

MINUTES OF REGULAR BOARD MEETING

MONDAY, NOVEMBER 14, 1988

20TH BOARD OF REPRESENTATIVES

STAMFORD, CONNECTICUT

A regular monthly meeting of the 20th Board of Representatives of the City of Stamford was held on Monday, November 14, 1988, in the Legislative Chambers of the Board in the Government Center, 888 Washington Boulevard, Stamford, Connecticut.

The meeting was called to order at 9:15 p.m. by President Sandra Goldstein, after both political parties had met in Caucus.

INVOCATION was given by The Rev. John Alsop, Pastor, Bethany Church, 2 Scofieldtown Road, Stamford, CT.

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

ROLL CALL was taken by Acting Clerk Ruth Powers. Clerk Annie Summerville joined the meeting during Roll Call. There were 36 members present and 4 absent. Absent were Reps. David Blum (excused), Mary Lou Rinaldi (excused), Michael Fedele and Ellen Bromley.

The Chair declared a quorum. Ms. Summerville took her seat as Clerk.

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

MOMENTS OF SILENCE:

REP. JOHN ZELINSKI for the late Rocco Colatrella. "I'd would like to ask my colleagues for a Moment of Silence for a friend, the late Rocco Colatrella. Mr. Colatrella was a true civic leader. He was a member of the Stamford Board of Education serving as Assistant Secretary, Vice President and then President. He also served one term on our Board of Representatives. He was a Director on the Board of the Connecticut State University Board; a longtime Director of Aid for The Retarded and served on the organizing committee for the Pink Tent Festival.

"Mr. Colatrella also assisted in the organization and management of Stage Door for Youth and Young Artists Philharmonic groups that provided leisure and cultural activities for Stamford youth.

"He did so much for our community; he had many friends and he will be sorely missed."

REP. JANET WEINTRAUB for the late Rocco Colatrella. "The 18th District in which Mr. Colatrella lived will sorely miss him. We also know that he was a member of our greater Stamford community and will be sorely missed by our community at large. Seldom do people leave us with memories that we can remember and people that have changed lives; Rocco Colatrella was one such person.

"The amount of people that attended his memorial service tonight is just one indication as to how many lives he has touched. I believe that when we enter this world and we leave, we can leave when we know and when it is known that we have made our journey here a little bit better than we found it, and this was true of Rocco Colatrella. The 18th District will really miss one of our famous citizens."

MOMENTS OF SILENCE: (continued)

REP. DOMINICK CARDILLO for the late Rocco Colatrella. "I want to also express my deep sympathy to the Colatrella family. In view of Mr. Colatrella's active involvement in the community, he will be greatly missed."

REP. DAVID JACHIMCZYK for the late Francis J. Rybnick. "Mr. Rybnick was the brother of our senior Board member Gerry Rybnick. Francis Rybnick passed away on October 10, 1988, in Indiana."

"Also, a Moment of Silence for a long-time constituent of Gerry's and mine for the late Florence Gagliardi who passed away last week.

"Also, a Moment of Silence for Edward 'Mally' Malachowski who was a long-time City of Stamford employee and who was also a life-long friend of mine who I will sorely miss."

REP. RICHARD LYONS for the late Patricia McKinley. "Mrs. McKinley was a neighbor and a friend. She had a love of life that I have rarely seen in people. If she walked into a room, it lit up. To her husband Rob and her children Dani, Jennifer and Chris, on behalf of this Board and the City, I extend my deepest, deepest condolences."

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RESIGNATION OF ELLEN E. BROMLEY D-16th DISTRICT

PRESIDENT GOLDSTEIN stated pursuant to Section 2-10-3 of the Charter, she would read the following letter received from Ellen E. Bromley regarding her resignation.

"Dear Madam President:

"I hereby submit my resignation as a Representative of the 16th District of the City of Stamford. This resignation to become effective upon the seating of my replacement.

"It is with great regret that I leave the Board. I have loved my three years and know that being a member of this body greatly enriched my life, politically and personally. The experience itself was truly educational; the people I served with have become some of my best friends.

"I thank you for everything and will miss all of you.

"Sincerely,

"/s/ Ellen Bromley"

PRESIDENT GOLDSTEIN said that as Mrs. Bromley's co-representative, it was with great reluctance that she accepted her resignation; Mrs. Bromley moved from the 16th District. Mrs. Bromley served with distinction and cared for the residents of the 16th; her shoes will be hard to fill. President Goldstein said that she will miss her and the Board will miss Ellen's legal expertise, her wonderful personality and her good and fair spirit.

President Goldstein read the following paragraph from Mrs. Bromley's letter:

RESIGNATION OF ELLEN E. BROMLEY D-16th DISTRICT: (continued)

"With your concurrence, I would like to nominate Bartan Kennedy, a friend, campaign worker and outstanding person as my replacement. I know Bartan will represent the people of the 16th District with integrity, conscience and intelligence."

PRESIDENT GOLDSTEIN said nominations were in order to fill the vacancy in the 16th District.

MRS. McGRATH said she would echo Mrs. Bromley's thoughts and nominated Bartan Kennedy to represent the 16th District on the Board. Mrs. McGrath stated that Bartan is a Stamford native. She lives on DeNicola Place. For the past nine years she has been an assistant teacher at Newfield School. Mrs. Kennedy is a former president of the Newfield School PFO, and has been involved as a member of the Board of the Turn of River Middle School and the Stamford Catholic High School; also, a member of the Parent-Teacher Council of the City of Stamford; Girl Scout and Boy Scout involvement; a member of the Board of Directors of the Newfield Swim Club, Stamford Junior Womens Club and Babe Ruth baseball. Mrs. Kennedy belongs to the parish of St. Leo's Church where she is a Lector. Her husband is Bob Kennedy, sports' editor of the Advocate. They have four children.

