion, and in that good faith, I would like to make a motion that the Charter Revision recommendations be held at a Special Election on Tuesday, April 17, 1984 and I so Move. Seconded by several.

MR. DONAHUE: Just a Point of Order. A Motion could be made to Re-consider the Nov. 8th date sometime within the course of this meeting by somebody on the Prevailing Side.

PRESIDENT SANTY: I think Mr. Zelinski is aware of that under Robert's Rules. We now have a Motion before us that the proposed Revised Charter changes be put before the electorate on Tuesday, April 17, 1984. Does anyone want to speak to that?

MRS. SAXE: I don't particularly want to speak to that, but I would like to ask Mr. Zelinski how he picked that date?

MR. ZELINSKI: Yes, being it is around income tax time, I felt it would be a good time to bring something up that the voters would be concerned about, getting their deadline and their taxes in by April 15th, so consequently April 17th was the closest to that so I felt it would be a good opportunity to have it at that particular point in time.

MRS. SAXE: Yes, I thank him, and I think that is very good thinking. Now I would like to ask the Leadership on both sides of the aisle, why one is for and one is against putting it on the November ballot?

PRESIDENT SANTY: Mrs. Saxe, I don't think the Leadership has to answer that, just like anyone on the Board does not have to answer that question.

MRS. MAIHOCK: I feel that delaying this very important vote until April would result in the momentum of the issue being lost. The information will not be as fresh in the voters' minds. It is a most important issue. It deserves the most important consideration we can give it.

MR. DZIEZYC: I agree with John Zelinski that we should have a Special Election because if it is that important to change the Charter, I believe that the voters will come out and vote in a Special Election. It has never happened before that we had a Special Election for Charter Revision, so this way, I believe that if the voters want the changes, they will make it a point to come out and then they will vote for or against the issues.

MR. BOCCUZZI: Move the Question. Seconded.

PRESIDENT SANTY: All in favor of Moving the Question, please say Aye. Opposed? PASSED UNANIMOUSLY.

We will now vote on the Tuesday, April 17, 1984. There is a request for a ROLL CALL VOTE. Sufficient hands.

Clerk Annie M. Summerville called the roll.

SECOND ROLL CALL - The Motion is DEFEATED: 20 Yes, 13 No; (7 absent).
Roll Call sheet is attached. For Tuesday, April 17, 1984 Special Election.

MR. ZELINSKI: I would like to ask a question here. When is the date by which we have to decide the date to put the Charter Revision recommendations on a ballot? By what date do we have to set a date?

PRESIDENT SANTY: Well, we have 15 months. The very last date that we can consider this is October 12, 1984. If we wanted it on our regular election, we should have done it tonight because of the time element. It has to be in the Secretary of State's hands by the 23rd, which doesn't give our Town Clerk much time for a Nov. 8th date. We still have to vote on how the questions are going to be on the ballot.

MR. ZELINSKI: Right. Being that is the case, and being practical looking at the numbers, the first vote was 16 in favor of Nov. 8th. Now to re-consider, you will have to get 5 people to change their vote, and I don't believe tonight, and we could stay here until seven o'clock in the morning, and we are not going to have five people change their votes.

I would like to make a Motion that we put the question of the date for the next regular Board of Representatives meeting for, let us say, the agenda has already been set up October, I would say set it up for the November Board of Representatives Regular monthly meeting, and I so Move.

PRESIDENT SANTY: The Chair does not know just what your Motion is, Mr. Zelinski. Will you please write the Motion down?

MR. ZELINSKI: It is very simple. I would like to make a Motion that we put on for the November Regular Board Meeting the question of deciding the date for when the Charter Revision recommendations will be put on the ballot. This way, we can discuss it at a regular Board meeting. I don't want to come back, and I am sure my colleagues do not want to come back for another Special Meeting. We are not going to decide anything tonight. It is quite clear based on the votes. O.K.? Unless we are going to get five ^{more} members who are absent, to come here this evening.

