

MINUTES OF REGULAR BOARD MEETING

MONDAY, NOVEMBER 3, 1986

19th BOARD OF REPRESENTATIVES

STAMFORD, CONNECTICUT

A regular monthly meeting of the 19th Board of Representatives of the City of Stamford was held on MONDAY, NOVEMBER 3, 1986, in the Legislative Chambers of the Board, in the Municipal Office Building, Second Floor, 429 Atlantic Street, Stamford, Connecticut.

The meeting was called to order at 8:20 P.M. by President Goldstein after both political parties had met in caucus.

INVOCATION was given by RABBI HANAN BALK of YOUNG ISRAEL OF STAMFORD, 69 Oaklawn Ave., Stamford:

INVOCATION

"Every week, in synagogues throughout the world, a portion from the Five Books of Moses is read. This week's reading, which some mystically believe reflects the world situation at the time of its chanting, is that of "Noah and the Flood". The portion begins in the following manner: "These are the generation of Noah - Noah was a whole-hearted, righteous man in his generation; Noah walked with God." Immediately, one of the commentators points out that we are told that Noah was righteous "in his generation," but in the generation of Abraham he would have been no different than anyone else; we are told that "Noah walked with God," but of Abraham it says that "he walked before God" - without needing God to pull him along. In other words, Abraham is to be more highly regarded than Noah.

"How can a commentator make such a statement? If Noah was selected from all of mankind to be spared from the destructive flood which God brought to the world, he must certainly have stood on the highest plane of righteousness! An explanation for this viewpoint is to be found in the following parable: 'When a person is cold, he can do several things to keep warm. One option would be to put on a coat; another would be to light a fire. What is the difference between the two methods? With a coat, a person only provides warmth for himself; a fire can also give warmth to others.'

"Noah was righteous, but chose to wear a coat. His concern was entirely with himself. While the entire world was about to be destroyed, we have no evidence whatsoever that Noah made even the slightest attempt to defend mankind against God's strict justice. How different was the righteousness of Abraham! When God told him of his plan to destroy the City of Sodom, Abraham argued with Him, pleading that He reconsider. Abraham was one who would "light a fire." He could not rest while witnessing the suffering of others. To Abraham, righteousness, in its true sense, was not merely personal, but communal.

"Tonight we stand at the eve of an election. It is a time when the American people pause to focus upon the meaning of their political process. I don't know if the American public views "the politician" with the esteem which it once held for him. Especially in the last days before the election, when we are bombarded by advertisements which accuse this candidate of one corruption and another of a more notorious scandal, we often may be confused as to what the true role of the politician is. In my mind, a politician by definition is one who, in the spirit of Abraham, shows concern for the welfare of others and assumes responsibility for needs of the community - needs which are not exclusively those of oneself.

"I pray with you that the decisions that the Stamford Board of Representatives makes tonight are motivated by a sincere concern of the people of this City and that those who are elected tomorrow will serve with the genuine desire to benefit the people of the country. In so doing, our leaders will be following the model of Abraham! And with this hope, let us all say, Amen."

PLEDGE OF ALLEGIANCE TO THE FLAG was led by President Goldstein.

ROLL CALL was taken by Clerk of the Board ANNIE M. SUMMERVILLE. There were 38 Present and 2 Absent (Rep. Terrence Martin (excused) and Rep. Wm. Heins.

The CHAIR declared a QUORUM.

2. MINUTES OF REGULAR BOARD MEETING - MONDAY, NOVEMBER 3, 1986 2.

MACHINE TEST VOTE

The machine was found to be in good working order tonight. Everything is perfect. President Goldstein thanked John Zimmerman.

MOMENTS OF SILENCE

For the late ROSE CONFORTI, who died October 24, 1986. She was a life-long resident of Stamford. She was the grandmother of Board member Roseann Begel. Mrs. Conforti was a kind, generous woman, and will be missed by all who knew her. Submitted by Board member Frank Mollo.

For the late JERRY CONETTA, who recently passed away. He was a very good man and was loved by all who knew him. He was a modest man and a good citizen of the community. He is someone that Rep. Nicholas Pavia would hope to emulate as he grows older. Submitted by Rep. Pavia.

Rep. Mary Lou Rinaldi wished to echo Mr. Pavia's sentiments and also to thank this Board because last August the Board honored Mr. Conetta on his 75th birthday, and when Mr. Conetta was presented with the proclamation, he was very, very happy about it.

MRS. SANTY: "May I take this time now in representing the Republicans of the Board to congratulate Mrs. McEvoy on her eleven years with the Board as of tonight. It is eleven years tonight that she has been with us."

STANDING COMMITTEES

STEERING COMMITTEE - Chairwoman Sandra Goldstein

MR. BOCCUZZI Moved to waive the reading of the Steering Committee Report. Seconded. CARRIED, voice vote.

STEERING COMMITTEE REPORT

The Steering Committee met on Wednesday, October 15, 1986, in Conference Room II, Board of Education Building on Hillandale Avenue. The meeting was called to order at 7:40 p.m. by Chairwoman Sandra Goldstein who declared a Quorum.

PRESENT AT THE MEETING:

Sandra Goldstein, Chairwoman
John Boccuzzi
Mildred Perillo
Scott Morris
Lathon Wider
Claire Fishman

Ruth Powers
Maria Nakian
S. A. Signore
Thomas Burke
Thomas Pia
Donald Donahue

Audrey Maihock
Stanley Esposito
W. Dennis White
Sandra Schlachtmeyer
Carolyn Pennington, WSTC
Anne Kachaluba

STEERING COMMITTEE (continued)

1. APPOINTMENTS COMMITTEE

Ordered Held in Steering was the one name appearing on the Tentative Steering Agenda and that was Mr. Alexander Bills (R) for Traffic Hearing Officer. Ordered off the Pending Agenda was the name of Ms. Dulcie B. Harris (R) for Board of Recreation. Name was withdrawn by the Mayor.

2. FISCAL COMMITTEE

Ordered on the Agenda were all six items appearing on the Tentative Steering Agenda.

3. LEGISLATIVE AND RULES COMMITTEE

Ordered on the Agenda were five of the 10 items appearing on the Tentative Steering Agenda. Ordered on the Agenda was one item from the Pending Addenda and that item was (L&R19.18) waiver and refund of building permit fee for new construction of Wm. & Sally Tander Center at Stamford Hospital. Two items were ordered moved: To Public Works & Sewer Committee (L&R19.24) for publication, proposed ordinance concerning Multi-family residential refuse collection and to Health and Protection Committee (L&R19.25) for publication, proposed ordinance amending Ordinance No. 504 concerning burglar alarm connections to a central city terminal. Two items were removed from the Agenda: (L&R19.15) for publication, proposed ordinance amending Ordinance No. 566 which adopted and enacted a new Code of Ordinances, to adopt the Code's new numbering system. This proposed ordinance is not necessary. (L&R19.26) for publication, proposed ordinance mandating that no other city Boards, Commissions or Authorities meet the same evening as the monthly Board meetings. The Steering Committee felt that the Board did not have jurisdiction over all Boards, Commission, etc. as to when they could meet.

PERSONNEL COMMITTEE

4. Ordered on the Agenda were the four items appearing on the Tentative Steering Agenda.

5. PLANNING AND ZONING COMMITTEE

Ordered on the Agenda were the three items appearing on the Tentative Steering Agenda.

6. PUBLIC WORKS AND SEWER COMMITTEE

No items appeared on the Tentative Steering Agenda. Ordered on the Agenda was one item from the Legislative and Rules Committee and that was the proposed ordinance concerning multi-family residential refuse collection which was Held in Steering by the Committee; and one item from the Parks and Recreation Committee was ordered on the Agenda and that was the proposed resolution concerning the approval of an agreement between Woodside Green Associates, Inc. and the City of Stamford to obtain two storm drain easements, etc.

7. HEALTH AND PROTECTION COMMITTEE

Ordered on the Agenda was one of the two items appearing on the Tentative Steering Agenda. Ordered on the Agenda from the Legislative and Rules Committee Agenda was the proposed ordinance amending Ordinance No. 504 concerning burglar alarm connections to central city terminal; lower fees for senior citizens. Ordered on the Pending Agenda was the proposed ordinance regarding Fire Marshal sign-off on toxic waste sites. Ordered off the Pending Agenda was the Review and discussion on procedures and policies of the Police Department with Police Officials as regards to civil and domestic disturbances. A complete report on this was sent to all members of the Board.

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4.

STEERING COMMITTEE (continued)

8. PARKS AND RECREATION COMMITTEE

Ordered on the Agenda were three of the four items appearing on the Tentative Steering Agenda. Ordered on the Agenda was one item appearing on the Pending Agenda and that was the item concerning Mr. George Rieger's letter of 11/4/85 regarding the paddle courts being turned over to the Board of Recreation. Ordered moved to the Public Works Committee was an item appearing on the Addenda and that was a resolution concerning the approval of an agreement between Woodside Green Associates, Inc. and the City to obtain storm drain easements, etc.