Mrs. McGrath Moved the nomination of Bartan Kennedy to represent the 16th District. Seconded.

MR. LYONS Moved that nominations be closed. Seconded.

PRESIDENT GOLDSTEIN ask the Clerk of the Board to cast one ballot on behalf of the Board to confirm Mrs. Kennedy as the new representative from the 16th District.

CLERK ANNIE SUMMERVILLE cast one ballot to confirm Mrs. Kennedy.

PRESIDENT GOLDSTEIN administered the Oath of Office. Congratulations were extended to Mrs. Kennedy. Mrs. Kennedy took her seat. There were now 37 members present and 3 absent.

President Goldstein announced that there would be some changes in some of the Committees. This was due to the heavy schedule some members have. A new list will be sent to all members.

The Steering Committee which has 20 members will have two members serving individually. They will be Mr. Pia and Mr. DeLuca. The Appointments Committee will have William Belcher replacing Thomas Burke. Legislative and Rules Committee, the seat held by Ellen Bromley will be filled by Janet Weintraub. On the Personnel Committee, several people will be replaced: Mrs. Reilly and Mrs. Weintraub will be off the Committee. They will be replaced by Mr. Belcher and Mrs. Kennedy. Mrs. Schoenfeld will be Vice Chair of Personnel.

On Planning and Zoning, Mr. Belcher will be sitting on that Committee. Public Works will have Bartan Kennedy and Janet Weintraub. Education, Welfare and Government will have Bartan Kennedy. Health and Protection Committee, Thomas Pia replacing Thomas Burke.

STANDING COMMITTEES

STEERING COMMITTEE: Chairperson Sandra Goldstein

REPORT.

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

The Steering Committee met on Wednesday, October 19, 1988, in the Democratic Caucus Room of the Government Center, 888 Washington Boulevard. The meeting was called to order at 7:35 p.m. by Chairwoman Sandra Goldstein who declared a quorum.

Present at the meeting:

Sandra Goldstein, Chairwoman	Robert DeLuca	Ruth Powers
Stanley Esposito	Mildred Perillo	James Rubino
Mary Lou Rinaldi	Audrey Maihock	Maria Nakian
Naomi Schoenfeld	Annie Summerville	John Zelinski
Richard Lyons	David Martin	Frank Mollo
		Anne Kachaluba

APPOINTMENTS COMMITTEE - Ordered on the Agenda were the three items appearing on the Tentative Steering Agenda. Also, ordered on the Agenda was the name of Richard Sontag for the Smith House Board of Directors from the Pending Agenda.

FISCAL COMMITTEE - Ordered on the Agenda were the three items appearing on the Tentative Steering Agenda. Also the five items appearing on the Addenda.

LEGISLATIVE AND RULES COMMITTEE - Ordered on the Agenda were two of the six items appearing on the Tentative Steering Agenda. Also ordered on the Agenda were the two items appearing on the Addenda. Ordered on the Pending Agenda were three items; (L&R20.11) proposed ordinance Amending Sec. 9.3 of the Code concerning the marking and use of city vehicles, (L&R20.12) proposed ordinance Amending Ordinance No. 453 concerning helicopters and (L&R20.37) Matter of contract regarding the Stamford Theatre Properties, Stamford Center for the Arts and the Coliseum Authority. Ordered off the Agenda was (L&R20.42) Matter of Signs on commercial, industrial and residential properties.

PERSONNEL COMMITTEE - Ordered on the Agenda was one of the two items appearing on the Tentative Steering Agenda. Ordered on the Pending Agenda was the request for a pension for Mary Holahan, Clerk, Board of Finance.

PLANNING AND ZONING COMMITTEE - Ordered Held in Steering was the one item appearing on the Tentative Steering Agenda.

PUBLIC WORKS AND SEWER COMMITTEE - Ordered on the Agenda were the two items appearing on the Tentative Steering Agenda.

HEALTH AND PROTECTION COMMITTEE - Ordered on the Agenda was one of the two items appearing on the Tentative Steering Agenda. Also, ordered on the Agenda were the two items appearing on the Addenda and one item moved from the Education, Welfare and Government Committee and that was the matter of the removal of school crossing guards in certain areas of the city. Ordered on the Pending Agenda was the proposed ordinance outlawing possession of dangerous animals in the city.

STEERING COMMITTEE REPORT: (continued)

PARKS AND RECREATION COMMITTEE - Ordered on the Agenda were all seven items appearing on the Tentative Steering Agenda and the two items appearing on the Addenda.

EDUCATION, WELFARE AND GOVERNMENT COMMITTEE - Ordered on the Pending Agenda was one of the two items appearing on the Tentative Steering Agenda. That was the Matter of the need for a local veterans counselor. Ordered moved to the Health and Protection Committee was the Matter of removal of school crossing guards in certain areas of the city. Ordered on the Agenda was the one item appearing on the Addenda.

HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE - Ordered on the Agenda was one of the two items appearing on the Tentative Steering Agenda. Ordered on the Pending Agenda was the Matter of having child protective devices on windows in public housing.

URBAN RENEWAL COMMITTEE - No items appeared on the Tentative Steering Agenda.

ENVIRONMENTAL PROTECTION COMMITTEE - No items appeared on the Tentative Steering Agenda. Ordered on the Agenda were the two items appearing on the Addenda.

TRANSPORTATION COMMITTEE - Ordered on the Agenda was the one item appearing on the Tentative Steering Agenda.

LABOR CONTRACTS LIAISON COMMITTEE - No items appeared on the Tentative Steering Agenda.

HOUSE COMMITTEE - No items appeared on the Tentative Steering Agenda.

