

MINUTES OF REGULAR BOARD MEETING

WEDNESDAY, SEPTEMBER 9, 1987

19TH BOARD OF REPRESENTATIVES

STAMFORD, CONNECTICUT

A regular monthly meeting of the 19th Board of Representatives of the City of Stamford was held on Wednesday, September 9, 1987, in the Legislative Chambers of the Board in the Government Center, 888 Washington Boulevard, Stamford, Connecticut.

The meeting was called to order at 8:35 p.m. by President Sandra Goldstein, after both political parties had met in caucus.

INVOCATION was given by Captain William Bentley, Salvation Army
P. O. Box 597, 20 Beehler Street, Stamford, CT 06904

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

ROLL CALL was taken by Clerk of the Board Annie M. Summerville. There were 29 members present and 11 absent. Absent were Reps. Begel (excused), Biancardi, McGrath, Pavia, Tooher, Livingston, Clear (excused), Wider (excused), Glover, Dudley (excused), and DeRose.

The Chair declared a quorum.

MACHINE TEST VOTE: After test votes were taken by the President, the machine was in good working order.

PAGES: Deborah Heitner, Student, Turn-of-River Middle School.
Heather Cunningham, Student, Westhill High School.

PRESIDENT GOLDSTEIN thanked the Pages for coming this evening. President Goldstein said that Debby Heitner was a student in Project Explorer. Debby put together a book called "Stamford in Focus" that is extraordinary. President Goldstein said that you will be impressed when looking through the book with the poetry, the pictures and the text. Each Representative will find something familiar in his/her district. The book was passed around for all the Members to see. President Goldstein said the book was worth having on exhibit in the Government Center.

MOMENTS OF SILENCE:

For the late Bayard Rustin by Rep. David Blum: "A great friend, a leader of an organization I belong to, his name is Bayard Rustin, Chairman of the A. Phillip Randolph Institute. One of the foremost civil rights and labor leaders in this country died at the age of 75. Mr. Rustin had worked very hard for the civil rights march on Washington at the time when the Rev. King "I had a dream." Mr. Rustin worked very hard within the A. Phillip Randolph Institute. A Moment of Silence for him."

MOMENTS OF SILENCE: (continued)

For the late Ron Sigel by Rep. Ellen Bromley: "A dear friend of mine who lived on Club Road and died on August 10. I know that his wife, Sharon, and his children, Jacob and Samantha will find strength in themselves and through the love and help of this community to get through these difficult days and through the love that they know they always had in Ron."

For the late Ed Hampton by Rep. S. A. Signore: "A moment of silence for Ed Hampton, Annie Summerville's dad."

STANDING COMMITTEES

STEERING COMMITTEE: Chairwoman Sandra Goldstein

REPORT.

MR. BOCCUZZI Moved to waive the reading of the Steering Committee report. Seconded, Carried by voice vote.

STEERING COMMITTEE REPORT:

The Steering Committee met on Wednesday, August 19, 1987, in the Democratic Caucus Room of the Government Center, 888 Washington Boulevard. 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	David Martin	Claire Fishman
John Boccuzzi	Barbara McInerney	Thomas Pia
Mildred Perillo	James Rubino	James Dudley
Richard Lyons	Maria Nakian	Annie Summerville
Scott Morris	Ruth Powers	Sandra Schlachtmeyer
Thomas Burke	Audrey Maihock	John Roman, WSTC
		Anne Kachaluba

1. APPOINTMENTS COMMITTEE - Ordered on the Agenda was the one name on the Tentative Steering Agenda.

2. FISCAL COMMITTEE - Ordered on the Agenda were the six items appearing on the Tentative Steering Agenda and the one item on the Addenda.

3. LEGISLATIVE & RULES COMMITTEE - Ordered on the Agenda were 8 of the 9 items appearing on the Tentative Steering Agenda. Ordered off the Agenda was (L&R19.41) Legality of Street Vendors. This item was researched and can be submitted for the Agenda if anyone so desires. Matter is complicated. Ordered off the Pending Agenda was (L&R19.44) waiver and refund, and tax exemption for property at 218 Cedar Heights Road owned by El-Shammah Apostolic Church. Item withdrawn by El-Shammah Apostolic Church.

4. PERSONNEL COMMITTEE - No items appeared on the Tentative Steering Agenda.

5. PLANNING AND ZONING COMMITTEE - Ordered on the Agenda were all five items appearing on the Tentative Steering Agenda. Also ordered on the Agenda was one item from the Pending Agenda and that was petition for road acceptance for Black Rock Road.

STEERING COMMITTEE REPORT: (continued)

6. PUBLIC WORKS AND SEWER COMMITTEE - Ordered on the Agenda was the one item appearing on the Tentative Steering Agenda.

7. HEALTH AND PROTECTION COMMITTEE - Ordered on the Pending Agenda was the one item appearing on the Tentative Steering Agenda and that was Problem of dumpsters in residential areas.

8. PARKS AND RECREATION COMMITTEE - Ordered on the Agenda were the seven items appearing on the Tentative Steering Agenda.

9. EDUCATION, WELFARE AND GOVERNMENT COMMITTEE - No items appeared on the Tentative Steering Agenda. Ordered on the Agenda was one item from the Pending Agenda and that was Update on issues and problems of the homeless.

10. HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE - No items appeared 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 on the Agenda was the one item appearing on the Tentative Steering Agenda.

18. SPECIAL COMMITTEE TO ASSESS PRIORITY ISSUES - Ordered Held in Steering 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 8:00 p.m.

SANDRA GOLDSTEIN, CHAIRWOMAN
STEERING COMMITTEE

APPOINTMENTS COMMITTEE - Mildred Perillo, Chairwoman

MRS. PERILLO said Appointments met on August 25th at 7:30 p.m. Committee members present were Mildred Perillo, John Boccuzzi, Patricia McGrath, Stanley Esposito, Thomas Burke, James Tooher and Ruth Powers. The Committee voted unanimously to place Mr. Lindstrom on the Consent Agenda.

E. GAYNOR BRENNAN GOLF COMMISSIONTERM EXPIRES

1. MR. EDWIN O. LINDSTROM, JR. (R) Replacing M. Patterson 12/1/90
42 Brightside Drive whose term expired.

APPROVED ON CONSENT AGENDA WITH ONE ABSTENTION, MR. ESPOSITO.

MRS. PERILLO Moved the Consent Agenda. Seconded. Carried by voice vote.

FISCAL COMMITTEE - Donald Donahue, Chairman

MR. DONAHUE said the Fiscal Committee met on September 2nd with the following members in attendance: Mr. Lyons, Mr. Mollo, Ms. Begel, Mr. Esposito, Mr. Rybnick, Mr. Donahue, Ms. Rinaldi, David Martin and Mr. Livingston. Mr. Donahue placed items 1, 2, 5 and 6 on the Consent Agenda. All Secondary Committee concurred.

1. \$6,011,492.00 - DEPARTMENT OF PUBLIC WORKS - AMEND THE CAPITAL PROJECTS BUDGET FOR FISCAL YEAR 1987/88 FOR PROJECT #343-958 TRANSFER STATION. This is towards the estimated cost for building the station. Request by Mayor Thom Serrani 6/8/87. Recommended funding source is bonds. Planning Board approved 7/28/87. Contingent upon Board of Finance approval. Held in Committee 7/6 and 8/10/87.

Above also referred to PUBLIC WORKS AND SEWER COMMITTEE.

APPROVED ON CONSENT AGENDA

2. \$ 5,000.00 - PATRIOTIC AND SPECIAL EVENTS COMMISSION - CODE 116.3250 - additional appropriation towards funding the "We the people celebration" on September 20, 1987, marking the Bicentennial of the U.S. Constitution this year. Request by Mayor Thom Serrani 7/28/87. Contingent upon Board of Finance approval.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

APPROVED ON CONSENT AGENDA

FISCAL COMMITTEE: (continued)

3. \$ 95,000.00 - SMITH HOUSE SKILLED NURSING FACILITY - AMEND THE CAPITAL PROJECTS BUDGET FOR FISCAL YEAR 1987/88 FOR PROJECT #520-189 WEST WING ROOF REPAIRS - additional appropriation needed to repair upper and lower roofs of West Wing. Costs fully reimbursable through the Medicaid cost system. Recommended funding source is bonds. Request by Mayor Thom Serrani 7/28/85. Planning Board approved 8/11/87. Contingent upon Board of Finance approval.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

MR. DONAHUE said the Fiscal Committee voted unanimously to approved this item. Moved. Seconded. Education, Welfare and Government Committee concurred.

MR. BLUM asked if the bid for this project was pursuant to regulations? Mr. Blum said he called Mr. Canino's office and asked if there were any other bids on the second \$95,000? Mr. Blum said while the work was being done on one roof, the contractor found that the larger roof had to have repairs. Mr. Blum said the same company was doing both roofs and he believed that when the larger roof was in need of the repairs, and this was known, it should have gone out to bid. Mr. Blum wanted to know about the process.