9. EDUCATION, WELFARE AND GOVERNMENT COMMITTEE

Ordered on the Agenda was the one item appearing on the Tentative Steering Agenda.

10. HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

Ordered on the Agenda were the two items appearing on the Tentative Steering Agenda.

11. URBAN RENEWAL COMMITTEE

No items appeared on the Tentative Steering Agenda.

12. ENVIRONMENTAL PROTECTION COMMITTEE

No items appeared on the Tentative Steering Agenda.

13. TRANSPORTATION COMMITTEE

No items appeared on the Tentative Steering Agenda.

14. LABOR CONTRACTS LIAISON COMMITTEE

No items appeared on the Tentative Steering Agenda.

15. HOUSE COMMITTEE

No items appeared on the Tentative Steering Agenda.

16. COLISEUM AUTHORITY LIAISON COMMITTEE

No items appeared on the Tentative Steering Agenda.

17. CHARTER REVISION COMMITTEE

Ordered off the Agenda was the one item appearing on the Tentative Steering Agenda and that was the resolution to appoint a member to the 14th Charter Revision Commission to fill a vacancy.

18. SPECIAL COMMITTEE TO ASSESS PRIORITY ISSUES

Ordered on the Agenda was the one item appearing on the Tentative Steering Agenda.

19. RESOLUTIONS

No items appeared on the Tentative Steering Agenda.

ADJOURNMENT

There being no further business to come before the Steering Committee, upon a motion made, seconded and approved, the meeting was adjourned at 8:25 p.m.

SG:ak

SANDRA GOLDSTEIN, CHAIRWOMAN
STEERING COMMITTEE

APPOINTMENTS COMMITTEE

MRS. PERILLO said for the first time, she does not have an Appointments Report as there were no candidates.

CHRISTMAS PARTY:

MRS. PERILLO said she must have some kind of a count within the next two weeks so Mr. Giovanni can reserve the proper-sized room for the party. It is December 14th at Giovanni's Restaurant and it is \$17.50 per person. Please contact one of the committee soon.

THE PRESIDENT asked that members contact Mrs. Perillo or Mr. Morris after the meeting regarding the Christmas Party.

MR. MORRIS wished to add that checks should be made out to him, Scott Morris.

POINT OF ORDER:

MRS. McINERNEY stated she had her hand raised, as she wished to address the Chairperson of Appointments. The name of Mr. Alexander Bills for Traffic Hearing Officer has been on hand since September. The Administration has asked for Republican names for many vacancies, and especially for Traffic Hearing Officers who are badly needed. She asked when Mr. Bills' name would come before the full Board for action.

MRS. PERILLO said it will be on the next meeting agenda. The reason it was not taken up this time was the Committee felt they would not meet for just one name as they had been advised many more are coming down soon, so next month the Committee will have a full agenda.

FISCAL COMMITTEE

MR. DONAHUE said the Fiscal Committee met on October 29th with Mr. Lyons, Mr. Rybnick, Mr. Livingston, Ms. Rinaldi, Mr. David Martin, Mr. Esposito, Mrs. Begel, Mr. Donahue in attendance. He Moved to place on the Consent Agenda Items #1, 3, 4, 5, and 6.

- (1) \$17,900.00 - BOARD OF RECREATION - CLOSE-OUT AND TRANSFER TO BOARD OF EDUCATION - Amendment to the Capital Projects Budget of the Board of Education for a project to be known as #810.062 ATHLETIC FIELD IMPROVEMENTS. To be financed by close-out and transfer from BOARD OF RECREATION #650.414 REDESIGNING OF ATHLETIC FIELDS ON EDUCATION DEPARTMENT PROPERTY. Requested by Mayor Thom Serrani 9/9/86. Planning Board approved 9/17/86. Board of Finance approved 10/9/86. Held in Steering 9/17/86.

Above also referred to PARKS AND RECREATION COMMITTEE.

APPROVED ON CONSENT AGENDA, with Mr. Donahue abstaining.

FISCAL COMMITTEE (continued)

- (2) \$ 40,000.00 - 14th CHARTER REVISION COMMISSION - Code 130.3503 -
Additional Appropriation requested to cover the cost to engage a consultant, out-of-pocket expenses, word processing services, research assistant, and for publications. Requested by Mayor Thom Serrani 9/25/86.

Above also referred to PARKS AND RECREATION COMMITTEE.

MR. DONAHUE said this is the amount the Commission needs to finish its task. They have been working very diligently and are beginning now to put their first report into form, and are already making recommendations about questions. The word processing will be done on the outside as it is very technical in nature. The Committee voted 8-0 for approval and he so Moved. Seconded.

MR. ZELINSKI asked for the breakdown for the funds requested. He could not find it in his back-up material.

MR. DONAHUE said it is in the back-up material, but he will read it for Mr. Zelinski. The consultant is \$13,500, plus out-of-pocket expenses. The Commission requires word processing which is estimated at \$7,500. Research Assistant is estimated at \$6,500, plus out-of-pocket expenses; In addition \$5,000 is required for various publications prior to the Commission's public hearing and Board of Representatives' public hearing. Total request is \$40,000.

MR. ZELINSKI asked if Mr. Donahue knew the approximate amount allocated for the last Charter Revision Commission. He is under the impression that the 13th Charter Revision Commission did not incur such large expenses to do the job they had before them.

MR. DONAHUE recollected the Board approved \$70,000 at that time. The 14th is asked for a total of \$65,000.

MR. WIDER asked if the proposed changes in the Charter will be brought before this Body for review before they are etched in stone. Some people have asked him questions about this already.

MRS. FISHMAN said not only will it be brought to this Board for discussion, but Board members are encouraged to go to any of their meetings and put their points of view at those meetings.

THE PRESIDENT said there is an enormous process that ^{yet} faces this Board. The recommendations made by the Charter Revision Commission will come before the Board. The Board will have an opportunity, both through our Charter Revision Committee and our own meetings to review their recommendations and then send the recommendations back to them with the Board's recommendations. And then the Charter Revision Commission will come back to this Board, so there is ample time to go over suggestions that are made.

FISCAL COMMITTEE (continued)

MR. WIDER said that does not answer his question. He wants to know if this Board will have a copy of those recommended changes so they can be reviewed and Board members can make their suggestions, and have other people who are concerned with this Charter look at them.

THE PRESIDENT said it will come to this Body in written form, and there will be public hearings as Mrs. Fishman stated.

THE PRESIDENT called for a voice vote on Item #2 for \$40,000. CARRIED.

- (3) \$ 7,000.00 - HEALTH DEPARTMENT - Code 550.1130 PART-TIME SALARIES - Additional Appropriation for laboratory services to perform blood tests for WIC Program. Amount is to be reimbursed to the City by the WIC grant. Requested by Mayor Thom serrani 9/25/86. Board of Finance approved 10/9/86.

Above also referred to HEALTH AND PROTECTION COMMITTEE.

APPROVED ON CONSENT AGENDA.

- (4) \$ 180,068.00 - HEALTH DEPARTMENT - Code 573. Various - WOMEN'S, INFANTS' AND CHILDREN'S (W.I.C.) NUTRITION PROGRAM - Additional appropriation for the approved contract amount from Connecticut State Department of Health Services for the period from 10/1/86 - 9/30/87, for the various accounts. To be reimbursed by a grant. Requested by Mayor Thom Serrani 9/25/86. Board of Finance approved 10/9/86.

Above also referred to HEALTH AND PROTECTION COMMITTEE.

APPROVED ON CONSENT AGENDA.

- (5) \$ 1,231,058.00 - LABOR NEGOTIATIONS - Various - Additional Appropriation requested to fund recently approved labor contract between City of Stamford and the MUNICIPAL EMPLOYEES ASSN. (MEA) for fiscal year 1986/87. Requested by Mayor Thom Serrani 9/30/86. Board of Finance approved 10/9/86.

Above also referred to PERSONNEL COMMITTEE.

APPROVED ON CONSENT AGENDA.

FISCAL COMMITTEE (continued)

- (6) \$ 46,796.00 - STAMFORD MUSEUM AND NATURE CENTER - Code 720.4310 -
Additional Appropriation requested to grant salary increases similar to those negotiated between the City and the MEA for fiscal year 1986/87. Requested by Mayor Thom Serrani 9/30/86. Board of Finance approved 10/9/86.

Above also referred to PERSONNEL COMMITTEE.

APPROVED ON CONSENT AGENDA.

MR. DONAHUE Moved for approval of the Consent Agenda Items #1, 3, 4, 5, and 6. Seconded. CARRIED, voice vote.

The record will show that Mr. Donahue abstained on Item #1.

LEGISLATIVE AND RULES COMMITTEE

MRS. NAKIAN said the Legislative and Rules Committee met on Monday, October 22, 1986, at 7:30 P.M. Present were Committee members Nakian, David Martin, Bromley, Dudley, Malhock, Morse, Powers, Rubino, and Zelinski. Also present were Sandra Schlachtmeyer, Board Researcher, and Staff Counsel Richard Robinson.