COLISEUM AUTHORITY LIAISON COMMITTEE - Ordered on the Pending Agenda was the one item appearing on the Tentative Steering Agenda.

SPECIAL COMMITTEE TO ASSESS PRIORITY ISSUES - No items appeared on the Tentative Steering Agenda.

ETHICS COMMITTEE - Ordered on the Pending Agenda was the one item appearing on the Tentative Steering Agenda.

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 8:45 p.m.

Sandra Goldstein, Chairwoman  
Steering Committee

APPOINTMENTS COMMITTEE - Mildred Perillo, Chairwoman

MRS. PERILLO said the Appointments Committee met on Tuesday, November 1, at 7:30 p.m. Present were Mildred Perillo, Robert DeLuca, Naomi Schoenfeld, Patricia McGrath, Thomas Pia and Annie Summerville.

Mrs. Perillo placed items 1, 2, 3 and 4 on the Consent Agenda.

STERLING FARMS GOLF AUTHORITY

TERM EXPIRES

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|---|--|--------|
| 1. <u>MR. MUNDY REDFERN</u> (R)<br>53 Bonner Street<br>(Held in Steering 9/15/88) | Replacing E. Martin whose<br>term expired. | 1/1/91 |
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APPROVED ON CONSENT AGENDA

HEALTH COMMISSION

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| 2. <u>DR. WARREN BRANDT</u> (R)<br>274 Westhill Road<br>(Held in Steering 9/15/88) | Reappointment | 12/1/90 |
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APPROVED ON CONSENT AGENDA

SMITH HOUSE BOARD OF DIRECTORS

- |   |  |          |
|---|--|----------|
| 3. <u>MR. RICHARD SONTAG</u> (D)<br>728 Den Road<br>(Held in Committee 6/6/88,<br>Held in Steering 6/15/88,<br>Held on Pending 8/17/88) |  | 12/31/90 |
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APPROVED ON CONSET WITH ONE ABSTENTION, MRS. PERILLO.

HUMAN RIGHTS COMMISSION

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| 4. <u>MR. MICHAEL MEYER</u> (R)<br>233 Bouton Street West | Replacing Sybil Taccone<br>who resigned. | 12/1/89 |
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Mr. Meyer was confirmed 9/7/88; correcting expiration date from 12/1/90 to 12/1/89.

APPROVED ON CONSENT AGENDA

MRS. PERILLO Moved to approve the Consent Agenda. Seconded.

PRESIDENT GOLDSTEIN called for a vote to approve the Consent Agenda. APPROVED by voice vote with one abstention, Mrs. Perillo on item #3.

FISCAL COMMITTEE - Donald Donahue, Chairman

MR. DONAHUE said the Fiscal Committee met on Wednesday, November 9, 1988. Present were Committee members Mr. McManus, Ms. Rinaldi, Mr. Morris, Mr. Martin, Mr. Lyons, Mr. Livingston, and Mr. Donahue.

Mr. Donahue placed the following items on the Consent Agenda: items 1, 3 and 8. On item 1, the Public Works and Sewer Committee concurred.

1. \$ 3,600.00 - DEPARTMENT OF PUBLIC WORKS - AMENDMENT TO THE CAPITAL PROJECTS BUDGET FOR FISCAL YEAR 1988/89 - CODE 330-016 WEST BEACH CHANNEL DREDGING - additional appropriation needed to complete design work necessary to have channel between Cummings and West Beaches dredged. Recommended source of funding to be taxation. Request by Mayor Thom Serrani 8/29/88. Planning Board approved 9/13/88. Held in Committee 10/3/88. Board of Finance approved 10/13/88.

Above also referred to PUBLIC WORKS AND SEWER COMMITTEE.

APPROVED ON CONSENT AGENDA

2. PROPOSED RESOLUTION AUTHORIZING THE MAYOR TO FILE AN APPLICATION AND TO EXECUTE AN AGREEMENT WITH THE STATE OF CONNECTICUT DEPARTMENT OF PUBLIC HEALTH SERVICES REGARDING THE IMPLEMENTATION OF A SCHOOL BASED HEALTH CLINIC. Submitted by Mayor Thom Serrani 9/15/88.

MR. DONAHUE said the Committee voted unanimously recommending approval. Moved. Seconded.

MR. DeLUCA said that the grant was for six months. He wanted to know what happens after six months; do we have to fund this or does the program cease?

MR. DONAHUE said that we do not have to commit any local monies to the grant. The application for the start-up money has been approved. After the six months, the Health Department would have to come back for more funds or apply for a new grant.

MR. DeLUCA said several of his constituents called and opposed this clinic. He said that one caller indicated that state law says that what is provided for public schools must be provided for private schools. Mr. DeLuca asked what happens to the private schools if this is approved?

MR. DONAHUE said this clinic will be located at Stamford High School. The clinic would be for all city school children. Mr. Donahue said a parent must sign a permission slip for the child to go to the clinic. There was no plan or provision for implementation in any non-public school.

MR. DeLUCA asked about the liability that the city may incur. He wanted to know if any research has been done?

MR. DONAHUE said the City Risk Manager attended the Fiscal Committee meeting. The program would be completely covered under the current risk management program. Physicians participating in the program would have to provide their own malpractice insurance. The Risk Manager said there was no problem with liability. Mr. Donahue said all or any doctors or nurses involved would have to provide their own malpractice insurance.

FISCAL COMMITTEE: (continued)

MR. DeLUCA ask if there was any existing program; if this program overlaps any other program?

MR. DONAHUE replied there weren't any existing programs or overlaps.

MR. PIA ask for an explanation of what the health clinic was.

MR. DONAHUE said this clinic would provide a convenient location for young people to get information and knowledge regarding various health problems that they may be confronted with. Mr. Donahue said there was a concern about absenteeism and young people not being able to get medical treatment or advice because of the demands of the Stamford area; in particular, parents not being able to take time off from work to take the child to a doctor or to allow a child to stay home from school because the child has some illness. The clinic would provide easy access to medical advice.