MR. DONAHUE said that in an emergency situation, certain procedures can take place to waive the bid process. The Purchasing Agent could ask for bids, but it makes sense for a contractor working there to do the repairs since his equipment, materials, etc. are on the job site. This is a less expensive cost and if the bids went out, it would take two or three months before any work could have started on the roof. Mr. Donahue said the procedure was correct and appropriate.

PRESIDENT GOLDSTEIN called for a vote. APPROVED by voice vote.

4. \$ 15,000.00 - ENVIRONMENTAL PROTECTION BOARD - CODE 110-5150 PROFESSIONAL CONSULTANTS - additional appropriation request will allow hiring of consultants to maintain service level pending replacement of two staff members who resigned. Request by Mayor Thom Serrani 8/3/87. Contingent upon Board of Finance approval.

Above also referred to ENVIRONMENTAL PROTECTION COMMITTEE.

MR. DONAHUE said that because two people resigned, the applications still come in and they must be researched and the work must go on. Experts are brought in to continue to do the highly technical work as long as the positions are vacant. Mr. Donahue said that the Personnel Department feels that within two months these positions will be filled. This appropriation will cover the two months. The Fiscal Committee voted unanimously to approve this. Moved.

MRS. MAIHOCK said the Environmental Protection Committee did not meet on this. She said that she did go into Mr. Donahue's meeting. She had two meetings simultaneously, and she said that Mr. Donahue mentioned that he did not have anyone present who would be reporting on this item. Mrs. Maihock Moved to waive the report. Seconded. Carried by voice vote.

FISCAL COMMITTEE: (continued)

MRS. SANTY asked Mr. Donahue what will happen to the funds budgeted for the Director and the analyst?

MR. DONAHUE said the monies will stay in place, in the account, unless the Board of Finance seeks to transfer the money.

MRS. SANTY said there will be an increase because if the salary money is not being used, what will happen?

MR. DONAHUE said that if the monies are not expended, they will be returned to the general fund.

MRS. SANTY asked why the monies could not be used now instead of coming in for an additional appropriation?

MR. DONAHUE said that the funding must be in place in the salary account as the Personnel Department will not go forward to hire or fill the positions.

MRS. SANTY asked if the monies cannot be transferred from the salary accounts already budgeted?

MR. DONAHUE said he believed that the funding was not equivalent.

PRESIDENT GOLDSTEIN proceeded to a vote on \$15,000 for the Environmental Protection Board. APPROVED by voice vote.

5. \$ 1,957.00 - HEALTH DEPARTMENT - CODE 550.2930 OFFICE EXPENSES - additional appropriation request to cover printing of license certificates and permit certificates, stickers, purchase of licensing and permitting compliance guides, etc. to carry out license program. This item erroneously dropped during the budget process review. Request by Mayor Thom Serrani 7/28/87. Contingent upon Board of Finance approval.

APPROVED ON CONSENT AGENDA

6. \$ 250.00 - STAMFORD YOUTH PLANNING & COORDINATING AGENCY - CODE 205.7551 MEDIATION SERVICE - additional appropriation request to match state grant amount increased by 4%. Request by Mayor Thom Serrani 7/28/87. Contingent upon Board of Finance approval.

APPROVED ON CONSENT AGENDA

7. \$29,950.00 - HEALTH DEPARTMENT - CODE 559 VARIOUS - additional appropriation to cover an increase in the State's tuberculosis grant. Funding increased due to increase in the City's active TB Cases.
- | | |
|---------------------------------------|-----------------|
| 559.5130 Professional medical care | \$28,942 |
| 559.2930 Office supplies and expenses | 125 |
| 559.2740 Telephone | 383 |
| 559.1220 Car allowance | 500 |
| | <u>\$29,950</u> |

Request by Mayor Thom Serrani 8/15/87. Contingent upon Board of Finance approval.

Above also referred to HEALTH AND PROTECTION COMMITTEE.

FISCAL COMMITTEE: (continued)

MR. DONAHUE said the Committee unanimously recommended approval of this item. Moved. Seconded by the Health and Protection Committee.

MRS. McINERNEY said that she would not vote against this item but she was shocked at the 300% increase in TB cases. She asked if Mr. Donahue knew the number of previous cases and the number of present cases?

MR. DONAHUE said that he did not have any back-up on the number of cases.

MRS. McINERNEY asked if Mr. Donahue could research this and get back to the Board with the figures.

MR. DONAHUE said that the researcher could find out and also, Mrs. Carruth, the Acting Health Director, could be called to obtain the numbers.

MRS. McINERNEY said that she would follow through on this.

PRESIDENT GOLDSTEIN called for a vote to approve the funds for the Health Department. APPROVED by voice vote.

MR. DONAHUE Moved to approve the Consent Agenda. Seconded. Carried by voice vote. Mr. Esposito abstained on item #1.

MR. DONAHUE Moved to Suspend the Rules for an item not on the Agenda concerning a resolution regarding Payment in lieu of Taxes. Seconded. Carried.

8. PROPOSED RESOLUTION CONCERNING STATE PAYMENT-IN-LIEU-OF-TAXES FOR STATE-FINANCED MODERATE RENTAL HOUSING IN THE AMOUNT NOT TO EXCEED \$902,041. Submitted by Mayor Thom Serrani 8/25/87.

MR. DONAHUE said the Fiscal Committee unanimously recommended approval of this item.

Someone asked Mr. Donahue about this resolution.

MR. DONAHUE said that each year, the city is asked by the state to pass a resolution to apply under the Payment-in-lieu of Taxes program; the state does not pay taxes on four housing complexes in the City of Stamford; the city is eligible to receive over \$800,000 in funding. Mr. Donahue said the state sent the paper work in late and we we're asked to get this resolution back to the state as soon as possible.

MRS. SANTY said that she took exception to the 11th hour deadlines; there is no time to read them.

PRESIDENT GOLDSTEIN called for a vote on the resolution. APPROVED by voice vote with Ms. Summerville abstaining.

MR. DONAHUE Moved to Suspend the Rules to take up an item not on the Agenda. Seconded. The item is for \$300,000 for State Neighborhood Rehabilitation Grant. The resolution was approved sometime ago. The appropriation was left off our Agenda due to delays caused on the Board of Finance level. Mr. Donahue Moved to approve the funds. Seconded.

FISCAL COMMITTEE: (continued)

9. \$300,000.00 - AMENDMENT TO CAPITAL PROJECTS BUDGET FOR STATE NEIGHBORHOOD REHABILITATION GRANT NO. 135-NR-5. Submitted by Mayor Thom Serrani 1/13/87. Planning Board approved 2/3/87. Board of Finance approved 5/21/87.

MRS. MAIHOCK said that since she did not have an opportunity to read the material, she asked if Mr. Donahue could discuss this.

MR. DONAHUE said the issue in total was approved by the Board of Representatives some months ago. This is on the Agenda this evening because the funding was approved and now sent to us by the State of Connecticut. There are projects on the boards begun by the Neighborhood Rehabilitation grant; this takes properties that meet certain qualifications in target areas of the city, and the owners must meet strict guidelines in order to qualify for grants and for low interest loans. Mr. Donahue said this was a revolving account. The resolution was approved some months ago.

PRESIDENT GOLDSTEIN proceeded to a vote. APPROVED by voice vote.

LEGISLATIVE AND RULES COMMITTEE - Maria Nakian & David Martin, Co-Chairpersons

MRS. NAKIAN said the Legislative and Rules Committee met on Monday, August 31, 1987, at 7:30 p.m. Present were Committee members Nakian, David Martin, Dudley, Morris, Powers, Rubino and Zelinski. Also present were Board Researcher Sandra Schlachtmeyer and Staff Counsel Richard Robinson. Also, on item 1, Paul Pacter and Laura Ogden. On item 5, Police Deputy Chief Moriarty and the Canine Control Officer Winski. On items 6 and 8, Chief Moriarty and Capt. Tomlin and Fire Chief Vittti and John Keenan of the Long Ridge Fire Department.

Mrs. Nakian placed item #4 on the Consent Agenda.

1. (L&R19.34) FOR PUBLICATION PROPOSED ORDINANCE AMENDING SECTION 9-4 THROUGH 9-7 OF THE CODE OF ORDINANCES REGARDING SALE OR LEASE OF CITY-OWNED REAL PROPERTY. Submitted by Paul A. Pacter, Commissioner of Finance 2/4/87. Held in Committee 3/2 to 8/10/87.

Above also referred to PLANNING AND ZONING COMMITTEE.

MRS. NAKIAN said that Charter Section 488 requires the approval of the Planning Board, the Board of Finance and the Board of Representatives for the sale or lease of any city-owned property. It also enable the Board of Representatives to pass any ordinances governing the disposition of property.

Mrs. Nakian said the present ordinance is unclear as to the exact process to be followed and it does not include any function for the Board of Finance although the Charter specifies that the Board of Finance is involved. She said the proposed ordinance clarifies this; it clarifies the maintenance of a list of all city-owned property; clarifies the process to be followed by all three Boards in reviewing the city-owned property and making recommendations for the future use or disposition of property.