Present on Item #1 were Gary Dayton, and Anne Luders of the U.R.C. On Item #2 Randall Brion, Exec. Dir. of the Stamford Center for the Arts. On Item #4 Lois Anderson, President of Meals-on-Wheels; and On item #7, which was the sidewalk cafe ordinance study, Michael Cacace representing the F.D.Rich Co.

She placed on the Consent Agenda Items #2, 4, and 5.

- (1) (L&R19.4) FOR FINAL ADOPTION, PROPOSED RESOLUTION DESIGNATING THE CITY OF STAMFORD AS A REHABILITATION AREA AND ESTABLISHING CRITERIA FOR THE ELIGIBILITY OF REAL PROPERTY FOR ASSESSMENT DEFERRAL. Submitted by Urban Renewal Commission 12/18/85. Planning Board approved 9/30/86. Held in Steering 12/18/85 and 1/15/86. Returned to Committee 3/3/86. Held in Committee 4/7, 5/5, 6/2, 8/11, 9/8, 10/6/86. Approved for publication 7/7/86.

Above also referred to URBAN RENEWAL COMMITTEE.

MR. NAKIAN said four technical changes to this resolution have been proposed by Staff Attorney Rick Robinson. They make no substantive changes to the ordinance. The only reason for making them is greater clarification of several points in the ordinance. Everyone has received a copy of the changes and a copy of the ordinance with the changes put in. They were all approved by the L&R Committee by a vote of 6-0-1.

LEGISLATIVE AND RULES COMMITTEE (continued)MRS. NAKIAN (continuing)

The first change is on Page 2 of the proposed resolution at the top of the page. The changes were made because the State Statutes have been changes slightly and the numbering of the Sections is different. Therefore, this will make our resolution conform to the new numbers of the State Statutes. The first one would read: "The State Building Code as adopted under Sections 29-256...."

THE PRESIDENT asked Mrs. Nakian to first Move for final adoption of the resolution.

MRS. NAKIAN Moved for adoption. Seconded.

MRS. NAKIAN then continued on the first amendment. The first motion is to make a change on Page 2, top of the page, to read: "Sub-section (a) The State Building Code as adopted under Sections 29-256, etc." it is underlined on your copy. The second one, in the same paragraph, is: "The Fire Safety Code as adopted under Sections 29-292." The third one is for The State Public Health Code" crossing off Section 13-13; and the last in this paragraph would read: "The Housing Code of the City of Stamford, as amended," Seconded.

MR. RUBINO said he would like to give the Minority Report on L&R19.4, which is Item #1.

THE PRESIDENT said only the amendments are under discussion now. She is aware of a Minority Report on the whole ordinance.

A voice vote was taken on the four changes. APPROVED, Mrs. Bromley abstained.

MRS. NAKIAN said the next change is on Page 4, Section 6, Paragraph (a), instead of "the rehabilitation program", it should read "the program" as at no other place in this resolution is it referred to as the rehabilitation program. Seconded. CARRIED, voice vote.

The record will note that Mrs. Bromley is Abstaining on this entire item.

MRS. NAKIAN said the next change is on Exhibit A, Page 1, in the Definitions, C, "Property" shall mean such real property which is the subject of an application." This is to bring it in conformity with Definitions D and G, where the property as a whole is also referred to as real property. Seconded. APPROVED, voice vote.

The last change is on Page 3 of Appendix A, paragraph E. This is a clarification. The intent as written was always for an appeal in case this was either rejected or not acted upon; and the language that has been suggested makes that clear. It doesn't change it, but clarifies. It would read: "Any propertyowner whose application is rejected or not acted upon within sixty days of the date of submission by the approving agency shall have thirty days from the date of rejection or failure to act to appeal the decision to the Board of Representatives." The change is for clarification.

APPROVED, voice vote.

LEGISLATIVE AND RULES COMMITTEE (continued)

MRS. NAKTIAN then gave the Committee's Majority Report. This proposed resolution of a tax deferral was introduced in December, 1985. Since that time it has been carefully studied and evaluated by many city officials and outside agencies. In addition to L&R, the URC, Community Development, Historic Neighborhood Preservation, Fair Rent Commission, The Commissioner of Finance, SEAC, Downtown Council, South End Task Force, and most recently and pursuant to State Statutes, the Planning Board, have all reviewed this. At the L&R public hearing held on August 4, 1986, seven speakers representing most of these agencies were in favor of the resolution. There was one speaker with reservations on points that since have been addressed and clarified.

At its meeting of Sept. 30, 1986, the Planning Board voted unanimously to recommend approval of the proposed resolution and conveyed this approval to L&R by a letter which was received by all Board members. In addition, the West Side addendum adopted unanimously by the Planning Board as an amendment to the Stamford Master Plan recommends in the section on Housing Goals and Objectives, that the Board of Representatives support the adoption of the Tax Deferral Program. So also does the South End Neighborhood Plan Draft Report. In the almost year-long study and evaluation of this Tax Deferral Program, many concerns have been answered and provisions which were vague or loose, have been clarified. Language has been strengthened. The Program has been restricted to Certified Historic Structures in the two recognized Historic Districts, or to buildings which are fifty years old and utilizing Community Development Rehabilitation funds. This means that the HUD Rental Guidelines and the Condominium Conversion prohibitions have been put into the ordinance.

The extent of the rehabilitation has been decreased to 20% for residential properties. It has been increased to 50% for commercial properties. The original applicant must maintain at least a 50% interest in the property during the deferral period. The application in administrative processes have been tightened; and any applications rejected or not acted upon within sixty days may be appealed to the Board of Representatives. In short, just about any objection that anybody could think of, has been addressed and resolved to the satisfaction of all.

Research done by our staff has shown that very little rehabilitation and renovation has taken place in either the Historic Districts or the Community Development areas in the past five years. This Tax Deferral Program is seen as a small, but significant incentive for the preservation of Stamford's few remaining historic structures, and the rehabilitation of some of the vanishing supply of affordable housing by providing an alternative to demolition and new construction. Although it is one component of several revitalization programs that have been proposed, it is a very important concept for our City. In the opinion of those who were in favor of the resolution, if it can achieve its share of the objectives of low-cost housing and historic preservation at a modest cost to the City, something positive will have been gained for Stamford.

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. RUBINO in giving his Minority Report, stated the L&R19.4 embodies the concept which has met with substantial opposition from its introduction. When first proposed, L&R19.4, the L&R Committee voted not to recommend its publication. The full Board sent it back to committee where it prevailed for publication by a margin of 5-4-1. The full Board followed suit, 19-14-3. In its present form, the plan works generally as follows.

The plan contains threshold percentage investment requirements which require a 20% increase in the assessed value of a residential building, and a 50% increase for a commercial building before it qualifies. For the purposes of rent restrictions, the City is divided into two designations; first, the National Register of Historic Districts. If a building is in one of these areas, the resolution applies no rent restrictions, and no restrictions on any rent increases which follow the rehabilitation. These areas, as he understands it, are the South End, Downtown, and Revonah Manor. Projects in all other areas of the City must utilize Community Development funds and comply with the restrictions of that Program, but only for the five-year deferral period, or as long as they are under contract with Community Development, and still have funds outstanding.

Finally, to comply, a property must violate the Building, Fire, or Health Codes of the City. He has opposed this resolution from the start, as he will briefly explain, none of the major flaws in this Plan, have been adequately addressed. Therefore, he opposed the Plan for the same five reasons he gave in July, and he urges everyone to vote the Plan down.

First, the Plan simply won't work. The tax benefits are too small in relation to the rehabilitation costs. To be an incentive, on this point, Gary Dayton, URC Director, and major proponent of this Plan, admit the Plan's dubious prospects for success. On everyone's desk is a photocopy of an article from THE STAMFORD ADVOCATE dated 10/6/86 in which Mr. Dayton states "In and of itself, it may not be what persuades a person to rehab or to build anew." As an example of this Plan, assume a residential building is assessed at \$300,000, and consequently has a fair market value of \$428,500. It would need its assessed value increased by \$60,000 to \$360,000 to qualify for the Plan. Since the assessed value of a building is 70% of its fair market value, theoretically, the owner would need to increase the fair market value to \$514,285, an increase of about \$86,000, which would probably require an \$86,000 investment. Therefore, an owner would invest his \$86,000 and it would result in a \$60,000 assessment increase, which would be phased in over 5 years at 20% steps. Based on a mill rate of 30, the highest in the City, the total savings over the 6-year phase-in period would be about \$5,400. However, this is a raw figure and must be reduced by two factors; first, the time value of money, and second, the loss of \$5,400 Federal Income Tax deduction. Assuming a top Federal Tax rate charged on the individual in 1987, the loss of the \$5,400 Income Tax deduction would result in a Federal Income Tax increase of \$2,079. This reduces the benefit from \$5,400 down to \$3,321. This \$3,321 must then again be reduced to reflect the time value of money. Using an 8% discount rate, the final benefit produced by an \$86,000 investment is \$2,771. Compare this savings figure to that produced by the Federal Investment Tax Credit for historic structures, which would produce an immediate cash payment, actually a tax credit, of \$17,200 - that is an immediate benefit.