MRS. WEINTRAUB said she served on the school based health clinic for the past year. She said there are seven clinics in the State of Connecticut; two in Hartford, two in New Haven, two in Bridgeport with a third coming soon and one in New London. Three additional clinics will be opened within the next three to six months in the State.

She said the school based health clinics provide services for students only with parental consent. She said a survey was done in Stamford to find out exactly what the school age population and their parents felt about the clinic. She said 90% of the parents were in favor of the clinic, and 85% of the students were in favor. The parents were concerned about students receiving counseling especially in alcohol and drug abuse. The students would receive help for sports' physicals and minor injuries that may be incurred.

Mrs. Weintraub said the clinic will be located at Stamford High School and would be available to all students.

MR. LYONS said that counseling in mental health would be available. He said that if some did not have health insurance, there is no help available for them, and now they would be referred to an agency for help.

MRS. MAIHOCK ask what is the amount of the grant that the city is expected to receive for the six months?

MR. DONAHUE said the amount is \$50,000.

MRS. MAIHOCK said that referring to Mrs. Weintraub's comments, did the cities take the responsibilities after the grants expired?

MRS. WEINTRAUB said that every single grant was picked up by the State; there was state funding available and funding is available in the state budget, and she assumed it would be there again. Mrs. Weintraub stated that through insurance, it is hoped that these clinics will become self-supporting within a year.

MRS. MAIHOCK ask about the type of insurance Mrs. Weintraub was referring to. Was it individual insurance premiums that people have?

MRS. WEINTRAUB said that was correct.

FISCAL COMMITTEE: (continued)

MR. MARTIN said the Committee discussed this item indepth. He said he was convinced the liability protection for the city is more than adequate. Also, the procedures for confidentiality were discussed. He urged approval of the resolution.

MR. PIA ask if this was a day or nighttime program and how were the students to get to the program?

MRS. WEINTRAUB said at the beginning stages, the hours would have to be worked out with Stamford High School as to the hours. She said at the beginning it would be a pilot program to see when the student would use the clinic.

PRESIDENT GOLDSTEIN called for a vote to approve the resolution regarding the school based health clinic. APPROVED by voice vote.

3. PROPOSED RESOLUTION ENABLING THE DEPARTMENT OF HEALTH OF THE CITY OF STAMFORD TO SIGN A CONTRACT AND RECEIVE GRANT FUNDS FROM THE STATE OF CONNECTICUT FOR THE PURPOSES OF ALLOWING THE CITY OF STAMFORD, THROUGH ITS DEPARTMENT OF HEALTH, TO OPERATE A PROGRAM FOR THE TREATMENT AND CONTROL OF SEXUALLY TRANSMITTED INFECTIOUS DISEASES FOR THE CITIZENS OF STAMFORD. Submitted by Mayor Thom Serrani 9/22/88.

APPROVED ON CONSENT AGENDA

MR. DONAHUE said that items 4 and 5 were defeated by the Board of Finance, therefore no action can be taken.

4. \$ 14,100.00 - FIRE DEPARTMENT - CODE 450-1110 SALARIES - additional appropriation for temporary office help needed due to new smoke detector ordinance. Ordinance approved after budget process. Request by Mayor Thom Serrani, 10/13/88. Contingent upon Board of Finance approval. Board of Finance defeated 11/10/88.

Above also referred to PERSONNEL COMMITTEE.

NO ACTION TAKEN

5. \$ 2,067.00 - FIRE DEPARTMENT - CODE 450-2930 OFFICE SUPPLIES & EXPENSES - additional appropriation to cover supplies and expenses needed due to smoke detector ordinance. Ordinance was approved after budget process. Request by Mayor Thom Serrani, 10/13/88. Contingent upon Board of Finance approval. Board of Finance defeated 11/10/88.

Above also referred to HEALTH AND PROTECTION COMMITTEE.

NO ACTION TAKEN

FISCAL COMMITTEE: (continued)

6. \$ 73,737.00 - MUNICIPAL LIABILITY TRUST FUND GRANTS (RISK MANAGEMENT) - CODE 247.VARIOUS - additional appropriation representing grants from the State of Connecticut; Emergency electric power requirements for shelter sites, electrical consultant, and hazardous material incident response.
- |  |               |
|--|---------------|
| Code 247-2650 New equipment                  | \$30,000      |
| Code 247-5150 Professional consultants       | 25,000        |
| Code 247-2940 Conferences, training & travel | <u>18,737</u> |
|  | \$73,737      |
- Request by Mayor Thom Serrani, 10/13/88. Board of Finance approved 10/13/88.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

NO ACTION TAKEN - Item #6 approved by Board of Representatives at the September 7, 1988 Board meeting.

7. \$ 49,802.00 - PARKS AND RECREATION DEPARTMENT - CODE 610.1110 SALARIES - additional appropriation to cover salary for the new Director. This amount covers 37 weeks from 10/17 through 6/30/89. Request by Mayor Thom Serrani, 10/13/88. Contingent upon Board of Finance approval. Board of Finance deferred 11/10/88.

Above also referred to PERSONNEL COMMITTEE.

HELD IN COMMITTEE

8. PROPOSED RESOLUTION TO FILE AN APPLICATION WITH THE CONNECTICUT DEPARTMENT OF HEALTH SERVICES FOR A GRANT IN THE AMOUNT OF \$15,000 FOR THE CHRISTOPHER VIESTO BONE MARROW REGISTRY. Submitted by Mayor Thom Serrani 11/10/88.

APPROVED ON CONSENT AGENDA

MR. DONAHUE Moved to approve the Consent Agenda. Seconded.