LEGISLATIVE AND RULES COMMITTEE: (continued)

MRS. NAKIAN said the proposed ordinance includes the type of recommendations that are to be made and clarifies the procedures for the sale of excess property, and obtaining of appraisals. The proposed ordinance provides that if all Boards concurred on selling a particular piece of property, the sale may be by either public auction or by sealed bid. The proposed ordinance retains the present system of selling property by special sale which would go back to acquire the approval of all three Boards and would be sold by ordinance passed by the Board of Representatives as presently done. The ordinance also includes leases for longer than two years may be automatically done by the Mayor with the approval of the Board of Finance; leases for longer than two years or leases for property which were not recommended to be leased by all three Boards, would require a lease submitted by the Mayor and approved by all three Boards.

Mrs. Nakian said the proposed ordinance met with the approval of the Commissioner of Finance. The Committee voted 6 to 0 in favor of approval. Moved. Seconded.

MRS. MAIHOCK said that on page 1, under Section 9-4, it states. "In conducting its review, the Planning Board shall invite comments from the heads of appropriate City departments and agencies." She felt that "invite" was not a strong enough word in this particular circumstance. Mrs. Maihock Moved to amend the proposed ordinance to substitute the word "require" instead of "invite." Seconded.

Mrs. Maihock said that the Planning Board needs the feedback that different departments could give.

MR. DAVID MARTIN said he agreed with the comments, however, he was uncertain if "require" was appropriate. Mr. Martin said that if there was a vacancy of a department head, it would be inappropriate to get comments from a position that doesn't exist.

MRS. SANTY said that they may be vacancies, but there should be an Acting Head in every department. She agreed with Mrs. Maihock. Mrs. Santy said it was difficult at times to get department heads to attend meetings.

MRS. MCINERNEY said that she concurs with the proposal made by Mrs. Maihock. She said that if we require different department heads to sign off for acceptance of city roads, we certainly should have something like that in the body of the ordinance.

PRESIDENT GOLDSTEIN proceeded to a vote to amend in Section 9-4 B., the word "invite" to read "require." The motion was DEFEATED by a vote of 14 no and 11 yes votes with 2 abstentions.

MRS. MAIHOCK said that on page 3 of the revised proposed ordinance, under i, it reads, "If the assessed value of the property to be sold, as recorded in the record of the Department of Assessment, is equal to or greater than \$35,000, the Commissioner of Finance shall obtain at least two independent certified appraisals of the property's current market value."

Mrs. Maihock said that under the ii, it is indicated that, "the Commissioner of Finance shall obtain at least one...." She felt that we should obtain two appraisals in both i, and ii.

LEGISLATIVE AND RULES COMMITTEE: (continued)

MRS. MAIHOCK Moved to amend under ii, the sentence to read, "The Commissioner of Finance shall obtain at least two independent certified appraisals of the property's current market value." Seconded. Mrs. Maihock said that in i, it reads that two appraisals are required.

MR. DAVID MARTIN said some pieces of property are very small. The Planning Board suggests that this property be given to the adjacent property owners so that the taxes can be obtained. Mr. Martin stated that to get two appraisals on some of the properties would increase the cost burden as some of the properties are small.

MRS. MAIHOCK said that she did not understand why it would be so much more expensive to include two appraisals in ii.

MR. DAVID MARTIN stated that i applies to properties over \$35,000, and ii, applies to properties under \$35,000.

MR. HEINS said that he concurred with Mr. David Martin. Mr. Heins said that it makes little sense to spend extra dollars for properties that are a few hundred dollars; to have two appraisals would take the profit from the sale itself.

MR. PIA asked why it is not spelled-out that we are talking about small parcels of land?

MR. DAVID MARTIN said that if the property is not worth much in the market value, we should not spend a lot of money trying to assess its worth. Mr. Martin said that we have a process that requires a public bid to assure the maximum price and requires that the Board of Finance look at it. Mr. Martin said that if the Planning Board, Board of Finance or the Board of Representatives thought the property is worth more than the assessed value, it would not fall under this provision by saying not to sell the property unless it is sold at a special negotiated bid or a condition that two appraisals be obtained. Mr. Martin said that we were more than adequately covered in this proposed ordinance.

MR. ESPOSITO Moved the question. Seconded. Carried by voice vote.

PRESIDENT GOLDSTEIN called for a vote to amend under Section 9-5 A. ii, to delete the word "one" and replace it with "two." DEFEATED by a vote of 22 no and 6 yes votes.

MRS. MAIHOCK quoted from Section 9-5 2., "If the minimum acceptable sales price is less than \$500,000 then the Commissioner of Finance shall sell the property"She said that she noticed that there was no mention here that she could see whereby it would fit what it says in the first paragraph "that purchase of real estate by the municipality and no sale or lease of any real estate belonging to the municipality shall be valid unless approved by the Mayor, the Planning Board, the Board of Finance and the Board of Representatives;"

LEGISLATIVE AND RULES COMMITTEE: (continued)

MRS. MAIHOCK said that in Section 9-5 2., it says that if the sale price is less than \$500,000 then the Commissioner of Finance shall sell the property, at public auction. She asked if that meant that there would be no interaction because it does not say that there will be by these various Boards? She wondered how that could be consistent with the first paragraph?

MR. DAVID MARTIN said the Charter grants the Board of Representatives the authority to enact ordinances and to specify how sales will occur. Mr. Martin said that the first in this process is that all properties are reviewed to see what should be done with them, and it is in that process where the Planning Board, the Board of Finance and the Board of Representatives make the decision if they want to sell the property at the highest price. Mr. Martin said that only if all Boards concur and specifically for the highest price, and concur that there are no other restrictions they want placed on the property, they already specified that we should sell the property, this provides specifically how the Commissioner of Finance shall sell it.

Mr. Martin said that at present, there are few properties that fall between \$100,000 and \$500,000. Mr. Martin said that properties like Rice School, Riverbank School and the Municipal Office Building are well over this limit and will require direct Board approval and interaction.

MRS. MAIHOCK asked if it would be permissible for the Commissioner of Finance to sell without any prior approval?

MR. DAVID MARTIN said that was incorrect; there is prior approval. The approval comes when the list is issued and each Board is asked what is to be done with the property. If all Boards vote to sell the property and sell at the highest price, and as long as the property is less than \$500,000, we have given the Commissioner the go-ahead to execute the sale. Mr. Martin said that if one feels that there are other issues that must be considered as well as the highest price, the Boards have the authority to cut-off the sale unless the sale is agreed upon ahead of time.

MRS. MAIHOCK asked why the Board of Representatives is not mentioned in Section 9-5, 4? It states, "All sales negotiated as set forth in this paragraph must be approved by majority vote of the Board of Finance....."

MR. DAVID MARTIN stated that as with the preceding section, before the Commissioner can get into this section, all three Board previously agreed to sell the property at the highest price. Mr. Martin said that if a special situation occurs that no one bids on what we thought the property was worth, and there was only one bidder, the Commissioner of Finance can negotiate on his own behalf. Mr. Martin went on to fully explain this section. No motion was made pertaining to this section.

MRS. MAIHOCK said that under Section 9-7A & B, the Board of Representatives was being shunted off; again the Board of Finance was doing most of the approving. She quoted from A, "subject to the approval by the Board of Finance...." She also quoted the same under B.

LEGISLATIVE AND RULES COMMITTEE: (continued)

MR. DAVID MARTIN referred to paragraph 9-7A., "If the Boards have all recommended ..., " this means all the Boards have recommended that a particular city owned or leased unused property be leased..... Mr. Martin said that once all Boards agreed, it now becomes more of a financial transaction. Mr. Martin said that we were well protected from abuse.

MRS. MAIHOCK Moved to amend Section 9-7A & B to add, "and the Board of Representatives," after "Board of Finance." Seconded.

MRS. McINERNEY said that recently we had a lease to be approved which concerned many of the neighbors in the area. She said the Board of Finance is not the body which the public has first contact with. She said the Board of Representatives is a vital body that should be in the decision making process on all leases and sales. She said that we would have the interaction necessary with the constituents. She supported Mrs. Maihock's motion to have the Board of Representatives included in both sections.

MR. DAVID MARTIN said that with or without this ordinance, the lease Mrs. McInerney was referring to would have been required to come before the Board of Representatives.

Mr. David Martin referred to page 2, paragraph G; He said that if any lease was considered detrimental to the citizens or anyone else, anyone of the three Boards has the opportunity to withdraw its recommendations, and the lease must come before the Board and can be taken off the list of specific recommendations.

MS. SUMMERVILLE said that Mrs. Maihock's motion is the right motion. She said she saw nothing wrong in having the Board of Representatives included. This would be easier to interpret.

MR. ESPOSITO Moved the question. Seconded. Carried by voice vote.

PRESIDENT GOLDSTEIN proceeded to a vote to amend Section 9-7A & B by adding "and the Board of Representative" after "Board of Finance." APPROVED by a vote of 16 yes, 9 no votes and 1 abstention.