PRESIDENT SANTY: You are making a Motion, Mr. Zelinski, that this Board decide on the date for the proposed Charter changes to be put before the electorate at the regular November meeting of this Board of Representatives. Is there a Second to that Motion? Is there a Second? There is one Second.

MR. DUDLEY: Just very briefly. I believe that the letter from Corporation Counsel, if it was on our Regular Board Meeting, I don't know if you can answer the question or not, if this was part of our Regular Board Meeting, could all dates be re-considered again at that point?

PRESIDENT SANTY: They could be re-considered, but it's too late for the Regular Meeting, but it is too late for the Regular Meeting, but they still could be re-considered. But to be on the Nov. 8th ballot, it would have to be decided tonight.

MR. DUDLEY: That answers one question. Speaking to Mr. Zelinski's Motion, I would have to speak against that Motion. I think at this point, the most important thing evidently, is that it is not going to come on in November, when I want it to be on there, and I think at this point the most important thing is to get it before the voters; and I think we should decide tonight.

MR. FLOUNDERS: I would like to make a Motion, Madam President....

PRESIDENT SANTY: We have a Motion on the floor.

MR. FLOUNDERS: Oh, you do?

PRESIDENT SANTY: Yes, we do. Mr. Zelinski has made a Motion that the date be decided at the Regular Monthly Meeting of this Board in November, and we are having discussion on that Motion now.

MRS. GUROIAN: Madam Chairman, I would like a ruling from the Chair as to whether the Motion Mr. Zelinski made is in order.

PRESIDENT SANTY: Mrs. Guroian, you're out-of-order as far as your question goes. We have other speakers here first.

MRS. GUROIAN: That's a Point of Order. If it is out-of-order, that's the Point of Order.

PRESIDENT SANTY: That's a proper Motion. We can decide in November.

MRS. GUROIAN: Why is it a proper Motion? The Motion, and that is why I am asking for a ruling. I am not certain. The Motion precludes a different action which requires a different vote. His Motion precludes having the election date any day before, on or before Nov. 8th. In effect, it does something which the Motion does not say, and because of that I have a question in my mind whether the Motion is in order. I would like a ruling from the Chair.

PRESIDENT SANTY: I will ask the Parliamentarian to concur. We have only one Parliamentarian here. Mr. Zelinski's Motion is that we decide this at a November regular meeting and that is a proper motion as far as the Chair can see, before this meeting tonight.

MR. DONAHUE: I think this could be cleared up by simply making this a Motion to Return to Committee, this whole item; and with that in mind, everyone who is voting to return it to committee, clearly realizes that a vote to return to committee would preclude this being on the ballot in Nov. and that a Special Election would then be necessary by default.

MR. BOCCUZZI: Madam President, on the last vote, which was April 17, 1984, which side was the Prevailing Side?

PRESIDENT SANTY: There was no Prevailing Side because nothing won. It was defeated. No one won. We needed 21 votes.

MR. BOCCUZZI: I'm trying to find out who could reconsider, if one would care to reconsider on that particular vote, if any side has the right to reconsider, the Yeses or the Noes?

PRESIDENT SANTY: I would say that the Noes would be the Prevailing Side. Is that right, Parliamentarian? Since there were 13 Negative votes, one of those would have to reconsider it. We have other speakers.

MR. GAIPA: Move the Question.

PRESIDENT SANTY: Mr. Zelinski, do you want to re-phrase your Motion to return to committee as the Parliamentarian asked? Maybe that would clarify it a little bit more.

MR. ZELINSKI: In other words, you want me to withdraw the Motion which is on the floor?

PRESIDENT SANTY: Yes. One moment. And that's a question for the Parliamentarian. The purpose of this meeting was to decide upon a date, when the electors were going to decide on the proposed Charter changes.