LEGISLATIVE AND RULES COMMITTEE (continued)MR. RUBINO (continuing)

And also Section 168 of the Internal Revenue Code allows depreciation deductions to be taken in the amount of the investment spread over a designated useful life. Assuming a 28% top tax rate, this would yield a savings of \$24,000. The Federal Income Tax benefits, even after being discounted, are approximately ten times the benefits L&R19.4 could offer. The truth is the Federal Tax incentives put in place by the 1981 Economic Recovery Tax Act are the only true tax incentives thru rehabilitation. Even Mr. Dayton admitted this at the June 30, 1986 L&R meeting, stating that the real reason for rehabilitation in Norwalk and New Haven were not assessment deferrals but the Economic Recovery Tax Act of 1981.

At this point, Mr. Rubino drew the members' attention to a second photocopy on their desks of an article in THE WALL STREET JOURNAL dated 9/3/86. This article documents success of the Economic Recovery Tax Act. It should be noted that historic building tax credits have been reduced under the tax reform act of 1986 but only down to 20% from 25%.

To summarize, we don't need L&R19.4 with powerful tax incentives like the Federal Investment Tax Credit.

Second, L&R19.4 just amounts to a giveaway program to developers who are presently planning rehabilitations. Contrary to the report prepared by our researcher, there are significant amounts of rehabilitations completed or presently in progress. Woodside Green, Davenport Hotel, One Dock Street, 22 Glenbrook Road, The Bourbon Street Restaurant, The Advocate Building, The Heritage Building - this list could go on and on for a long time. The truth is that many rehabilitations have been done and will be done in the future because they already make economic sense due to the present Federal Income Tax laws. Since no incentive is needed, L&R19.4 is simply a cash gift to people who are planning to do rehabilitations anyway.

Mr. Rubino's third reason is that L&R19.4 will actually reduce the affordable housing stock in the City of Stamford. If he is wrong about L&R19.4 and it actually has its intended effect which is to spur rehabilitation, it will reduce the affordable housing stock through gentrification. The resolution requires a 20% assessment increase as a threshold to qualify.

These large investments will be recouped by unconscionable rent increases or condominium conversions. At this point, Mr. Rubino emphasized the fact L&R19.4 would allow immediate, unlimited rent increases in the South End and downtown. As to the rest of Stamford, unlimited rent increases and condo conversions would be allowed at some point after Community Development loans have been paid back, or after the five-year phase-in period is over, whichever occurs last. Developer Anthony Venetucci plans to evict tenants in 16 units on Woodside Street to do rehabilitations as we discussed the last time this was an item. It is interesting to note that Mr. Venetucci also owns 30 units on the South End, an area the Plan leaves unprotected from rent increases.

LEGISLATIVE AND RULES COMMITTEE (continued)MR. RUBINO (continuing)

The lack of true rent restrictions could encourage rehabilitations which could cause radical changes in the affordability of housing. Such rehabilitations will result in gentrification with racially and economically disparate impacts. L&R19.4 will drive minorities from traditional neighborhoods and replace them with people with much higher income levels. For this and other reasons, the Director of the Fair Rent Commission has refused to approve L&R19.4 in contradiction of the Majority Report. Mr. Rubino spoke to her last Friday and she stands by her original letter which is that she cannot in good conscience approve this resolution.

Mr. Rubino's fourth reason for not being in favor of the Plan is that eligibility for benefits is premised on existing code violations. He is opposed to paying law-breakers to comply with the law. Strict code enforcement is a better alternative since it insures safe housing without robbing affordability. Further, our Fair Rent Commission has the authority to escrow rents in many cases until such time as code violations are rectified.

His fifth reason in opposition is that better alternatives exist. A better reasoned plan for rehabilitation would utilize the Board's powers under 12-127a of the Connecticut General Statutes. This Statute empowers the Board of Representatives to structure tax abatement plans on a case-by-case basis. It would allow the Board with perhaps the help of an advisory panel to hand-pick the buildings to receive rehabilitation incentives and would allow the Board to decide exactly how much of a tax incentive should be given in each case. The Board could pinpoint the projects which it would like to encourage and concentrate their tax abatement dollars on those desirable projects so that real tax incentive could be possible. At the same time, the Board could apply restrictions on participating residential landlords to insure reasonable rents.

In summary, L&R19.4 is at best a giveaway program for developers who have engaged in rehabilitation projects whether or not the tax deferrals were available. At worst, if it works as intended, L&R19.14 would have the insidious effect of robbing our community of precious affordable housing units.

MR. SIGNORE said Mr. Rubino gave a very nice report on that issue. Mr. Signore was born and raised in this town, and he thinks this resolution is 25 or 30 years too late. He also thinks that saying that the Planning Board approved it, and the URC approved it, is fine, but they are not perfect as the Board members are not perfect either. Mr. Signore has a question. Since this is a tax matter also, were tax people consulted on the issue?

MR. DAVID MARTIN said yes.

MR. SIGNORE asked who for instance.

MR. DAVID MARTIN said there was an extensive study done at the Tax Assessor's Office as well as Paul Pacter's personal in-put, and to certain aspects that he was concerned about when the proposal originally surfaced before a number of modifications were made.

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. SIGNORE asked if they had a tax lawyer look at this.

MR. DAVID MARTIN said there have been a number of attorneys who have reviewed this, primarily ^{our} own Corporation Counsel and the URC attorney.

MR. SIGNORE asked if there were any independent people.

MR. DAVID MARTIN said he believed the Corporation Counsel works for the best interests of the City, and as independent if that's

MR. SIGNORE said he has the highest regard for Mr. Clear, but he ^{is} working with the Mayor, being a part of the Mayor's Cabinet. What Mr. Signore is referring to would be independent consultants. We get consultants for every other issue in this town, but we did not get any consultants on this one apparently.

MR. DAVID MARTIN said that no money was expended for consultants, as Mr. Signore probably would have wished.

MR. SIGNORE said we seem to do it for everyone else in this place, but not for ourselves.

(There was a cross-exchange of remarks but they were unclear.)

MR. WIDER said he listened very closely to Mr. Rubino as it affects his District more than it does any other District. He wishes to remind Mr. Rubino that we paid a Boston firm \$200,000 to do a study of the Bedford St., Atlantic St. existing, historical buildings, and this ordinance came out of that. That is where we want to preserve some of the original City of Stamford. That was paid through Community Development.

Mr. Rubino referred to using Community Development funds, and Mr. Wider wonders if it was realized that Community Development may not be in business after 1987. Then there won't be any money, and this business of tax incentives will help us to put pressure on some of the owners who are now putting people out of doors to at least put together some affordable housing and that is what it is planned to use this for. Mr. Wider is against the Minority Report, as too many negatives come out when there are a lot of positives in there.

MR. ZELINSKI has mixed feelings as he thought the original purpose for the resolution was good-intentioned, but after listening to the excellent and complete detailed Minority Report from Rep. Rubino, he is beginning to have some second doubts. Is there any guaranty if this Resolution is passed that it would not have ^{an} adverse effect on tenants by having them forced from their homes which they are renting, resulting from an owner renovating the building? This would cause the affordable rental units in this City to be greatly depleted. Would one of the chairpersons answer?

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. DAVID MARTIN said if the question is was Rent Control introduced in this ordinance, the answer is no, it was not.

MR. ZELINSKI said no, he had not mentioned Rent Control at all and that was not the question.

MR. DAVID MARTIN said that is the same thing, guaranty of rents, or Rent Control, is the same thing.

THE PRESIDENT asked if Rep. Nakian could help out here.

MRS. NAKIAN said she does not think you can ever give a guaranty that something won't happen. On the other hand, she does not feel it is particularly beneficial for people to have to live in un-renovated buildings. There is nothing in the ordinance that makes it positive that there will be an adverse effect. There is nothing that says the people will be put out. There is nothing that says that rents will be raised. On the contrary, the Committee has tried to provide the opposite: that rents will not be raised. If, in the course of renovation, people have to move for a period, that is unavoidable, or else you don't renovate. As far as she can see, they have covered everything that can be covered. There are always things that were not planned on, that happen, but they have tried to fix it so that there will be no rent increases for people living in those buildings. The alternative is to do nothing and live in old buildings.

MR. DAVID MARTIN said he would like to amend that slightly. There is a restriction via the Community Development Program which requires income specifications and certain rent specifications within that. So to that degree, those rehabilitations coming under that Community Development side of the equation are protected.

MR. ZELINSKI said his question is partially answered. He knows that his District in particular, which he has represented for almost ten years, he has seen situations come up where existing buildings were renovated and converted to condominiums such as Woodside Village, which is now called Woodside Green; and unfortunately many residents were forced to move from units they occupied for many years. While the condition of their apartments may not have been ideal, at least it was home to them, a place in which to live. If those who were about to be displaced, were asked if they preferred to stay where they were in apartments that might not be totally satisfactory in A-1 condition, or have to move and try to find other quarters, their responses, we are almost certain, would be they would rather have a place to live in as they have presently, than to have no place to live, considering the scarcity and high rents of the few available places that might be found. This gives Mr. Zelinski serious concerns.