MRS. MAIHOCK said that on page 5, D, she said there is a statement that she did not think was in the best interest of the approval of leases. She quoted, "Where a property contains multiple rental units, the Mayor may request approval of a prototype lease and may, after Board approval, negotiate specific rents and terms with the prospective tenants, and execute leases for individual units." She said that she did not think it was in the best interest of the city to have us approve prototype leases and then have the particular mayor at the time, negotiate specific rents and terms, with the prospective tenants. She said this was a dangerous type of clause.

MRS. MAIHOCK Moved to delete "where a property contains multiple rental units, the Mayor may request approval of a prototype lease and may, after Board approval, negotiate specific rents and terms with the prospective tenants, and execute leases for individual units." Also, delete, "Any lease so executed shall be forwarded to the Board of Finance for its information, within 30 days after such execution." Seconded.

LEGISLATIVE AND RULES COMMITTEE: (continued)

MR. DAVID MARTIN said that this clause was specifically added on behalf of the Planning Board and people concerned with affordable housing. He said that at this point, the city has no direct plans for taking any property and renting it out. The Planning Board pointed out that there may be an instant sometime in the future and there is nothing perceivable at the moment where the Mayor and the Boards would agree that it was in the best interest to retain ownership of a property and directly rent or lease the property to tenants.

Mr. David Martin said that the Law Department feels that this clause clarifies that provision. He said that the Boards do not have to approve this if they do not like it. If all Boards agree that a particular prototype lease is not in the best interest of the city, it could be turned down.

MRS. MCINERNEY said that she agrees with Mrs. Maihock. Mrs. McInerney said that we were talking about the city being landlords for affordable housing units. She said that is something so far in the future at this point. She said the ordinance could be amended to change that at a later date if that becomes a reality.

MR. HEINS said that we could run into a problem if the city purchased a building and wanted to lease some of the floors to other people. He said that all members would want to examine the leases with each of the individual concerns and entities that we would be dealing with and not one prototype. He agreed with Mrs. Maihock.

MR. DAVID MARTIN said that if we don't like a prototype lease or do not want to lease the property, it can be voted down.

MR. RYBNICK Moved the question. Seconded. Carried by voice vote.

PRESIDENT GOLDSTEIN proceeded to a vote on deleting on page 5 D, where the sentence begins with "Where" and ends with "units" as stated in Mrs. Maihock's motion. DEFEATED by 15 no and 11 yes votes.

MR. BLUM said that the Planning-Board, the Board of Finance and the Board of Representatives say that we have extra properties and the Mayor or Commissioner of Finance can sell the properties and he said that it must come back through the three boards again for approval. He said that as he sees it, this ordinance is cutting out the second portion of going back to the Planning Board, the Board of Finance and the Board of Representatives. Mr. Blum asked why the second portion is being cut out?

MR. DAVID MARTIN said that he disagreed with Mr. Blum on cutting out any authority towards the city or any citizens. He said that there were many checks set up inside this ordinance while perserving some flexibility so that were not checkmated. He said that there are many ways to halt anything unfortunate or ill-considered or ill-conceived. He said that we cannot create such a burden that we cannot do the good things to move forward.

MR. BLUM asked what was the matter with the ordinance on the books at present? He said it has been working for many years.

LEGISLATIVE AND RULES COMMITTEE: (continued)

MR. DAVID MARTIN said that he did not that the ordinance has worked for years. He said that if all read the ordinance, we would have as many different interpretations as there are people sitting here this evening. The current ordinance is very unclear and has not been used and when it comes up for discussion, there are debates about what the ordinance means. The Commissioner of Finance proposed the new ordinance to clarify the old one.

MRS. MCINERNEY said to be consistent with the other two section amended, allowing the Board of Representatives approvals, she said that on page 3, item 4 and continuing to page 4 at the top, she Moved to amend to add, "and the board of Representatives" after the "Board of Finance." This would read, "All sales negotiated as set forth in this paragraph must be approved by majority vote of the Board of Finance and the Board of Representative within 6 months of the bid or auction date. The motion was seconded.

PRESIDENT GOLDSTEIN proceeded to a vote on Mrs. McInerney's amendment. DEFEATED by 14 no and 13 yes votes with 1 abstention.

MR. LYONS Moved the question. Seconded.

PRESIDENT GOLDSTEIN called for a vote for publication of the proposed ordinance amending Section 9-4 through 9-7 of the Code regarding sale or lease of city-owned real property as amended. APPROVED by voice vote with three no votes, Mrs. Santy, Mrs. Maihock and Mr. Burke.

2. (L&R19.24) FOR PUBLICATION - PROPOSED ORDINANCE FOR TAX ABATEMENT ON PROPERTY LOCATED ON ATLANTIC STREET, CARD NUMBER EO46, LOT NUMBER 047, BLOCK NUMBER 0079 OWNED BY ABUNDANT LIFE CHURCH OF GOD. \$1,535.27 due as of 4/15/87. Request by Elder Stenneth E. Powell, Pastor, Abundant Life C.O.G.I.C., 740 Atlantic Street, P. O. Box 5575, Stamford, CT 06904, 5/16/87. Held in Committee 7/6 and 8/10/87.

HELD IN COMMITTEE

3. (L&R19.47) FOR PUBLICATION - PROPOSED ORDINANCE FOR TAX ABATEMENT FOR PROPERTY LOCATED AT 356 ROXBURY ROAD, STAMFORD, CT AND OWNED BY TEMPLE BETH EL. Tax abatement for list of 1986, due and payable on 7/1/87 and 1/1/88. Request by David P. Lasnick, Esq., Fleisher, Trow and Silver, 30 Oak Street, Stamford, CT 06905, 6/23/87. Held in Committee 8/10/87.

HELD IN COMMITTEE

4. (L&R19.48) FOR PUBLICATION - PROPOSED ORDINANCE FOR TAX ABATMENT FOR PROPERTY OWNED BY THE NATURE CONSERVANCY, S/3A, LOT 2, Heming Way. Request by Andrew Zepp, Stewardship Asst., The Nature Conservancy Connecticut Chapter, 55 High Street, Middletown, CT 06457-3788, 6/23/87. Held in Committee 8/10/87.

APPROVED ON CONSENT AGENDA

LEGISLATIVE AND RULES COMMITTEE: (continued)

5. (L&R19.50) FOR PUBLICATION - PROPOSED ORDINANCE TO AMEND SECTION 111-11 OF THE CODE OF ORDINANCES. This concerns control of potentially dangerous dogs. Submitted by Reps. Audrey Maihock, R-19 and John Zelinski, D-11, 7/8/87. Held in Committee 8/10/87.

Above also referred to HEALTH AND PROTECTION COMMITTEE.

MRS. NAKIAN said the ordinance was submitted by Reps. Maihock and Zelinski. This ordinance was submitted by the Law Department after consultation with the Canine Control Officer. Mrs. Nakian said that when the ordinance was typed over by the Law Department, a paragraph was left out, and that is why the corrected copy is on the desks this evening. The ordinance was sent out before this evening.

Mrs. Nakian said that the ordinance basically defines dangerous dogs and roaming dogs, it retains the control of dogs as presently in the ordinance; it provides for the containment on the owner's property by fence, etc. The ordinance provides that dangerous dogs must be muzzled when off the owner's property and it provides penalties for a dog biting someone in an unprovoked attack or for any violations of the provisions of this ordinance.

Mrs. Nakian said the ordinance was discussed with the police department and with the canine control officer and received their complete approval. The Committee voted 7 to 0 in favor of this ordinance. Moved. Seconded.

MRS. MAIHOCK Moved to amend the proposed ordinance on page 2, under D. Dangerous Dogs to be muzzled: "No person owning, keeping or having custody of any dangerous dog shall permit such dog on any street or sidewalk," deleting the following: "or on the property of any other person other than its owner, keeper or person having custody of such dog" continuing with, "unless the dog is wearing a muzzle." The motion was seconded.

MRS. MAIHOCK explained that when this was originally proposed, it was never mentioned that a dog would be muzzled on the property of any other person; it was just that the dog would be muzzled when on the street.

MR. BURKE said that if we do not watch, we are going to wind-up writing and rewriting every ordinance and law that is in the General Statutes of the State of Connecticut into the Code of Ordinances of the City of Stamford. Mr. Burke said that 99% of the things we are covering in this ordinance, have been covered in the General Statutes of the State. He said the proliferation of the laws and ordinances we are getting into is a rather dangerous situation.

MS. RINALDI Moved the question. Seconded. Carried by voice vote.

PRESIDENT GOLDSTEIN called for a vote to delete "or on the property of any other person other than its owner, keeper or person having custody of such dog" from D. on page 2 of the proposed ordinance. DEFEATED 18 no and 7 yes votes with 1 abstention.

PRESIDENT GOLDSTEIN proceed to a vote to publish the proposed ordinance amending Section 111-11 of the Code. APPROVED by voice vote with 6 no votes, Mr. Burke, Mrs. Maihock, Mrs. McInerney, Mrs. Santy, Mr. Esposito and Mr. Rubino.