MR. ZELINSKI: I realize that, but I don't believe as we were here the other evening that dates are going to be thrown around here and we are not actually going to settle on one, based on the strong conclusions of my colleagues. So I just made this motion to have it, in essence, tabled until our November meeting when at that time, hopefully between now and then, the Board's Leadership and the Democratic Leader and the Republican Leader can get together and hopefully decide on a date.

PRESIDENT SANTY: Just a moment, Mr. Zelinski. I know what you are trying to do, because at the last meeting, when we discussed this for a couple of hours, a motion was made to adjourn to a special meeting to decide the date. I don't think that is what we are doing here tonight. We were called here to choose a date. I think your Motion is in order to return to committee, although the Call of the meeting is to decide on a date. The point is when do we stop? When do we decide at two or three o'clock in the morning, we still haven't decided with 21 votes on a date.

MR. ZELINSKI: All right, then I move that we put it back to committee, if that is the case, if that is the proper motion.

MS. SUMMERVILLE: As a Committee member, and Mr. Hennessey did sit in on the meeting, and Committee members Roos, Guroian, and whomever else was there, the question was put before Corporation Counsel's attorney, Mr. Hennessey, and the answer he gave me was that the CALL of the meeting is to make a decision, and if it means going all night, or two days, or three days, we have called the meeting to make a decision, and that is what he ruled in committee, and Co-Chairperson Roos can correct me if I am incorrect.

PRESIDENT SANTY: Yes, I know you moved the question, Mr. Gaipa, but we are still discussing this. Will you withdraw your motion, please, to move the question, because there are some.....

MR. GAIPA: No, No.

PRESIDENT SANTY: All in favor of Moving the Question, please say Aye? Opposed? We are going to have to use the machine because we need two-thirds. All in favor of moving the question which is on Mr. Zelinski's motion, please use the machine. Has everyone voted? DEFEATED: 14 Yes, 13 No, 1 Abstaining, and 5 Non-Voting. We have several speakers yet.

MR. ZELINSKI: I withdraw my motion, Madam President. Second withdraws also.

MR. FLOUNDERS: I would like to Move that a Special Election be held on Tuesday, March 6, 1984. Seconded.

MRS. SAXE: I would now like to ask Mr. Flounders why he picked that date?

MR. FLOUNDERS: I think that advisedly it is an earlier date than April. It is as early as it can be without taking the chance of risking very bad weather and that is my primary reason, the timing in terms of weather and the fact that it seems to be the earliest possible date consistent with an opportunity to properly inform the citizenry of the significance of the election being held.

MRS. SAXE: I again ask the Leadership for the same thing. If we can't inform each other what the reasons are for our withdrawing and not having it at the November election, then how are you planning on telling the public what you are going to do? I am asking the Leadership.

PRESIDENT SANTY: Mrs. Saxe, the Leadership does not have to tell anyone why they voted the way they wanted to. It is up to them to decide. The next speaker is...

MRS. SAXE: Just a moment, Madam President. If you don't choose to discuss this openly, in an open forum, how are you planning to come to any kind of a conclusion? You are supposed to have continuity. We are supposed to have continuity of this Board. This Board ends December 1st. How are you going to have continuity?

PRESIDENT SANTY: Thank you, Mrs. Saxe. The next speaker is Mrs. Goldstein.

MRS. GOLDSTEIN: First of all, I believe ^{if} the question was asked of whoever, Leadership, or whoever, prior to the vote being taken on the General Election, it would have been a valid question pertinent to that particular Motion, but I think after the Motion, the people can or cannot answer if they so choose. It seems to me that the Board voted against having this question on the ballot in November. Let's get another date. Let somebody who wanted it in November, come up with another date. It seems to me now that those people who are voting against another date are saying if it can't be November, then it is not going to be anything. I hope I am wrong in thinking that. But certainly it is our duty now to come up with a different date. Of course, remember that above all, the public has a right to vote on this issue. And if we defeat it at a General Election, then golly well, we had better set up a date, a timely date, in March or April, so that the voters can come out. So that there is ample time and we can dispose positively, negatively, or whatever way we word the questions on this matter. I think that March 6, 1984 is a ^{very} good date and I intend to support it.