Also, as Mr. Rubino said, the Director of the Fair Rent Commission, Diana Crouse, seems to have some serious concerns and reservations about this. This has been battered around enough and Mr. Zelinski does not feel it should go back to Committee. A vote should be taken tonight, Mr. Zelinski asked members to consider if this would benefit the tenants of this City's housing units, or indeed who is this going to benefit. If it is going to be the developers, then he might have to vote against it.

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. BLUM said he, too, has lived in Stamford for 66 years, and also has seen Stamford change. It is time to assess the values whether we are going to keep some of the history of the days gone by, or to allow something like our old City Hall which was finally burned through arson and then demolished. That is history gone by. What can be done? He was involved twice with a condominium conversion and had to move. Are there any guarantees from developers? No. That has helped rents go up in this City. However, it is time to say, let us take a chance on some position. Let us do something positive; let us say we are going to save some housing in this City, some buildings, so we might know that our generation of the year 2000 rolls around, will still have housing, and historic structures. They are talking of "Fairfield 2000" and that is only 13 years down the pike. He will vote in favor of this resolution.

MR. DAVID MARTIN said he will try to briefly answer some of the issues that have been raised. It essentially comes down to what Mr. Blum has said. Do we want to preserve some of Stamford that has been largely destroyed, or are we in favor of continued, more intense development? This is a proposal that will encourage the preservation of the Stamford that the citizens have lived in for many of these long years. It is not a perfect proposal. It may be 20 or 25 years late. It would be better to do it now than wait another 15 years and say that it was 40 years too late.

It is not perfect but there have been many people who have tried, in fact, to destroy the value of this ordinance, and Mr. Martin feels that it has been preserved but at the same time, additional protections have been built in. For instance, we recently talked about condominium conversion. There were changes made to this resolution, and those changes made it impractical, if not impossible, to use this money, this rehabilitation incentive, in something that would be used to convert into condominiums.

Those who feel it will result in the destroying of neighborhoods and the destroying of housing, Mr. Martin feels, do not reflect the majority's opinion of most of the people in the City of Stamford. He has some comments from the public hearing. First of all, Diana Crouse from the Fair Rent Commission said: "Certainly the encouragement of the rehabilitation of existing buildings is very important. It is especially important to keep and preserve what little housing we do have." From Cathy Trentini of Community Development, who said: "Because of these built-in restrictions, I think the Tax Assessment Deferral Program will not adversely or measurably impact on the existing demographic composition of affected neighborhoods. The proposed Tax Assessment Deferral Program is consistent with the Stamford Community Development Program's goals and objectives. We see it as additional stimulus to neighborhood improvement and a potential example of the City's willingness to share with us in promoting the regeneration of older City properties and housing units."

From Robert Karp of the Downtown Council: "In a very real sense the City comes out ahead by having a broader tax base than now exists, to the building and property enhancement if it were to be undertaken. It is this kind of incentive that could be the deciding factor as to whether the property-owner would commit to an expensive rehabilitation." There are other comments

MR. DAVID MARTIN (continuing)

that Mr. Martin could go on at length, but he thinks the point has been made. In addition, THE STAMFORD ADVOCATE has supported this proposal in its editorial. The Planning Board voted unanimously in favor of this. There are letters on the members' desks this evening from Stamford Neighborhood Housing Services, from Historic Neighborhood Preservation, from The Downtown Council, from the URC, and as was mentioned, this Program is supported in the West Side Plan which was recently adopted and which is in the draft of the South End Plan. Mr. Martin thinks it is very true that this is something that will help preserve some of the best parts of Stamford. He will be the first to admit that it is not perfect. He would rather move ahead rather than stand still and continue to watch the deterioration of our town.

MRS. MAIHOCK said she has been sitting in on these meetings, and must say she has never, even as of now, felt that this is a plan that she would want to support. She would certainly be in favor of preserving designated historic structures through assessment deferral because these historic structures are very significant to our City's historic background. However, this plan concerns what are called "contributing structures" which are located in various areas of the City. Mr. Rubino has set forth very excellent reasons why we should carefully consider this concept. The concept should not be implemented on the broad scale which is being contemplated without any idea of what effect this plan would have on the taxpayers of this City as well the renters whose future could be affected by it. As she pointed out, the highest percentage of these structures are owned by absentee owners. This was material that was presented at an earlier meeting. It would seem that we would try to adopt a plan that might help people who have lived in this City to improve their properties, and since the highest percentage is owned by absentee owners, it would seem that perhaps other people may be benefitting by this plan.

(MR. PAVIA spoke here but none of his comments came through on the tape.)

MRS. McINERNEY said she agrees with several of the statements that were made previously by her Republican colleagues: Mr. Rubino, Mrs. Maihock, and Mr. Pavia. She does feel as Jim does that there are probably other ways in which we could reach and benefit the total community if we are speaking in terms of affordable housing for people through designated historical structures with tax deferral plans. In her recollection of sitting in on meetings of L&R19.4, she was under the impression and assumption that the primary area of concern was going to be the South End and the Central City Business District. She was quite surprised this evening to hear that it had been extended to Revonah Manor. In her own opinion, she feels strongly that if this is passed, we are really extending it to a great portion of Stamford than we can really look at and keep track of. She would be more comfortable with either of two plans: having designated historic structures through tax deferral, or through taking one section of the City as a trial, such as the Central Section of Stamford, the URC area, and evaluate after one year whether or not we should place this into action for the entire downtown area up to and including Revonah Manor. Because of the problems that Mrs. McInerney has and the questions that were raised previously, she would like to support it but she just cannot at this time.

LEGISLATIVE AND RULES COMMITTEE (continued)

MRS. SANTY said she was amazed that one of the Co-Chairpersons of L&R stated that people shouldn't live in un-renovated homes. Is this the purpose of this resolution, coddling developers into renovating their rental properties which they should be renovating already? Originally when this came before us, Mrs. Santy's thought was that this was to preserve historic sites in this City. We are about 20 years too late. Affordable housing is the key issue not just at election time, but it is something that we face every day on this Board and in our daily walks of life and in talking to our constituents. This resolution, ladies and gentlemen, is going to be the magician that makes affordable housing disappear and also the magician that will end any historic sites that are left for preservation. This is not the answer. She hopes that if this passes tonight, and she hopes it doesn't, that we don't look back and say this is another mistake we made on this Board. Please look at this very, very carefully. She urges a No vote.

MR. RUBINO said he wished to address Mr. Martin's quote of Diana Crouse's (Fair Rent Director) statement. He feels it was taken out of context to the point of being extremely deceptive. He will read a little more of her testimony which was read on her behalf before the Committee: "I must say that I could not in good conscience support the resolution as it is printed in the newspaper for this hearing unless amendments are adopted which would address those concerns and possible ramifications of the proposed assessment deferral program which are as follows: (1) Possible drastic increases in rent especially at the end of the five-year deferral period, thus causing affordable rental housing to become unaffordable for those with incomes under \$25,000 per year who occupied the units before rehabilitation; (2) Possible evictions of tenants who cannot remain in the building if rehabilitation was so extensive that the buildings would be uninhabitable during renovations; (3) Problems of relocating those tenants in a City where the vacancy rate is less than one per cent (1%) in affordable housing for those with incomes under \$25,000 per year; (4) Possible conversions of apartments to condominiums after the five-year deferral period has expired, resulting in an additional loss of rental units."

Underscored, later on in the letter: "However, I find it amazing that there is no mention of any analysis done to determine the possible impact of such a program on rental housing in this City."

Clearly this three-page letter by Diana Crouse the Director of the Fair Rent Commission is diametrically opposed to what Mr. Martin said -- he took one sentence out of context. She could not be more strong in her opposition to L&R19.4, and Mr. Rubino agrees with her. Another thing, he thinks the statements on rent restrictions were very deceptive. There are no rent restrictions on the South End and Downtown -- none at all!

As far as condominium conversions go, that can be done anywhere in the City after the five-year deferral period is over in the South End and Downtown, and in the rest of the City after Community Development money is paid off.

What Reps. David Martin and Maria Nakian said clearly was not true.

MR. LYONS Moved the Question. Seconded. CARRIED, voice vote.

LEGISLATIVE AND RULES COMMITTEE (continued)

THE PRESIDENT stated the Question is on the approval of proposed resolution designating the City of Stamford as a Rehabilitation Area and establishing criteria for the eligibility of real property for assessment deferral as amended. This will be a machine vote, This is a resolution and not an ordinance, and as such, according to Section 202.2 of the Charter, it requires a majority of those present and voting.

The vote is 25 Yes, 8 No, 4 Abstentions, and 1 Non-Voting. The Motion is CARRIED.

- (2) (L&R19.16) FOR FINAL ADOPTION - PROPOSED ORDINANCE CONCERNING TAX ABATEMENT FOR THE STAMFORD CENTER FOR THE ARTS - exempting all real property taxes attributable to said property on Grand List of 10/1/84 to be abated and reimbursement of \$20,091.01 plus applicable interests and lien fees for real property taxes paid for said property on Grand List of 10/1/84, which are attributable to the period subsequent to 6/15/85. Requested by Randall Brion, Executive Director, SCA, 307 Atlantic St., Stamford, 8/21/86. Approved for publication 10/6/86.