LEGISLATIVE AND RULES COMMITTEE: (continued)

6. (L&R19.51) FOR PUBLICATION - PROPOSED ORDINANCE CONCERNING ABANDONED VEHICLES IN THE CITY OF STAMFORD. Submitted by Mayor Thom Serrani 7/23/87.

MRS. NAKIAN said this ordinance was written to take advantage of the recently passed state enabling legislation dealing with abandoned cars. The main change in this ordinance as to what we have is the provision against the owners for storage charges for storing the cars after they have been towed away. A process is spelled out governing the sale of abandoned cars and the disposition of the proceeds from the sale. Mrs. Nakian said the main change is in allowing the city to take immediate title to a car which is not only abandoned but which is what the Police Department calls, "a derelict car;" there are no identifiable registration or license plates; the car damaged so that it is unusable.

Mrs. Nakian said the city can take immediate title to the car and can dispose of it immediately without having to store the car for a specified period of time. This will give the police department the opportunity to take advantage of state law in order to deal most effectively with the problem of abandoned cars. Mrs. Nakian said this was discussed with the police department and has their approval. The Committee voted 6 to 0 to approve this. Moved. Seconded.

MRS. MAIHOCK said that on page 3, it speaks of the proceeds in a specified period of time and the balance shall go to the City of Stamford, and on page 4, under G, it says, "If such balance is not claimed within said period, it shall escheat to the State of Connecticut." She asked if that did not mean to the City of Stamford? She said that both should be referring to the City of Stamford.

MRS. NAKIAN said that she was not positive on an answer on that. This proposed ordinance is for publication and said that this would be clarified before final adoption.

PRESIDENT GOLDSTEIN called for a vote for publication on the proposed ordinance concerning the removal of abandoned vehicles. APPROVED by voice vote with 1 abstention, Mr. Rubino.

7. (L&R19.52) APPROVAL OF LEASE BETWEEN THE CITY OF STAMFORD AND THOMAS K. STANDISH RELATING TO THE BEDFORD STREET GARAGE PROPERTY. Submitted by Mary E. Sommer, Corporation Counsel 8/7/87. Contingent upon Planning Board and Board of Finance approval.

HELD IN COMMITTEE

8. (L&R19.33) FOR PUBLICATION - PROPOSED ORDINANCE AMENDING THE CODE OF ORDINANCES CHAPTER 10, ALARM SYSTEMS TO BRING BURGLAR ALARM SECTION INTO CONFORMITY WITH SECTION REGARDING FIRE ALARMS. Submitted by Reps. Maria Nakian and David Martin 1/13/87. Held in Committee 2/2, 6/1, 7/6 and 8/10/87. Held on Pending 2/17, 3/8 and 4/15/87.

LEGISLATIVE AND RULES COMMITTEE: (continued)

MRS. NAKIAN said it was brought to attention that when the fire alarm ordinance was amended, General Code cut out the burglar alarm ordinance because they did not realize that we had two separate ordinances. This item was rewritten to provide continuity between the two systems. If the ordinance is approved, there will be one alarm Board with one alarm administrator. The fees will be the same for burglar and fire alarms and the same process will govern both types of alarms, and the same charges will be levied against the users.

Mrs. Nakian said that instead of the present sliding-scale where various progressive amounts are assessed depending upon the number of false alarms for a 12-month period, there will now be a one-set fee that will run for a calendar year. She said both the Police Chief and Fire Chief felt that it was an administrative nightmare to have to figure out in what year the false alarm fine took effect, and if appealed, the entire accounting system was off and they were backed-up for months in trying to bill the false alarms.

Mrs. Nakian stated that the ordinance provides for an initial installation fee of \$50.00 and a pro-rated fee per month which will bring the alarm users up to the first of the year when the new alarm billing year begins. The senior citizens exemption is retained in the ordinance.

Mrs. Nakian Moved for publication. Seconded.

PRESIDENT GOLDSTEIN called for a vote on the publication of the proposed ordinance concerning alarm systems. APPROVED by voice vote.

MRS. NAKIAN Moved the Consent Agenda. Seconded. Approved by voice vote.

MR. DAVID MARTIN thanked the members of the Board who worked with his committee on a number of the items. The members worked with the Committee in advance so that time would not be wasted asking questions on the Floor of the Board.

PERSONNEL COMMITTEE - Claire Fishman and James Dudley, Co-Chairpersons - No report.

PLANNING AND ZONING COMMITTEE - W. Dennis White, Chairman

MR. WHITE said the Planning and Zoning Committee met on Thursday, September 3, at 7:45 in the Democratic Caucus Room. Present were Committee members David Jachimczyk, Barbara McInerney, Maria Nakian and Dennis White. Also, present were Lydia Maffei representing the Stamford Downtown Council, David Anderson representing SEAC, Steve Eddy of Connecticut Bank and Trust Company and Steven Ellis of Engel Furs, all speaking on item 2. Also present was David Zala of 180 Trinity Road speaking on item 6. Unfortunately, a quorum was not present, and the Committee held a hearing. The Committee reconvened at 7:00 on Wednesday, September 9, in Conference I. Present were Donald Donahue, David Jachimczyk, Maria Nakian, Barbara McInerney, Sal Signore and Dennis White.

Mr. White Moved to place items 2, 4, 5 and 6 on the Consent Agenda.

PLANNING AND ZONING COMMITTEE: (continued)

1. PURSUANT TO SECTION 9.4 OF THE CODE OF ORDINANCES, REVIEW OF LIST OF CITY-OWNED REAL PROPERTY AS RECOMMENDED FOR SALE OR LEASE BY THE PLANNING BOARD AS TRANSMITTED TO COMMISSIONER OF FINANCE PAUL A. PACTER ON 2/3/87. Submitted by Rep. Maria Nakian D-20, 5/8/87. Report made 6/1/87. Held in Committee 7/6 and 8/10/87.

HELD IN COMMITTEE

2. FOR FINAL ADOPTION - PROPOSED ORDINANCE AUTHORIZING THE SALE OF CITY-OWNED PROPERTY ON NORTH SIDE OF BROAD STREET ADJACENT TO AND SOUTH OF THE BEDFORD STREET GARAGE, INCLUDING A PORTION OF GAY STREET FOR THE SUM OF \$616,273. Submitted by Mayor Thom Serrani 6/19/87. PLANNING BOARD APPROVED 6/30/87. Board of Finance approved 7/16/87. Approved for publication 8/10/87.

APPROVED ON CONSENT AGENDAFOR FINAL ADOPTION

3. ~~FOR PUBLICATION~~ - PROPOSED ORDINANCE CONCERNING AUTHORIZATION TO DISCONTINUE A PORTION OF SUBURBAN AVENUE. This concerns the sale of a portion of Suburban Avenue to Broadmoor Housing, Inc. Submitted by Mayor Thom Serrani 8/4/87.

MR. WHITE stated the Committee voted 6 in favor and none against recommending that publication of this ordinance be waived. Moved. Seconded.

PRESIDENT GOLDSTEIN called for a vote to waive publication of the ordinance. APPROVED by voice vote.

MR. WHITE said that by a vote of 5 in favor and 1 against, the Committee recommended adoption of the ordinance. Moved. Seconded.

PRESIDENT GOLDSTEIN called for a vote on the final adoption of the ordinance concerning authorization to discontinue a portion of Suburban Avenue. APPROVED by a voice vote with 2 no votes, Mr. White and Mr. Blum.

4. PETITION FOR ROAD ACCEPTANCE FOR ROSANO ROAD, CUL-DE-SAC OF 500' RUNNING FROM NORTH TO SOUTH FROM RIDGE PARK AVENUE. MAPS NO. 11460 and 11639 ON FILE IN THE TOWN CLERK'S OFFICE. Petitioned by William Fieber, Solida Corporation, 197 Bridge Street, #16, Stamford, CT 06902, 7/20/87. Certified for acceptance by Frank J. Soldano, City Engineer, per letter of 8/26/87.

APPROVED ON CONSENT AGENDA

5. PROPOSED RESOLUTION REQUESTING ACCEPTANCE OF RADIO PLACE AS A CITY STREET UNDER CHAPTER 64 OF THE CHARTER. Submitted by Rep. Thomas Pia, 8/13/87.

APPROVED ON CONSENT AGENDA with Mr. Rubino abstaining.

PLANNING AND ZONING COMMITTEE: (continued)

6. PETITION FOR ROAD ACCEPTANCE FOR BLACK ROCK ROAD, EXTENDING WESTERLY FROM TRINITY PASS, APPROXIMATELY 1,230.0 FEET, TO A PERMANENT TURN-A-ROUND AS SHOWN ON MAP NO. 11463 ON FILE IN THE TOWN CLERK'S OFFICE. Submitted by John Porcelli, 15 Craig Court, Stamford, CT 06903, 9/25/86. Held in Committee 11/3/86 & 1/12/87. Held in Steering 11/17/86. Held on Pending Agenda since 1/14/87. Certified for acceptance by Frank J. Soldano, City Engineer, letter of 8/7/87.