PRESIDENT GOLDSTEIN called for a vote to approve the Consent Agenda. APPROVED by voice vote.

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

MR. MARTIN said the Legislative and Rules Committee met on Wednesday, November 2, 1988. Present were Committee members Maria Nakian, Michael Fedele, David Martin, Kathryn Senie, John Zelinski, Audrey Maihock, James Rubino and Stanley Esposito. Mr. Martin placed item 3 and 4 on the Consent Agenda.

1. (L&R20.28) FOR FINAL ADOPTION - PROPOSED ORDINANCE REQUESTING ABATEMENT OF REAL ESTATE TAXES FOR GROUP HOME LOCATED AT 321 GLENBROOK ROAD, OPERATED BY AGI, INC., ADULT GROUP INDEPENDENCE. Requested by Agnes Long, Executive Director, AGI, Inc., Adult Group Independence, 115 Skyline Lane, Stamford, CT 06903, 5/5/88. Held in Committee 6/6/88. Held on Pending Agenda 6/15/88. Approved for publication 9/7/88. Returned to Committee 10/3/88.

LEGISLATIVE AND RULES COMMITTEE: (continued)

MR. MARTIN said the Committee voted 6-1-0 to approve item #1. This item was returned to Committee last month for more research. Mr. Martin said this organization is a non-profit organization funded by the State of Connecticut Mental Retardation and the Department of Income Maintenance. Moved. Seconded.

PRESIDENT GOLDSTEIN called for a vote for final adoption of item #1. APPROVED by voice vote with three no votes, Mrs. Maihock, Mr. Pia and Mrs. Perillo.

2. (L&R20.40) FOR PUBLICATION - PROPOSED ORDINANCE CONCERNING MUNICIPALITY LIABILITY FOR ICE AND SNOW ON PUBLIC SIDEWALKS. Submitted by Mayor Thom Serrani 8/12/88. Held in Committee 10/3/88.

MR. MARTIN said the Committee approved the item for publication by a vote of 6-3-0. Mr. Martin said this ordinance was previously before the Board. He said the essence of the ordinance was to remove the liability of slips and falls on ice and snow from the city and would be placed on the property owner. This is allowed by Connecticut statutes.

Mr. Martin said the issue was examined in great depth. The previous time the issue came before the Board, it was defeated. The Committee asked for a lot of information concerning this ordinance and did a lot of studying. Mr. Martin said the city now keeps a record of all the cases involving slips and falls. The records going back three to four years are unreliable because the statistics were not kept well. Mr. Martin said there are approximately 200 cases recorded of slips and falls over the past four years. He said that most of the cases do not involve ice and snow. Slips and falls due to defective sidewalks are greater than ice and snow. Mr. Martin said this ordinance only applies to the ice and snow responsibility which there are about 10 cases a year.

Mr. Martin said the city is paying out approximately \$250,000 a year for this liability protection. He said if a person falls on the sidewalk, they may bring a claim against the city since the city does not clean the ice and snow off sidewalks as provided by ordinance, it is an easy case to prove that the city was negligent. The city has no defense in these cases.

Mr. Martin said the Committee looked thoroughly into the issues that might threaten the homeowner. The majority of the Committee thought the homeowners will be hurt by this ordinance; in fact, will be helped. Mr. Martin said most of the homeowners have insurance and responsible homeowners take care of their sidewalks. Mr. Martin said this ordinance does not transfer responsibility on the homeowner; if the city is at fault, the city has the responsibility which is easy to prove.

Mr. Martin urged the Board to approve this ordinance for publication. He Moved for publication of the ordinance. Seconded.

MR. RUBINO said he was one of the three that voted against the ordinance. He voted against the previous ordinance also. He opposed publishing this ordinance in its present form; 1) It places the financial burden of an accident on the wrong party. He said in court law there is an underlying theme that requires financial liability to be borne by the party who most benefits from the facility or activity; an abutting landowner does not benefit from the presence of a sidewalk, the general public does and the general public should bear the burden of the financial loss.

LEGISLATIVE AND RULES COMMITTEE: (continued)

MR. RUBINO (continuing) said secondly, the ordinance would put the city into an adversary litigation position with many of its taxpayers. He said that in slip and fall cases, the plaintiff would sue all possible liable parties; that is the landowner in the city. The abutting landowner would argue that an affirmative act of the city was the reason for the slip and fall case while the city would argue that it was negligence on the landowner. This creates an unpleasant situation of the city being in an adversary position with many of the taxpayers. Mr. Rubino further stated that he would not want to see that.

Mr. Rubino said his third reason is that some people are not insured; some are elderly citizens. He said one case could result in hundreds of thousands of dollars in liability and an uninsured person could lose their home. He said the fourth and final reason is that we presently have an ordinance that provides an adequate incentive to shovel one's walk. The ordinance has a fine attached and Mr. Rubino suggested that we enforce that ordinance. He urged the Board to vote no.

MR. DeLUCA said that he will be voting against this ordinance. He said David Martin presented a good case; mentioning that it would be difficult to blame the homeowner. Mr. DeLuca said that he can look at one possible case; that it could be a 90 year old person that owns the home that cannot get out to shovel the snow or afford to pay anyone. Mr. DeLuca said that he can imagine the traumatic affect placed upon this person if he had to go to court.

Mr. DeLuca said that correspondence was sent to all regarding a survey taken in 150 communities; only 52 communities adopted the ordinance. He said that could it be the other communities have more compassion for their citizens that they are not thinking about passing such an ordinance. Mr. DeLuca said if we pass this ordinance regarding ice and snow, later on do we want the homeowners to repair the sidewalks? The sidewalks in some areas are a lot to be desired. Mr. DeLuca also stated that with leaves on the sidewalks, people can slip on them too. He said he voted against the ordinance the last time it was proposed. He said we should not put pressure on the homeowners and the elderly. This ordinance should be rejected once and for all this evening.