APPROVED ON CONSENT AGENDA.

- (3) (L&R19.19) FOR PUBLICATION, PROPOSED ORDINANCE CONCERNING TAX EXEMPTION FOR PROPERTY OF THE CHILD GUIDANCE CENTER ON VISTA STREET AND ON WEST BROAD STREET. Submitted by David P. Lasnick, Esq., of Abate & Fox, Attys., 607 Bedford St., Stamford 06901, 9/10/86. Held in Committee 10/6/86.

MRS. NAKIAN said Item #3 is being HELD IN COMMITTEE pending further clarification.

- (4) (L&R19.21) REQUEST FOR WAIVER AND REFUND OF BUILDING PERMIT FEE IN THE AMOUNT OF \$750.00 PAID BY MEALS-ON-WHEELS OF STAMFORD/DARIEN, INC., for the construction of a new central kitchen facility at 8 Woodland Place in the St. Luke's Community Service Bldg. Permit #64863, 8/12/86. Requested by Lois Anderson, Pres., and Sally Peabody, Exec. Dir., Meals-on-Wheels of Stamford/Darien, Inc., 60 Guernsey St., Stamford 06901, 9/16/86.

APPROVED ON CONSENT AGENDA.

- (5) (L&R19.23) REQUEST FOR WAIVER AND REFUND OF BUILDING PERMIT FEE OF \$2,450.00 paid by the North Stamford Seventh Day Adventist Church, for construction of a new church. Requested by Pastor Tony R. Moore, North Stamford Seventh Day Adventist Church, 2130 High Ridge Rd., Stamford 06903, 6/13/86.

APPROVED ON CONSENT AGENDA.

LEGISLATIVE AND RULES COMMITTEE (continued)

- (6) (L&R19.18) REQUEST FOR WAIVER AND REFUND OF BUILDING PERMIT FEE FOR CONSTRUCTION OF THE WILLIAM AND SALLY TANDENT CENTER FOR CONTINUING CARE AT THE STAMFORD HOSPITAL. This will be a non-profit facility on the Stamford Hospital campus, Requested by George S. Price, P.E., Asst. V-P, Construction for the Center, P.O. Box 15487, Stamford 06901. Held on Pending Agenda 9/17/86.

MRS. NAKIAN said Item #6 was HELD IN COMMITTEE pending receipt of the building permit and the check.

Mrs. Nakian Moved for adoption of the Consent Agenda Items #2, 4, and 5. Seconded. CARRIED, voice vote. (Mrs. Bromley Abstained on Item #1, not on Consent.)

PERSONNEL COMMITTEE

MS. FISHMAN said Personnel met on Tuesday, Oct. 28, 1986, at 7:30 P.M. in Conference Room I, Board of Education. Present were Reps. Pavia, Morris, Burke, Powers, Blum, Dudley, and Fishman. Also present were Sim Bernstein, Personnel Director, Asst. Corp. Counsel Deborah Steeves, Labor Negotiator Thomas Barrett, Rep. John Zelinski, and members of the Dental Hygienists Union, Carole Considine and Rosemary Blosio. The contract was approved 7-0-0, and she Moved for acceptance.

MR. BURKE said the Labor Contracts Liaison Committee concurred.

- UNION CONTRACT
(1) RATIFICATION OF AGREEMENT BETWEEN THE CITY OF STAMFORD AND THE STAMFORD SCHOOL DENTAL HYGIENISTS ASSOCIATION covering the years 7/1/84 to 6/30/87. Agreement provides for salary increases of 5% effective 7/1/84; 5% effective 7/1/85; and 5% effective 7/1/86. Also effective 7/1/84 and 7/1/86, the first step in salary grade will be dropped and one new step added. Board has 30 days from 10/10/86 to act on union contract. If no action is taken, the contract becomes binding. Submitted by Mayor Thom Serrani 10/10/86. Board of Finance approved 10/9/86

Above also referred to LABOR CONTRACTS LIAISON COMMITTEE.

THE PRESIDENT called for a voice vote on Item #1. CARRIED.

- (2) FOR PUBLICATION, PROPOSED ORDINANCE DESIGNATING THE POSITION OF DIRECTOR OF HEALTH AS UNCLASSIFIED POSITION. Submitted by Mayor Thom Serrani 9/25/86.

MS. FISHMAN said her Committee approved Item 2 with 6 in favor and 1 Abstention.

APPROVED ON CONSENT AGENDA.

PERSONNEL COMMITTEE (continued)

- (3) FOR PUBLICATION - PROPOSED ORDINANCE DESIGNATING THE POSITION OF CLERK-OF-THE-WORKS, OR PROJECT DIRECTOR, AS UNCLASSIFIED POSITION.
Submitted by Mayor Thom Serrani 10/15/86.

MS. FISHMAN said Item #3 was approved by the Committee 6-1-0-0 and she so Moved. Seconded.

MR. BLUM said he is definitely against this proposed ordinance because he has maintained all the years he has been on this Board that there should not be two classes of workers in the City. All are City workers, if they are employed. He read from the Charter regarding who are the Classified, and who are the un-classified employees. Section 734 (g) of the Charter reads: "all other positions now existing or hereafter created, designated as Unclassified by ordinance of the Board of Representatives, The Classified Service shall include all other positions now existing or hereafter created. (S.A. No. 516, 1951; Referendum 11/8/77)."

Mr. Blum said he has always been against the fact that the Board of Representatives should be the avenue by which employees are designated if a City worker is classified or unclassified. Some employees who were not designated as either classified or unclassified, but worked, quite often, under grant funds from the State and/or Federal Government, finally became classified through a court order because they were not specifically put in the category of unclassified.

Mr. Blum read "Section 47-21 Contracts for unclassified non-union employees. Contracts of employment for unclassified non-union employees shall be approved in advance of employment by the Board of Representatives and shall contain all terms of employment, salary, fringe benefits, if any, and state what provisions, if any, govern salary increase; except that this provision shall not apply to independent contractors hired as durational employees for a specified project or purpose, which shall include but not be limited to consultants, attorneys, engineers, architects, appraisers, accountants, etc." This is from the Stamford Code of Ordinances.

Now, this particular ordinance the Board is going to discuss now should have been accompanied with details as enumerated in Sec. 47-21 of the Code for the Project Director or Clerk-of-the-Works. Nobody showed the Board the fringe benefits, the salary range, the terms, etc. This is before the Board in error. If we live by the Code of Ordinances, which is the product of the legislative body, Mr. Blum Moves that this be sent back to committee. Why do we write ordinances if no one is going to obey them. Seconded.

THE PRESIDENT will accept discussion only on the Motion to return to committee

MRS. MAIHOCK said she was trying to obtain clarification of how this is worded so she might better understand it. Why is it worded "Clerk of the Works or Project Director", and are these positions synonymous, or are they two different positions being concerned. Until she knows that, she really would not know whether she wants it to go back to committee or be voted on for approval.

PERSONNEL COMMITTEE (continued)

MR. BLUM said he would like to talk about it.

THE PRESIDENT said he did talk about it when he made the Motion to Return to Committee. We can now vote on it. A machine vote on Mr. Blum's and Mrs. Maihock's request was DEFEATED by a vote of 8 Yes, 27 No, 1 Abstention, and 2 Non-Votes.

Mrs. Maihock is the next speaker on this list to discuss the Main Motion.

MRS. MAIHOCK asked if the Committee Co-Chairpersons could answer her question regarding Clerk-of-the-Works or Project Director being two different positions or one.

MRS. FISHMAN said she does not know, but she understands these are temporary positions that oversee a job that is going on for a short length of time. Then the next time a project comes along, it may be a different person who is contracted to be a project overseer. The titles are fairly synonymous and interchangeable.

MRS. MAIHOCK asked if the Clerk-of-the-Works is actually in the same category as far as experience is concerned with someone who might act as Project Director. It does not seem logical to her.

MR. LYONS said it is the same person, just a different title. It could be on different jobs, possibly a Project Director might be called that on a larger project, and the other on a smaller, but their duties are quite similar.

MR. JEPSEN Moved the Question. Seconded. CARRIED, voice vote.

THE PRESIDENT called for a machine vote on Item #3, and she reminded the Board members that there is another opportunity ^{to} vote on this next month once it is published that would be for final adoption, if it passes now. APPROVED, with 33 Yes, 3 No, and 2 Non-Voting.

The CHAIR noted that Mrs. Santy has left the meeting and there are now 37 members present. Mr. DeRose has also left, so there are 36 present.

- (4) FOR PUBLICATION - PROPOSED ORDINANCE DESIGNATING THE POSITION OF RAILROAD MAINTENANCE WORKER AS UNCLASSIFIED. Submitted by Mayor Thom Serrani 10/15/86.