APPROVED ON CONSENT AGENDA

MR. WHITE Moved that the Consent Agenda be adopted. Seconded. Carried by voice vote. Mr. Rubino abstained on item #5.

PUBLIC WORKS AND SEWER COMMITTEE - Richard Lyons, Chairman

MR. LYONS said the Public Works and Sewer Committee met on Wednesday, September 2, at 7:30 p.m. in the Government Center. Present were Reps. Fishman, Mollo, Zelinski, Terrence Martin, Esposito and Lyons.

1. APPROVAL OF SEWER EXTENSION APPLICATION SUBMITTED BY RICHARD UVA REQUESTING AUTHORIZATION TO EXTEND THE SANITARY SYSTEM TO SERVICE TURN OF RIVER PROPERTY: CARD W/28, LOT 20B; CARD W/29, LOT 21; CARD W/31, LOT D; AND CARD W/32, LOT 23. The Sewer Commission approved this application in accordance with the provisions of Resolution 910. Submitted by George Connors, Administrative Officer, Sewer Commission 8/7/87.

MR. LYONS said the Committee voted 6 in favor and none opposed to place this item on the Consent Agenda. Moved. Seconded.

APPROVED ON CONSENT AGENDA

MR. LYONS Moved the Consent Agenda. Seconded. APPROVED by voice vote with President Sandra Goldstein and Rep. Ellen Bromley not participating in the vote.

HEALTH AND PROTECTION COMMITTEE - Scott Morris, Chairman - No report.PARKS AND RECREATION COMMITTEE - Thomas Pia, Chairman

MR. PIA said the Parks and Recreation Committee met on August 27, 7:30 p.m., in the Government Center. In attendance were Reps. Rybnick, McGrath, Powers, and Pia of the Committee. Rep. Heins was excused. Also attending were Rep. James Dudley and Mrs. Sakura B'ath, of Fairfield Avenue and Timothy Ring of Station WSTC. The two invited guests Bruno Giordano, Superintendent of Recreation and Robert Cook, Superintendent of the Parks Department failed to attend and did not inform the Committee that they could not attend.

MR. PIA placed items 6 and 7 on the Consent Agenda.

PARKS AND RECREATION COMMITTEE: (continued)

1. STATUS REPORT ON CITY BEACHES. Request by Rep. James L. Dudley D-6, 3/9/87. Held in Committee 4/6 & 7/6/87. Reports made and Held in Committee 5/4, 6/1 and 8/10/87.

HELD IN COMMITTEE

2. SENSE-OF-THE-BOARD RESOLUTION TO HAVE A YEAR-AROUND ON-GOING MAINTENANCE PROGRAM FOR THE PARKS DEPARTMENT. Submitted by Rep. Lathon Wider D-3, 6/1/87. Held in Committee 7/6/87. Report made and Held in Committee 8/10/87.

HELD IN COMMITTEE

3. PROPER USE AND ENFORCEMENT OF BEACH STICKERS. Submitted by Rep. John Boccuzzi D-2, 7/13/87. Report made and Held in Committee 8/10/87.

HELD IN COMMITTEE

4. DISCUSSION ON ORGANIZATIONS REQUESTING PERMISSION TO HANG BANNERS. Submitted by Rep. Thomas Pia, Chairman, Parks and Recreation Committee 10/8/86. Held in Committee 11/3 and 12/8/86. Reports made and Held in Committee 1/12 to 8/10/87.

HELD IN COMMITTEE

5. POOR CONDITIONS OF BALLFIELDS. Submitted by Rep. Mildred Perillo D-9, 7/15/87. Report made and Held in Committee 8/10/87.

HELD IN COMMITTEE

6. REQUEST FOR PERMISSION TO HANG A BANNER ON BEDFORD STREET FROM NOVEMBER 23 TO DECEMBER 7, 1987 TO PUBLICIZE GRAPEFRUIT SALE ON 12/5/87. Requested by Joelle Burrows, Westhill High School Chamber Singers, 516 Den Road, Stamford, CT 06903, 7/23/87.

APPROVED ON CONSENT AGENDA

7. REQUEST FOR PERMISSION TO HANG A BANNER ON BEDFORD STREET FROM SEPTEMBER 28 TO OCTOBER 10, 1987 TO PUBLICIZE ANNUAL HARVEST JAMBOREE. Requested by Judith Koch, Chairman, Publicity Committee, Stamford Catholic Regional School System, 124 Millspring Lane, Stamford, CT. 06903, 8/5/87.

APPROVED ON CONSENT AGENDA

MR. PIA Moved the Consent Agenda. Seconded. APPROVED by voice vote.

Mr. Pia asked if the Board had any power to make sure that city personnel invited to attend meetings either attend the meeting or notify the Chairman that they are unable to attend the meeting?

PARKS AND RECREATION COMMITTEE: (continued)

PRESIDENT GOLDSTEIN said that we could not require them to attend, but if a person is invited to attend a meeting and it is an important matter, it is rare that the person would not show up. You would have to find out if they received the message. President Goldstein said that it seems out of character that both did not show up, and if it were intended as a slight, there are things the Board can do.

MR. BOCCUZZI said he understood Mr. Pia's problem in getting certain people to attend the meetings. Mr. Boccuzzi said that we should notify them that they or a member of the department attend to represent the department. If anyone cannot attend the meeting, they should notify the Chairman; why should a Committee come out and sit and then try to discuss items when no one is present to give any answers. Mr. Boccuzzi said it was not fair to the Committee and Board members put in a lot of time over and above attending just the monthly meeting. The Chairman should receive an explanation prior to the meeting why the invited cannot attend, and he can notify his Committee that there is no point in holding the Committee meeting.

PRESIDENT GOLDSTEIN said that department heads do attend the meetings. We should find out if they knew about it and then decide if a course of action is needed. It is possible they never received a notice.

MR. PIA said that this was not the first time this has happened; it was about the third time.

PRESIDENT GOLDSTEIN stated that she will talk with Mr. Pia after the meeting and a letter will be written.

PRESIDENT GOLDSTEIN said the Pages would soon be going home. She asked the Board Members if they enjoyed looking at the book "Stamford in Focus" compiled by Page Debby Heitner. The entire Board applauded the good work done by Debby and enjoyed her book. President Goldstein said the book should be on exhibit in the lobby of the Government Center. President Goldstein said it was a wonderful book and the School system can be proud to have students like Debby.

President Goldstein thanked Debby Heitner and Heather Cunningham for serving as Pages this evening.

EDUCATION, WELFARE AND GOVERNMENT COMMITTEE - Ruth Powers, Chairwoman

MRS. POWERS said that Education, Welfare and Government met on Wednesday, September 7. Present were Committee members Fishman, Maihock, Nakian and Powers. Also present were Registrars Nancy Tatano and Mary McCauley, Len Gambino of WSTC and many Board members.

1. UPDATE ON ISSUES AND PROBLEMS OF THE HOMELESS. Submitted by Reps. Scott Morris and Thomas Burke 12/17/86. Report made and Held in Committee 1/12/87. Held on Pending Agenda since 1/14/87.

HELD IN COMMITTEE

EDUCATION, WELFARE AND GOVERNMENT COMMITTEE: (continued)

MRS. POWERS asked to Suspend the Rules to take up an item not on the Agenda regarding approval for the Registrars to use local districts to fill vacancies in Senate and House seats.

PRESIDENT GOLDSTEIN called for a vote to Suspend the Rules. APPROVED by voice vote.

2. APPROVAL FOR THE REGISTRARS OF VOTERS TO USE THE LOCAL DISTRICTS, NOVEMBER 3, 1987, FOR STATE SENATOR TO FILL THE VACANCY IN THE 27TH SENATORIAL DISTRICT AND TO FILL THE VACANCY IN THE 147TH HOUSE SEAT. Submitted by Nancy S. Tatano and Mary V. McCauley, Registrars of Voters, 8/21/87.

MRS. POWERS Moved to approve the above request to use the local districts. Seconded.

PRESIDENT GOLDSTEIN called for a vote to approve the use of local districts to fill vacancy in the 27th Senatorial district and to fill the vacancy in the 147th House seat. APPROVED by voice vote.

HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE - Lathon Wider, Chairman - No report.

URBAN RENEWAL COMMITTEE - Annie M. Summerville, Chairwoman - No report.

ENVIRONMENTAL PROTECTION COMMITTEE - Audrey Maihock, Chairwoman

MRS. MAIHOCK said the Environmental Protection Committee was the Secondary Committee on item 4 on the Fiscal agenda. This was mentioned and already acted upon.

TRANSPORTATION COMMITTEE - Thomas Clear, Chairman - No report.

LABOR CONTRACTS LIAISON COMMITTEE - Thomas Burke, Chairman - No report.

SPECIAL COMMITTEES

HOUSE COMMITTEE - Gerald Rybnick, Chairman - No report.

COLISEUM AUTHORITY LIAISON COMMITTEE - Joseph DeRose, Chairman - No report.