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

MRS. McINERNEY: I have a Point of Clarification. If this Special Election came to be, how many votes are necessary to pass and approve any of the

Mr. Hennessey. We will have to look that up, Mrs. McInerney; but right now
 PRESIDENT SANTY: That is in the ruling by Mr. Hennessey. We will have to look that up, Mrs. McInerney, but right now, this is not clarification, because we have a motion before us and that is what we are going to vote on right now: an election to be held Tuesday, March 6, 1984, for the proposed Charter changes. Does everyone know what they are voting for? Yes is for the March 6, 1984 Special Election date. Motion for a Roll Call vote. Please raise your hands. Sufficient. We will take a Roll Call vote. Will the Clerk please call the roll? Are the Tellers ready?

THIRD ROLL CALL - The Motion is DEFEATED: 20 Yes, 13 No; (7 Absent)
 Roll Call sheet is attached. For Tuesday, March 6, 1984 Special Election.

MR. DeLUCA: At this time I would like to make a Motion. I am going to make you an offer you can't refuse. If we vote on this one, I can still get home in time to see...at this time I would like to make a Motion to hold a Special Meeting to consider Charter Revision on Nov. 15, 1983. To answer a question which would be forthcoming, my reason for picking Nov. 15, 1983, it is a week after the regular election, there will still be fresh in the people's minds and they will be geared up to get out there to vote at the polls, and therefore; the momentum is there and they can come out a week later. Seconded.

PRESIDENT SANTY: The Motion has been made and Seconded to hold the Special Election on Tuesday, Nov. 15, 1983, by Mr. DeLuca. Any discussion?

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

PRESIDENT SANTY: A Roll Call vote has been requested. All those in favor raise your hands. Sufficient. The Clerk will please Call the Roll. The Tellers are ready.

FOURTH ROLL CALL: The Motion is DEFEATED: 15 Yes, 18 No; (7 Absent).
 Roll Call sheet is attached. For Tuesday, Nov. 15, 1983.

MR. CONTI: I would like to entertain a Motion to the closest vote we've had this evening since April 17th (20 yes votes), I'd like to make it April 10, 1984. Seconded.

PRESIDENT SANTY: The motion is for a Special Election to be held Tuesday, April 10, 1984. Any discussion?

There are two Motions to Move the Question, but before we do that, there is a question. When is Easter? Easter, Ladies and Gentlemen, is April 22, 1984. Palm Sunday is April 15th. Passover begins April 17th. Good Friday is April 20th. So April 10th is not even close to the holiday season for either Passover or Easter. Any discussion?

There is a Motion made and Seconded to Move the Question. All in favor, say Aye. Opposed? CARRIED.

Request for a Roll Call vote. Clerk of the Board will Call the Roll. Tellers are ready. Special Election to be held on Tuesday, April 10, 1984, to consider Charter Revision proposals.

FIFTH ROLL CALL: The Motion is APPROVED: 21 Yes, 12 No; (7 Absent).
Roll Call sheet is attached. For Tuesday, April 10, 1984.

PRESIDENT SANTY: A first has happened here this evening, Ladies and Gentlemen, we have a date set for the Special Election - April 10, 1984. The Motion has PASSED: 21 Yes, 10 No.

MR. DZIEZYC: I Move that we Adjourn. Secoded. Carried.

PRESIDENT SANTY: Before we leave, let us wish Tony Conti good health and Godspeed and all our love and blessings. He is going to Wisconsin for surgery Friday.

ADJOURNMENT:

The business of the Board having been completed, upon Motion made, Seconded, and Carried Unanimously, the meeting was adjourned at 9:15 P.M.

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

APPROVED:

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

JLS:HMM
Encs.