MRS. FISHMAN said the Committee voted 5 in favor, 1 against, and 1 abstention. She pointed out that these positions are temporary while the Transportation Center is being built. When it is completed, the maintenance and cleaning will be given over to a contracting company to do, or the Public Works Department. That hasn't been decided. These people are temporary workers and have contracts which are renewed when as time may run out and the job is not totally completed. Seconded.

PERSONNEL COMMITTEE (continued)

MRS. MAIHOCK asked why the Public Works Department has not been put in charge of maintaining the railroad station, and do we need a special position to perform this service.

MRS. FISHMAN said these already have the contract,

MR. LYONS said this project still belongs to the State. As soon as the City takes it over, this Board will decide whether Public Works will do it, or an outside contractor will do it, or whatever other way we may determine. Right now it is still State property.

MR. BURKE said he would like to insert a word of caution somewhere along the line that this is work that had previously been performed by the Public Works Dept. in the old station. They swept the floors; they cleaned the place; they kept it in apple-pie order. It is now something else. There is always the possibility because of the commonality of interest and a likeness of job duties that an union would claim this as a bargaining unit job, but we are lessening the possibility, not the probability, by putting it in the unclassified section. He thinks we should take every opportunity and every avenue open to us to safeguard ourselves.

THE PRESIDENT called for a voice vote on Item #4. CARRIED, with Mr. Blum in opposition, and Mr. Jepsen abstaining.

THE PRESIDENT announced there are five cars in the parking lot which are blocking Mrs. Santy's car, and asked the owners to move them so Mrs. Santy can get her car out.

MRS. FISHMAN Moved for approval of Item #2 on Consent Agenda. CARRIED.

MRS. FISHMAN stated that the Committee voted as follows at their Tuesday, Oct. 28, 1986 meeting, at 7:30 P.M.: Item #1 passed by a vote of 7-0-0. Item #2 passed by a vote of 6-0-1. Item #3 passed with a vote of 6-1-0. Item #4 passed with a vote of 5-1-1.

That is the end of Mrs. Fishman's report.

PLANNING AND ZONING COMMITTEE

MR. WHITE said his Committee met on Thursday, Oct. 30, 1986, at 7:30 P.M., at the Board of Education offices on Hillandale Ave. Present were Committee members Donald Donahue, David Jachimczyk, Barbara McInerney, Maria Nakian, Sal Signore, and Dennis White. Also Board member Sandra Goldstein; and representing Public Works, Mr. Ray Green. Also present were Mike Cacace and Mary Pitt, attorneys for Broadmoor Housing; Irwin Silver, Gene Majik and Richard Coates from Broadmoor Corp. John Roman and Len Gambino from WSTC-WYRS were also present. Members of the general public were also there. He Moved to the Consent Agenda Item #3.

PLANNING AND ZONING COMMITTEE (continued)

- (1) FOR PUBLICATION - PROPOSED ORDINANCE AUTHORIZING THE SALE OF A PORTION OF THE CITY'S RIGHT-OF-WAY ON SUBURBAN AVE., NORTH FROM BROAD ST., APPROXIMATELY TWO-THIRDS OF THE WAY TO FOREST ST., (12,030 SQ. FT.) FOR SEVEN HUNDRED THIRTY-FIVE THOUSAND DOLLARS (\$735,000.00) TO BROADMOOR HOUSING, INC. Submitted by Mayor Thom Serrani 7/22/86. Planning Board approved with proviso 7/29 86, Contingent upon Board of Finance approval. Held in Committee 9/8 and 10/6/86.

HELD IN COMMITTEE.

MR. WHITE said a very lucid presentation was made concerning the Broadmoor issue by Atty. Cacace. By a vote of 5-1, it was held pending further information; i.e., an explanation by Mr. Cullen from Baldwin and Pierson, Assessors, and by the Planning Board of its rationale for its particular decision.

- (2) PETITION FOR ROAD ACCEPTANCE FOR BLACK ROCK ROAD - 1,100 ft. long and turnaround running west from Trinity Pass Road. Map #11463 on file in the Town Clerk's Office. Submitted by John Porcelli, 15 Craig St., Stamford, 9/25/86.

HELD IN COMMITTEE.

MR. WHITE said Item #2 was Held pending further information; i.e., the Engineering Dept. has informed us that they have not gotten the necessary information, nor has it done the necessary inspection also.

- (3) PETITION FOR ROAD ACCEPTANCE FOR CARRINGTON DRIVE - from existing Carrington Drive at Town of Greenwich line, extending southerly and easterly approximately 2,137 ft. to permanent turnaround as Shown on Map #11305 Stamford Land Records and Map #5978 Greenwich Land Record. Submitted by J. J. Greco, Inc. and J. J. Greco, 8 Perna Lane, Riverside 06878, 9/15/86. Certified for acceptance by Frank J. Soldano, P.E., City Engineer, letter of 10/3/86. Held in Steering Committee 9/17/86.

APPROVED ON CONSENT AGENDA, with Rep. Goldstein abstaining.

MR. WHITE Moved for acceptance of Item #3 on the Consent Agenda. Seconded. CARRIED, voice vote, with Rep. Goldstein abstaining.

MRS. McINERNEY made a Point of Information, asking if Planning and Zoning Chairman White has ascertained the date on which he will be holding the public hearing on the Accessory Apartment issue.

MR. WHITE said they have pretty much agreed on November 20, 1986.

PUBLIC WORKS AND SEWER COMMITTEE

MR. LYONS said the Committee met Wednesday night at the Hillandale Ave, Board of Education Bldg. Present were Reps. Fishman, Lyons, Zelinski, Esposito, and Toher. The one item on the Agenda was Moved to the Consent Agenda. Seconded. CARRIED, voice vote.

- (1) PROPOSED RESOLUTION CONCERNING THE APPROVAL OF AN AGREEMENT BETWEEN WOODSIDE GREEN ASSOCIATES, INC. and THE CITY OF STAMFORD. Woodside Green desires to obtain two storm drain easements, an ingress-egress easement across park land located between their complex and Washington Blvd. Also, Woodside Green to provide permanent routine maintenance of abutting park land. Submitted by Mayor Thom Serrani 10/15/86.

HEALTH AND PROTECTION COMMITTEE

MR. MORRIS said his Committee met on Wednesday, October 22, 1986, at 7:30 p.m., in Conference Room I in the Board of Education Bldg. Committee members present were Thomas Burke, Patricia McGrath, Scott Morris, James Rubino, and Mary Lou Rinaldi. Appearing for Item #2 were Rep. Rosanne Begel, Co-sponsor of this item with Rep. McGrath, and Mr. Hawley Oefinger Director of Communication for the Dept. of Police Services.

Item #1 is being held for appropriate language for^{an} ordinance from the Office of Corporation Counsel.

Item #2 is being held also.

- (1) FOR PUBLICATION - PROPOSED ORDINANCE AMENDING ORD. #551 CONCERNING THE DEMOLITION OF BUILDINGS. Submitted by Rep. Frank Mollo (D-9) 8/8/86. Returned to Committee 9/8/86. Held in Committee 10/6/86.

HELD IN COMMITTEE.

- (2) FOR PUBLICATION - PROPOSED ORDINANCE AMENDING ORD. #504 CONCERNING BURGLAS ALARM CONNECTIONS TO CENTRAL CITY TERMINAL. Amendment concerns lowering fees for senior citizens age 62 for female and 65 for male. Submitted by Rosanne Begel and Patricia McGrath, (D-14) 10/8/86.

HELD IN COMMITTEE.

EDUCATION, WELFARE AND GOVERNMENT COMMITTEE

MS. POWERS said the Committee met on Monday, Oct. 20, 1986, at 7:30 P.M. at the Board of Education Bldg. Present were Committee members Maihock, Fishman, Bromley, and Powers. Also present was Rep. Signore, and John Roman from WSTC. Item #1 is being HELD IN COMMITTEE pending further information. EW&G also toured the Child Care Center on Oct. 21st at 3:30 P.M. Present were Committee members Bromley, Nakian, Fishman and Powers. Also present was Rep. John Zelinski. The Committee wished to thank the staff for their

EDUCATION, WELFARE AND GOVERNMENT COMMITTEE (continued)MS. POWERS (continuing)

hospitality. Board members really had the opportunity to see the operation and facility that the State sends money to the City for, and their conclusion was that this an excellent operation and certainly money well-spent. It is recommended that if other Board members have an opportunity to visit this site, that they take advantage of it. They are open without an appointment during normal hours.

- (1) REQUEST TO NAME THE FLOOR HOUSING THE HEALTH DEPARTMENT IN THE NEW GOVERNMENT CENTER AFTER THE LATE DR. RALPH GOFSTEIN, Submitted by Rep. S. A. Signore (R-18), and Sandra Goldstein (D-16), 10/9/86.

HELD IN COMMITTEE.

MR. ZELINSKI wished to commend Rep. Ruth Powers for her excellent idea to allow Representatives to tour the facility.