CHARTER REVISION COMMITTEE - Maria Nakian & Claire Fishman, Co-Chairpersons

MRS. NAKIAN said the Charter Revision Committee met on Tuesday, August 25, at 7:30 p.m. Present were Reps. Fishman, Lyons, Maihock, Nakian and Rubino. Also John Roos from the Charter Revision Commission and Richard Robinson, Staff Counsel.

Mrs. Nakian said that the item on the Agenda will be taken in two parts. She said the first part will be the approval of the questions for the November 3rd ballot. She said the Committee has been working on the questions for several months. Input was received from the Charter Revision Commission and the Committee also met with Mary Sommer, Corporation Counsel who went over all the questions. Rick Robinson attended all the meetings, and Lois PontBriant, the Town Clerk went over all the questions and gave her input.

1A. APPROVAL OF QUESTIONS FOR THE NOVEMBER BALLOT. Submitted by Maria Nakian and Claire Fishman, Co-Chairpersons, Charter Revision Committee, 8/28/87.

MRS. NAKIAN said the questions in the present form are 12 questions. All members of the Board received copies. These questions were discussed in Committee at the last meeting and were approved by a vote of 5 to 0. The questions as approved by the Board of Representatives will be sent to the State by the Town Clerk in accordance with State Statute. Mrs. Nakian Moved to approve the questions. Seconded.

MR. BURKE asked about the second part of the item.

MRS. NAKIAN said the second part is to authorize by resolution the Town Clerk and the Law Department to prepare an explanatory text to be available to the public with information regarding the questions. Mrs. Nakian said the text will not appear on the ballot but will be available at all polling places, and will be included in all absentee ballots and available at all public places for use by the public. All members had a copy of the resolution.

Mrs. Nakian said that by State Statute, the Board did not vote on the text; the Statute is clear that this is to be prepared by the Law Department in a non-partisan form. Each member received a copy of the text. This was worked out by the Committee with the Law Department and Town Clerk.

MR. RUBINO said the he and Audrey Maihock are members of the Committee and voted no on question 2. He said not only on the question but on the explanation. He said they felt the most important change was the qualifications of the Health Director that he no longer has to be a medical doctor if the question should pass. He said they felt that that should be explained either in the question or in the explanation.

Mr. Rubino said they also disagreed with the couching of the question in the explanation in terms of conforming with state statute. He said that this implies that there is something illegal with respect to the Charter, and he said that it was his understanding that the Health Director section in the Charter is a result of a special act which would over-rule a general statute. He said couching the question and the explanation in those terms is misleading.

CHARTER REVISION COMMITTEE: (continued)

PRESIDENT GOLDSTEIN said the explanatory text could not be changed. She said a substitute motion would be in order.

Question 2 reads as follows: "Shall the qualifications of the Health Director be changed to conform with state statutes; shall other changes in the Department of Health be made?"

MR. RUBINO Moved to place a semi-colon after the word "changed" and to delete "to conform with state statutes;"

MR. RUBINO changed his motion to read, "Shall the qualifications of the Health Director be changed by eliminating the requirement for a medical degree;". We are eliminating "to conform with state statutes;". The motion was Seconded.

MRS. NAKIAN said that the Charter says and accepted by the Board is, "The Director of Health who may be a licensed physician shall have the qualifications of a local health director as prescribed by the Public Health Code and General Statutes."

Mrs. Nakian said that it was the majority view of the Committee that the question as written was the best reflection of the above statement in the proposed Charter. Mrs. Nakian said that Mr. Robinson was asked to reflect this change in the requirement in the explanatory text. Mr. Robinson agreed but upon reading the text this evening, Mrs. Nakian saw that the change was not made. The Committee will go back to the Law Department and ask that this be added to the explanatory text.

MRS. SANTY said she agreed with the amendment offered by Mr. Rubino. She said the voters of Stamford should decide; it would be clearly explained "by eliminating the requirement for a medical degree." She said this is a drastic change in the charter; the people should decide and if we vote no, we are not giving the citizens a chance to decide.

MR. DAVID MARTIN said that the complaint with the original language was that it indicated that we were out of conformance. Mr. Martin said the motion suggests should we eliminate a requirement; what requirement are we eliminating; a state requirement? Mr. Martin would support Mr. Rubino's original motion.

MR. BOCCUZZI said that when the Board voted on Charter Revision, they voted that the requirement for the Health Director need not be a medical doctor. His feelings were that now we are trying to change this. Mr. Boccuzzi said the wording to go on the ballot, clarifies the original intent. He said the original vote was to put the Health Director in conformance with state statute.

MR. BURKE said that question 2 and the explanatory text is for the people of Stamford to make up their own minds based on objectivity and facts presented to them. Mr. Burke said that the way the question is written now leads one to believe that we are now not in conformance with the state statutes and we better get into conformance.

CHARTER REVISION COMMITTEE: (continued)

MR. BURKE said that Mrs. Nakian stated that we cannot vote on the explanatory text; this is the jurisdiction of the Law Department but the explanation did not take the requirements out. Mr. Burke said the only way to be sure that the people will have the facts is to insert it into the question.

Mr. Burke offered a compromise motion to read, "Shall the qualifications of the Health Director be changed to conform with state statutes by eliminating the present Charter requirement of a medical degree;" He said that would be an objective view.

MRS. BROMLEY said the compromise motion that she would propose would be what Mr. Rubino said first, "Shall the qualifications of the Health Director be changed; shall other changes in the Department of Health be made?" Her reason for the motion would be in keeping with the other 11 questions. She said in all the other questions, the way they are worded, all the buzz words were eliminated. She said the conformity issue is the buzz word. She said that she agreed with Mr. Burke that in the explanatory text there has to be the explanation that we changed the qualifications.

MR. BURKE said he could go along with Mrs. Bromley's changes if there was some guarantee that within the explanatory text, the populace of the City of Stamford could be told what change is going to be made. He said if the change in the explanatory text would be delineated, he would not have any problem with the compromise or the original.

MR. RUBINO said he agreed with Mr. Burke. Mr. Rubino said he did not know how we could vote on that since we were taking this in two different parts. Mr. Rubino's compromise language would read, "Shall the qualifications of the Health Director be changed to adopt an option provided in state statute" which would eliminate the requirement that he be a medical doctor.

PRESIDENT GOLDSTEIN said if this was a compromise amendment, we should consider the terminology for the text and submit it to Mr. Robinson; he would probably adhere to it but we have no control over it.

MR. RUBINO asked if it was possible to amend his motion to include a change to the explanatory text?

PRESIDENT GOLDSTEIN said that we cannot include a change in the explanatory text; all we can do is change the question. She said that we can change the question and then recommend that the explanatory text be changed.

MR. RUBINO said that he would accept Mrs. Bromley's compromise if the first sentence of the text would read, "If this question passes, the qualifications of the Health Director shall be changed such that he will not be required to be a medical doctor." The underlined indicates the new language.

PRESIDENT GOLDSTEIN asked if the Seconder to Mr. Rubino's first motion would withdraw the Second so the motion could come off the Floor? The Seconder agreed. President Goldstein read the new motion, "Shall the qualifications of the Health Director be changed; shall other changes in the Department of Health be made?" This would be with the understanding that we submit to Mr. Robinson a proposed change in the first sentence, "If this question passes, the qualifications of the Health Director shall be changed such that he will not be required to be a medical doctor."

CHARTER REVISION COMMITTEE: (continued)

MRS. NAKIAN asked if Mr. Rubino had any objection in it still reading, "made consistent with state statute"?

MR. RUBINO said that he objected; that was misleading.

MRS. FISHMAN said the Charter does not say "shall not be"; it says, "may be."

MRS. POWERS asked if Mr. Rubino would change his wording to "the Director" instead of "he"? She said a great deal of effort was made not to use masculine or feminine gender in the new charter.

MR. RUBINO agreed to the change.

MRS. McINERNEY said that she would support the changes as suggested by Mrs. Bromley and Mr. Rubino.

MR. ZELINSKI said that he would be in favor of a compromise change as it now stands. He said it was crucial to have the public know exactly what they will be voting for. He said that this year in particular party lever, in some districts there will be as many as 15 positions that the public will be voting for, plus the 12 questions. He said that we should help the public by having the questions perfectly clear and the public would know what they are voting for or against.

MR. WHITE said he had no objection to Mr. Rubino's change. He said that there could be all the explanation wanted, but all the people are not going to read it. He said that if you want to make it clear to the public on whether or not they want the concept of a M.D. kept or dropped, it should be in the question in some way. The explanation will be inadequate because the people for various reasons will never read the explanation.

MS. RINALDI Moved the question. Seconded. Carried by voice vote.

PRESIDENT GOLDSTEIN proceeded to a vote on the motion to delete "to conform with state statutes" from question 2. The question will now read, "Shall the qualifications of the Health Director be changed; Shall other changes in the Department of Health be made?"

President Goldstein also stated that a strong recommendation on part of the Board be sent to Richard Robinson, Staff Counsel, saying that we wish the first sentence of the explanatory text to read, "If this question passes, the qualifications of the Health Director shall be changed such that the Director will not be required to be a medical doctor."