MR. LIVINGSTON said he agreed with Mr. DeLuca. Mr. Livingston read the following from the proposed ordinance. "Wheres, Connecticut General Statute Section 7-148 permits a municipality to require owners or occupants of land adjacent to any sidewalk or public work to remove snow, ice, sleet, debris or any other obstruction therefrom, provide penalties upon their failure to do so, and cause such snow, ice, sleet, debris or other obstruction to be removed and make the cost of such removal a lien on such property;"

Mr. Livingston said that perhaps a tree may fall making the homeowner liable. He said the municipality should be liable. He said that in his district where there are parks, to his knowledge, the city does not plow there. He said the city at times, plows the snow back onto the sidewalk. He did not see the need to publish this ordinance which he thinks is a bad one. Mr. Livingston said the Chairman only spoke about ice and snow. The way Mr. Livingston reads the ordinance, it can pertain to other debris on the sidewalks. He urged to vote against this ordinance.

LEGISLATIVE AND RULES COMMITTEE: (continued)

MRS. McGRATH said she agreed with Mr. Rubino; he presented a fine case with his statements. We should heed what he said. She said she has a problem with the ordinance. She said to say someone is responsible for something is one thing, but to say that someone is liable is totally different. Mrs. McGrath said that she represents her constituents and she is sure that they would be on the phone tomorrow when they hear of this stating their dislike for this ordinance. She suggested that this is voted down.

MR. ZELINSKI said he is a member of the Legislative and Rules Committee and he voted against the ordinance. He said if the ordinance is passed, there is a good possibility that because of a large liability law suit filed, the citizen could lose their home. He said if the jury awards more damages than the homeowner has under their liability coverage, they would have to sell their home to cover the damages awarded. He said if this ordinance is allowed to become law, the burden of proof of liability will be on the homeowner.

Mr. Zelinski went on to say how does a homeowner prove that he/she did clean the sidewalk of ice and snow and then the city plow comes by and dumps the snow back onto the sidewalk. He said in his district, he has received many calls from his constituents expressing they cleaned the walks and when the plows came by, the ice and snow was back on the sidewalks. Mr. Zelinski said he wrote to the Commissioner about this and has not received a reply to this date.

Mr. Zelinski pointed out the cracks and broken sidewalks in the city. He said if this ordinance is passed, the city will be inundated with calls from constituents as well as the representatives demanding that all the sidewalks be fixed immediately. There is a cost to be considered if all the sidewalks had to be fixed. He said that Corporation Counsel stated that the burden of getting the sidewalks fixed is with the homeowners. Mr. Zelinski stated that if a citizen calls the city to repair a sidewalk and it is not and someone should fall and be injured, the homeowner must somehow prove that he/she did call the city. This must be documented. He said the Committee never received the percentage of what the past law suits were regarding liability.

Mr. Zelinski said his last concern is what happens to the injured person if this ordinance is passed? The injured person sues the city; the city goes to court and says that we have an ordinance saying that we are not liable; then the injured party sues the homeowner and he/she says they are not at fault. He asked where the injured party goes then? Mr. Zelinski urged his colleagues to vote this ordinance down.

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

PRESIDENT GOLDSTEIN called for a vote to approve for publication the proposed ordinance concerning municipality liability for ice and snow on public sidewalks. DEFEATED by a vote of 26 no, and 11 yes.

3. (L&R20.43) REQUEST FOR WAIVER AND REFUND OF BUILDING PERMIT FEES PAID BY THE STAMFORD MUSEUM AND NATURE CENTER IN THE AMOUNT OF \$564.00. Permit No. 66182, 8/10/87. Requested by Philip Novak, Asst. Director, Stamford Museum and Nature Center, 39 Scofieldtown Road, Stamford, CT 06903 10/11/88.

APPROVED ON CONSENT AGENDA WITH ONE NO VOTE, MRS. PERILLO.

LEGISLATIVE AND RULES COMMITTEE: (continued)

4. (L&R20.44) PROPOSED CHANGES TO THE RULES OF ORDER OF THE 20TH BOARD OF REPRESENTATIVES. Submitted by President Sandra Goldstein, 10/19/88.  
Under Standing Committees:
1. Delete the Labor Contracts Liaison Committee.
  2. Change the number of members on the Personnel Committee from 8 to 7 members.
  3. Change the number of members on the Public Works & Sewer Committee from 9 to 8 members.

APPROVED ON CONSENT AGENDA

MR. MARTIN Moved the Consent Agenda. Seconded.

PRESIDENT GOLDSTEIN called for a vote to approve the Consent Agenda. APPROVED by voice vote with Mrs. Perillo voting no on item 3.

PERSONNEL COMMITTEE - Scott Morris, Chairman

MR. MORRIS said the Personnel Committee did not meet.

1. DEVELOPMENT OF GUIDELINES FOR PLACEMENT OF POSITIONS IN THE UNCLASSIFIED SERVICE. Submitted by Rep. Scott A. Morris, Chairman, Personnel Committee 5/4/88. Held in Committee and reports made 6/6, 7/11, 8/8, 9/7 and 10/3/88.

HELD IN COMMITTEE

PLANNING AND ZONING COMMITTEE - Richard Lyons, Chairman - No report.

PUBLIC WORKS AND SEWER COMMITTEE - Joseph DeRose & Ellen Bromley, Co-Chairpersons

MR. DeROSE said the Committee met on November 10, 1988 and voted to hold both items on the Agenda.