PARKS AND RECREATION COMMITTEE

MR. PIA said the Committee met ⁱⁿ Conference Room I at Board of Education Bldg. on Thursday, Oct. 30, 1986, at 7:30 P.M. In attendance were Committee members Gerald Rybnick, Pat McGrath, Ruth Powers, Tom Pia. Rep. Wm. Hein^s was excused. Also in attendance were Paul Pacter, George Rieger, and Rep. Audrey Maihock. The Committee voted unanimously to HOLD item #1 until next month. Items #2 and #3 are on CONSENT AGENDA. Item #4 is being HELD. He Moved Items #2 and #3 to Consent Agenda. Seconded.

- (1) DISCUSSION OF ORGANIZATIONS REQUESTING PERMISSION TO HANG BANNERS - Submitted by Rep. Thomas Pia, Chairman, P&R Committee, 10/8/86.

HELD IN COMMITTEE.

- (2) REQUEST FOR PERMISSION TO HANG A BANNER ON SUMMER ST. from Nov. 24th to DEC. 8, 1986 - to publicize Westhill Chamber Singers Annual Grapefruit Sale. Requested by Joelle Burrows, 516 Den Rd., Stamford, 06903, 9/19/86.

APPROVED ON CONSENT AGENDA.

- (3) REQUEST FOR PERMISSION TO HANG A BANNER ON BEDFORD ST. FROM Nov. 24th to DEC. 8, 1986. - to publicize the 125th Anniversary of the Turn-of-River Presbyterian Church. Requested by Barbara Van Tronk, 785 High Ridge Rd., Stamford, 06905, 10/2/86.

APPROVED ON CONSENT AGENDA.

PARKS AND RECREATION COMMITTEE (continued)

- (4) MR. GEORGE RIEGER'S LETTER OF 11/4/86 REGARDING PADDLE COURTS BEING TURNED OVER TO THE BOARD OF RECREATION. Submitted by Rep. Robert "Gabe" Deluca (14-R), 18th Board of Representatives 11/14/85. Held in Committee 12/16/85 and 1/13/86, Held in Steering 1/15/86. Held on Pending Agenda since 3/3/86.

HELD IN COMMITTEE.

MR. PIA Moved for approval of the Consent Agenda Items #2 and 3. Seconded. CARRIED, voice vote.

REQUEST FOR SUSPENSION OF RULES TO BRING UP AN ITEM NOT ON THE AGENDA:

MR. PIA Moved to bring on the floor an item for permission to hang a banner on Bedford St. for the Stamford High School Thespians Society from 11/23/86 to 12/15/86. Their letter got lost last month. Seconded. CARRIED, voice.

- (5) REQUEST FROM THE STAMFORD HIGH SCHOOL THESPIAN SOCIETY OF STAMFORD HIGH SCHOOL TO HANG A BANNER for a Dec. 6th and 13th Show. Banner will be on Summer St. from Nov. 10th to Nov. 24, 1986.

MR. PIA Moved for approval. Seconded. CARRIED, voice vote.

HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

MR. WIDER said his Committee met in Conference Room I at the Board of Education Bldg: on Hillandale Ave., on 10/29/86. Present from the Committee were Annie Summerville, Katie Mae Glover, and Lathon Wider. Rep. Stanley Esposito came to the meeting early. The discussion was on Item #1 and Item #2. The Committee voted 3-0 on Item #1, and #2. Both are Moved to the Consent Agenda.

- (1) PROPOSED RESOLUTION TO APPROVE THE HOUSING SITES DEVELOPMENT AGENCY (HSDA) SITE ACQUISITION AND DEVELOPMENT WRITE-DOWN. Stamford Cross Road Residences, Inc., Cross Road Residences: Application for \$191,743 in State funds. Local 1/3 matching of \$95,872 for site write-down will be committed from previously-budgeted City funds in Capital Projects Account #201.154 (Housing Site Development) and will not result in increases to taxes or bonded indebtedness of the City. Submitted by Mayor Thom Serrani 10/7/86.

APPROVED ON CONSENT AGENDA.

- (2) PROPOSED RESOLUTION TO APPROVE HOUSING SITE WRITE-DOWN: NEIGHBORHOOD HOUSING SERVICES, INC., WESTVIEW TOWNHOUSES: Application for \$78,182 in State funds. Local 1/3 matching funds of \$39,092 for the site write-down will be committed from previously-budgeted City funds in Capital Projects Budget Account #201.154 (Housing Site Development) and will not result in increased to taxes or bonded indebtedness of the City. Submitted by Mayor Thom Serrani 10/7/86.

APPROVED ON CONSENT AGENDA.

HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE (continued)

MR. WIDER Moved for approval of Consent Agenda Items 1 and 2. Seconded.
CARRIED, voice vote.

URBAN RENEWAL COMMITTEE

MS. SUMMERVILLE said there is no report.

ENVIRONMENTAL PROTECTION COMMITTEE

MRS. MAIHOCK said there was no item on the agenda.

TRANSPORTATION COMMITTEE

MR. CLEAR said there were no items on the agenda.

LABOR CONTRACTS LIAISON COMMITTEE

MR. BURKE said the items his Committee had to consider were considered in conjunction with the Personnel Committee and their report was given through them. There is no separate report.

SPECIAL COMMITTEES

HOUSE COMMITTEE

MR. RYBNICK said no report.

COLISEUM AUTHORITY LIAISON COMMITTEE

MR. BOCCUZZI said no report.

CHARTER REVISION COMMITTEE

MRS. NAKIAN said no meeting, no report.

MRS. McINERNEY said there was a resignation on the Charter Revision Commission, and the Board rushed to judgment a few months ago with one resignation. Why is the Committee holding this and not replacing that name for two or three months?

THE PRESIDENT said this was taken up at the Steering Committee.

CHARTER REVISION COMMITTEE (continued)

MRS. NAKIAN said this was because there was no formal resignation. One Democratic member had indicated that he would like to resign, and because we felt it should be filled immediately, we put it on the Agenda. However, he decided he would not resign; he had never written a letter of resignation, and the matter was dropped in Steering.

MRS. McINERNEY thanked Mrs. Nakian for the clarification.

SPECIAL COMMITTEE TO ASSESS PRIORITY ISSUES

MR. MORRIS said the Committee met on Wednesday, Oct. 15, 1986, in Conference Room II in the Board of Education Bldg., at the conclusion of the October, 1986, monthly meeting of the Steering Committee. Committee members present were Donahue, Boccuzzi, Esposito, Pia, and Morris. What was basically discussed at this very short meeting was the type of final report that the Committee would be issuing on the item concerning affordable housing and what kinds of comments the members of the Committee wanted to have included in this report. All members of the Board will find in the packets this evening on the desks the Final Report of the Committee which is essentially a summation and wrap-up of the Committee's work on the issue of affordable housing. The Committee has had more than a half dozen meetings on this item since it was first submitted by Mr. Esposito in January of this year. Mr. Morris thinks this is an incredibly complex issue with so many varied and diverse components and ingredients mixed into it. Thus the purpose of the Committee's work was to inform and to educate, not to recommend any particular course or courses of action. The members of the Special Committee are very grateful to all of the invited guests who offered significant constructive in-put and remarks on the current situation regarding the ways in which to achieve more affordable housing in the City of Stamford. He urged all members to read this Report. The Committee will soon be taking up another issue of importance and priority to the Stamford residents.

MR. WHITE wished to make a comment on Mr. Morris' work. He said to keep in mind that if the members of the Board want housing, then you zone for housing. In talking about affordable housing, it gets down to a question of zoning and zoning enforcement. The same thing applies to this question of rehabilitation resolution; it won't solve anything but ^{it will} go a significant step. It has to be supplemented by zoning. This whole business has to be protected by zoning, so this should be kept in mind, Hard, tough zoning decisions have to be made.

RESOLUTIONSREQUEST FOR SUSPENSION OF RULES TO BRING UP AN ITEM NOT ON THE AGENDA:

MS. SUMMERVILLE Moved to bring on the floor an item not on the agenda to change the date of the December meeting of this Board, Seconded. CARRIED.

- (1) PROPOSED RESOLUTION TO CHANGE THE DATE OF THE DECEMBER 1st REGULAR BOARD MEETING to MONDAY, DECEMBER 8, 1986,

MS. SUMMERVILLE read the Resolution. Moved. Seconded. CARRIED, voice vote. The basic reason is because of the Thanksgiving Holiday weekend and the various Committee Meetings.

PETITIONS - None

ACCEPTANCE OF THE MINUTES

October 6, 1986 REGULAR BOARD MEETING MINUTES.

Motion to Approve made; SECONDED; APPROVED, voice vote.

COMMUNICATIONS FROM THE MAYOR, OTHER BOARDS and INDIVIDUALS - None.

OLD BUSINESS - None.

NEW BUSINESS - None.

THE PRESIDENT said a number of members of the Board have asked for additional invitations to the City Hall functions next week. She has some extras and will supply them at the end of this meeting.

ADJOURNMENT

There being no further business to come before the Board, upon Motion duly Moved, Seconded, and CARRIED by voice vote, the meeting was adjourned at 10:05 P.M.

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

APPROVED:

Sandra Goldstein

Sandra Goldstein, President
19th Board of Representatives

SG:AMS:HMM
Encs.