The motion was APPROVED by a vote of 26 yes and 1 no vote with 1 abstention.

MR. BLUM said that in his opinion the 12 questions are too many with the way the ballot will be; without the party levers and with so many names on the ballot.

MR. DAVID MARTIN Moved the question. Seconded. Carried by voice vote.

CHARTER REVISION COMMITTEE: (continued)

PRESIDENT GOLDSTEIN proceeded to a vote on the approval of questions 1 through 12 for the November ballot.

MR. ZELINSKI said that it was unfair to the public that we did not discuss the other questions.

PRESIDENT GOLDSTEIN stated that the motion was legitimate and it was approved legitimately.

PRESIDENT GOLDSTEIN continued with the vote on the approval of the questions. APPROVED by a vote of 20 yes and 5 no votes with 1 abstention.

1B. RESOLUTION AUTHORIZING THE PREPARATION OF AN EXPLANATORY TEXT FOR THE CHARTER REVISION QUESTIONS ON THE NOVEMBER BALLOT. Submitted by Maria Nakian and Claire Fishman, Co-Chairpersons, Charter Revision Committee 8/28/87.

MRS. NAKIAN said the resolution was the second part of the item. The resolution is mandated by state statutes. With approving this resolution, the Town and City Clerk with the approval of the Corporation Counsel will prepare the explanatory text, and have it printed for public distribution. Mrs. Nakian said that she will speak to the Law Department to change the explanatory text on question 2 to agree with the Board's wishes. Mrs. Nakian Moved to approve the resolution. Seconded.

MR. ZELINSKI asked where the questions will be displayed for the benefit of the public?

MRS. NAKIAN said that there will be three posters, all mandated by state statutes, in each polling place, a copy of the text will be included in every absentee ballot and the Town Clerk is authorized to print a sufficient number to be placed in all public places for distribution to the public. Mrs. Nakian assumed the Libraries, the Government Center, Board of Representatives' office, and the Town Clerk's office.

MR. ZELINSKI asked if the questions could appear in a newspaper in the city? He asked if we could authorize the publication of the questions and text in a newspaper?

PRESIDENT GOLDSTEIN said that we do not have the ability to appropriate the funds needed for the printing.

MRS. NAKIAN said that she thought the newspapers and radio will be willing to do that in some form as a public service. She said that one newspaper is planning to do a series on what is contained in each of the questions. She suggested that all representative see that their constituents receive a copy. This is public information and can be put in the mail boxes.

MR. LYONS Moved the question. Seconded. Carried by voice vote.

CHARTER REVISION COMMITTEE: (continued)

PRESIDENT GOLDSTEIN called for a vote to approve the resolution authorizing the preparation of an explanatory text for the Charter Revision questions on the November ballot. APPROVED by voice vote.

MR. LYONS said that he compliments Mrs. Nakian and Mrs. Fishman on the Chairing of the Committee. He was on the Committee and it was a very difficult job and the Co-Chairs did an excellent job.

PRESIDENT GOLDSTEIN agreed with Mr. Lyons.

MRS. NAKIAN said that a copy of the Charter will be filed with the Town Clerk in which each change made is assigned to a particular question. There will be no difficulty if a question is accepted or rejected in knowing what was contained in the question.

SPECIAL COMMITTEE TO ASSESS PRIORITY ISSUES - Scott Morris and David Blum,
Co-Chairmen

MR. MORRIS said the Committee did not meet for this meeting, but advised all members that a meeting will be held on Wednesday, September 16, at 8:30 p.m., after Steering, which will perhaps be the last meeting. He would appreciate if all members of the Committee attended plus any interested members of the Board. He said they will try to take final action on the issues discussed in his Committee for the past two years.

RESOLUTIONS - None

PETITIONS - None

ACCEPTANCE OF THE MINUTES

1. AUGUST 10, 1987 REGULAR BOARD MEETING - APPROVED AS CORRECTED.

MRS. MAIHOCK, on page 4, line 1, omit "the" at end of sentence. Page 13, 2nd paragraph, word should be "to be privy to".

MRS. McINERNEY said that she would send in her corrections.

COMMUNICATIONS FROM OTHER BOARDS AND INDIVIDUALS - None

OLD BUSINESS

MR. BLUM asked about the health of Rep. Lathon Wider.

MS. SUMMERVILLE said that she understood he was doing very well and the recovery will be slow. She said that Lathon is unable to drive for about a month which annoys him, but he is getting back to his old self. She said that Lathon asked that he be remembered in our prayers.

NEW BUSINESS

MR. BLUM asked the President to send a letter commending Deborah Heitner, one of the Pages this evening, on the book, "Stamford in Focus" made up by Debby and the letter be put in her school record's folder.

PRESIDENT GOLDSTEIN said that she would do that.

ADJOURNMENT

There being no further business to come before the Board, upon a motion made, seconded and carried by voice vote, the meeting was adjourned at 11:20 p.m.

By Anne A. Kachaluba
Anne A. Kachaluba, Acting Administrative
Assistant and Recording Secretary
19th Board of Representatives

APPROVED:

Sandra Goldstein
Sandra Goldstein, President
19th Board of Representatives

SG:ak
Enclosures

STAMVOTE - ATTENDANCE

20:39:12

09-09-1987

NO	NAME
1	N/P BEGEL, ROSANNE
2	PRS NAKIAN, MARIA
3	PRS PIA, THOMAS
4	N/P BIANCARDI, VICTOR
5	N/P MC GRATH, PATRICIA
6	PRS LYONS, RICHARD
7	PRS HEINS, WILLIAM
8	PRS RYBNICK, GERALD
9	PRS MOLLO, FRANK
10	PRS BURKE, THOMAS
11	PRS SANTY, JEANNE-LOIS
12	PRS MARTIN, DAVID
13	PRS RUBINO, JAMES
14	PRS ESPOSITO, STANLEY
15	PRS MAIHOCK, AUDREY
16	N/P PAVIA, NICHOLAS
17	PRS MC INERNEY, BARBARA
18	PRS BROMLEY, ELLEN
19	N/P TOOHER, JAMES
20	PRS SUMMERVILLE, ANNIE

NOT PRESENT 11

NO	NAME
21	N/P LIVINGSTON, JEREMIAH
22	N/P CLEAR, THOMAS
23	N/P WIDER, LATHON
24	PRS DONAHUE, DONALD
25	PRS PERILLO, MILDRED.
26	PRS SIGNORE, S. A.
27	N/P GLOVER, KATIE
28	PRS MARTIN, TERRENCE
29	PRS MORRIS, SCOTT
30	PRS FISHMAN, CLAIRE
31	PRS ZELINSKI, JOHN
32	N/P DUDLEY, JAMES
33	N/P DE ROSE, JOSEPH
34	PRS POWERS, RUTH
35	PRS BLUM, DAVID
36	PRS JACHIMCZYK, DAVID
37	PRS RINALDI, MARY LOU
38	PRS WHITE, W. DENNIS
39	PRS BOCCUZZI, JOHN
40	PRS GOLDSTEIN, SANDRA

PRESENT 29

STAMVOTE - VOTE PROCESSING

09-09-1987

20:41:27

NO	NAME
1	N/P BEGEL, ROSANNE
2	YES NAKIAN, MARIA
3	YES PIA, THOMAS
4	N/P BIANCARDI, VICTOR
5	N/P MC GRATH, PATRICIA
6	YES LYONS, RICHARD
7	YES HEINS, WILLIAM
8	YES RYBNICK, GERALD
9	YES MOLLO, FRANK
10	YES BURKE, THOMAS
11	YES SANTY, JEANNE-LOIS
12	YES MARTIN, DAVID
13	YES RUBINO, JAMES
14	YES ESPOSITO, STANLEY
15	YES MAIHOCK, AUDREY
16	N/P PAVIA, NICHOLAS
17	YES MC INERNEY, BARBARA
18	YES BROMLEY, ELLEN
19	N/P TOOHER, JAMES
20	YES SUMMERVILLE, ANNIE

N/P 11 N/V 0

TEST VOTE YES

NO	NAME
21	N/P LIVINGSTON, JEREMIAH
22	N/P CLEAR, THOMAS
23	N/P WIDER, LATHON
24	YES DONAHUE, DONALD
25	YES PERILLO, MILDRED
26	YES SIGNORE, S. A.
27	N/P GLOVER, KATIE
28	YES MARTIN, TERRENCE
29	YES MORRIS, SCOTT
30	YES FISHMAN, CLAIRE
31	YES ZELINSKI, JOHN
32	N/P DUDLEY, JAMES
33	N/P DE ROSE, JOSEPH
34	YES POWERS, RUTH
35	YES BLUM, DAVID
36	YES JACHIMCZYK, DAVID
37	YES RINALDI, MARY LOU
38	YES WHITE, W. DENNIS
39	YES BOCCUZZI, JOHN
40	YES GOLDSTEIN, SANDRA

YES 29 NO 0 ABS 0