1. SENSE-OF-THE-BOARD RESOLUTION SUPPORTING THE BEAUTIFICATION OF THE CITY'S INCINERATOR. Submitted by Mayor Thom Serrani 4/19/88. Held in Committee 6/6, 7/11, 8/8, 9/7 and 10/3/88.

HELD IN COMMITTEE

2. MATTER OF CITY EFFORTS TO COLLECT NEWSPAPERS FOR RECYCLING. Submitted by Rep. Maria Nakian, D-20, 9/19/88. Held in Committee 10/3/88.

HELD IN COMMITTEE

HEALTH AND PROTECTION COMMITTEE - Ruth Powers, Chairwoman

MRS. POWERS said her Committee met twice; on Wednesday, October 26, 1988, at 7:30 p.m. Present were Committee members Thomas Russo, Naomi Schoenfeld, Annie Summerville, Kathryn Senie and Ruth Powers. Also present were Reps. Maihock and Esposito, Parks and Recreation Director Robert Neu and Phyllis Erlander of the Health Department. John Roman and Todd Duncan of the Media were also present.

Mrs. Powers placed item three on the Consent Agenda.

HEALTH AND PROTECTION COMMITTEE: (continued)

MRS. POWERS said a complete report on the Health and Protection Committee meetings was sent to all members.

The second meeting was held on November 1, 1988, with Committee members Kathryn Senie, Annie Summerville, Thomas Russo, Naomi Schoenfeld and Ruth Powers Present. Also present were Reps. Lyons, Rinaldi, Mollo, Pavia and Maihock. Representing the Police Department were Deputy Chief Young and Sgt. Calderbank. Donald Donahue represented the Board of Education. John Roman of WSTC was present and members of the public representing Our Lady Star of the Sea and Sacred Heart Schools.

1. FOR PUBLICATION - PROPOSED ORDINANCE REGULATING FEEDING OF ANIMALS ON CITY PROPERTY WHERE POSTED. Submitted by Reps. Stanley Esposito R-11, James Rubino R-7 and Ruth Powers D-8, 8/11/88. Held in Committee 9/7 and 10/3/88.

HELD IN COMMITTEE

2. REVIEW OF CURRENT STATUS OF THE NEW 911 SYSTEM. Submitted by David Martin D-19, 10/14/88.

MRS. POWERS stated that on this item, the Committee was joined by Captains Reilly, Tomlin and Wetmore. The Committee was taken on a tour on the sixth floor to see the physical progress of the system. Site preparation will be completed in about one week. The equipment is being assembled elsewhere and will be delivered for installation. The training schedules are set up and they are on schedule. SNET will be directing the publicity as they have experience in other communities.

3. FOR PUBLICATION - PROPOSED ORDINANCE CONCERNING INCREASES IN FEES AT THE DOG POUND RELATING TO REDEEMING A DOG, ADVERTISING AND BOARDING FEES IN ACCORDANCE WITH SECTION 22-333 OF THE CONNECTICUT GENERAL STATUTES. Submitted by George W. Mayer, Chief of Police, 10/17/88.

APPROVED ON CONSENT AGENDA

4. MATTER OF REMOVAL OF SCHOOL CROSSING GUARDS IN CERTAIN AREAS OF THE CITY. Submitted by John R. Zelinski, Chairman, Education, Welfare and Government Committee 10/12/88.

HELD IN COMMITTEE

MRS. POWERS said the Committee met on the above item on November 1, 1988. Deputy Young agreed to post a guard near Our Lady Star of the Sea School for 60 days on a temporary basis so the appeals process can proceed. A report will be made in 30 days.

MRS. POWERS Moved the Consent Agenda. Seconded.

PRESIDENT GOLDSTEIN called for a vote to approve the Consent Agenda. APPROVED by voice vote.

PARKS AND RECREATION COMMITTEE - Robert DeLuca & Thomas Pia, Co-Chairpersons

MR. DeLUCA said the Committee met on Wednesday, October 26, 1988, at 7:30 p.m. Present were Committee members Mildred Perillo, Patricia McGrath, Bobby Owens, Thomas Pia, Gerald Rybnick and Robert DeLuca. Also attending were Robert Neu, Director of Parks and Recreation, Robert Cook, and Park and Recreation Commissioners members Cahill, Arcano and Saccardi, John Roman of WSTC and Beth Cooney of the Advocate. A complete report was sent to all members and is attached to these Minutes.

Mr. DeLuca placed 2, 3, 4, 5, 6, 7, 8 and 9 on the Consent Agenda.

1. PROPOSED RESOLUTION APPROVING A LEASE AGREEMENT BETWEEN THE STAMFORD GOLF AUTHORITY AND THE CITY OF STAMFORD. Submitted by Robert DeLuca, Co-Chairperson, Parks and Recreation Committee 3/21/88. Held in Committee 5/2, 6/6, 7/11, 8/8, 9/7 and 10/3/88.

HELD IN COMMITTEE

2. REQUEST FOR PERMISSION TO HANG A BANNER ON BEDFORD STREET FROM NOVEMBER 28 TO DECEMBER 12, 1988 to publicize "First Night." Requested by Ron Scofield, Director, Support Services, First Night Stamford, 57 Bouton Street West, Stamford, CT 06907, 9/26/88.

APPROVED ON CONSENT AGENDA

3. REQUEST FOR PERMISSION TO HANG A BANNER ON BEDFORD STREET FROM NOVEMBER 13 TO NOVEMBER 27, 1988 to publicize annual grapefruit sale. Requested by Linda Rezak, Parent Organizer, Westhill Chamber Singers, 88 Farms Road, Stamford, CT 06903, 10/3/88.

APPROVED ON CONSENT AGENDA

4. REQUEST FOR PERMISSION TO HANG A BANNER ON SUMMER STREET FROM DECEMBER 7 TO DECEMBER 15, 1988 to publicize "A Miniature Christmas in Connecticut." Requested by Russell Bastedo, Director, The Stamford Historical Society, Inc., 1508 High Ridge Road, Stamford, CT 06903, 9/22/88.

APPROVED ON CONSENT AGENDA

5. REQUEST FOR PERMISSION TO HANG A BANNER ON SUMMER STREET FROM MAY 1 TO MAY 15, 1989 to publicize annual art show. Requested by Guy A. Bailey, Headmaster, The Long Ridge School, 478 Erskine Road, Stamford, CT 06903, 9/23/88.

APPROVED ON CONSENT AGENDA

6. REQUEST FOR PERMISSION TO HANG A BANNER ON BEDFORD STREET FROM MAY 7 TO MAY 21, 1989 to publicize youth activities. Requested by the Stamford Youth Planning & Coordinating Agency, Diane Troy, City of Stamford, 888 Washington Boulevard, Stamford, CT., 9/26/88.

APPROVED ON CONSENT AGENDA

7. REQUEST FOR PERMISSION TO HANG A BANNER ON BEDFORD STREET FROM APRIL 23 TO MAY 7, 1989 to publicize "Drug and Alcohol Awareness" month. Requested by the Mayor's Commission, Diane Troy, City of Stamford, 888 Washington Boulevard, Stamford, CT., 9/26/88.

APPROVED ON CONSENT AGENDA

PARKS AND RECREATION COMMITTEE: (continued)

8. REQUEST FOR PERMISSION TO HANG A BANNER ON SUMMER STREET FROM NOVEMBER 7 TO NOVEMBER 20, 1988 TO PUBLICIZE AMERICAN EDUCATION WEEK. Requested by Susan Ruddock, Stamford Education Association, 25 Crescent Street, Stamford, CT 06906 10/13/88.

APPROVED ON CONSENT AGENDA

9. APPROVAL OF PARKS DEPARTMENT PROPOSED MARINA FEES FOR 1989. Approved by the Parks and Recreation Commission 10/12/88. Requested by Robert B. Cook, Superintendent, Parks and Recreation Department, 10/13/88.

APPROVED ON CONSENT AGENDA

MR. DeLUCA Moved the Consent Agenda. Seconded.

PRESIDENT GOLDSTEIN called for a vote to approve the Consent Agenda. APPROVED by voice vote.

EDUCATION, WELFARE AND GOVERNMENT COMMITTEE - John Zelinski, Chairman

MR. ZELINSKI said the Education, Welfare and Government Committee met on Wednesday, November 9, 1988, at 7:30 p.m. Committee members present were Chairman Zelinski, Reps. Powers, Evanko; Russo, Rep. Reilly was excused; Rep. Bromley was absent. Also present was Rep. Rubino.

Also present was Grace Bianchini, John Padilla, Louis Philpot, Mary Main, Louis Pape and Mary C. Bukowski.

1. MATTER OF TRANSPORTATION FOR THE HANDICAPPED. Submitted by Rep. James Rubino R-7, 10/18/88.

HELD IN COMMITTEE

MR. ZELINSKI said that some of the individuals present stated that they would like to see the City of Stamford initiate a program similar to the one the Town of Greenwich has for senior citizens regarding a taxi discount program. This program in Greenwich is administered through the First Selectman's office in cooperation with the Greenwich Taxi Company. The share of the fare taxi discount provides seniors with a 35% discount per ride. The Town of Greenwich contributes 25% of the cost of the ride; the taxi company 10% of the cost; and the senior then pays \$6.50 or 65% for \$10.00 worth of scrip to be used to pay their taxi fares.

Mr. Zelinski said the Committee was looking into this program as it relates to the handicapped. Other towns and cities will be contacted regarding their programs also. Also, to be looked into is how the Dial-A-Ride Program can play a part into this.

HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE - Frank Mollo, Chairman

MR. MOLLO said the Housing and Community Development Committee held a public hearing on Thursday, October 27, 1988. Committee members present were Nicholas Pavia, Elaine Mitchell, Annie Summerville and Frank Mollo. The Committee voted 4-0 to place their item on the Consent Agenda.

HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE: (continued)

1. FOR FINAL ADOPTION - PROPOSED ORDINANCE CONCERNING BUDGETARY PROCEDURES FOR THE STAMFORD COMMUNITY DEVELOPMENT PROGRAM. Submitted by Mayor Thom Serrani, 9/14/88. Approved for publication 10/3/88.

APPROVED ON CONSENT AGENDA WITH ONE ABSTENTION, MRS. MAIHOCK.

MR. MOLLO Moved the Consent Agenda. Seconded.

PRESIDENT GOLDSTEIN called for a vote to approve the Consent Agenda. APPROVED by voice vote. Mrs. Maihock wanted the record to note that she abstained.

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

ENVIRONMENTAL PROTECTION COMMITTEE - Stanley Esposito, Chairman

MR. ESPOSITO said a meeting of the Environmental Protection Committee was held on Tuesday, November 1, 1988, at 7:30 p.m. In attendance were Committee members Stanley Esposito and Audrey Maihock. Also attending were John O'Brien, Commissioner of the Department of Public Works and Howard Kapiloff of the Stamford Trader. A complete Committee report was sent to all members.

1. MATTER OF DISPOSAL OF BIO-MEDICAL WASTE IN THE CITY OF STAMFORD. Submitted by Rep. Stanley Esposito, R-11, 10/17/88.

HELD IN COMMITTEE

2. REQUEST FOR THE MAYOR TO SET-UP A TASK FORCE REGARDING RECYCLING. Submitted by Rep. David Blum, D-12, 10/19/88.

MR. ESPOSITO said John O'Brien, Commissioner of Public Works commented on the recycling efforts mandated by the State of Connecticut. Mr. O'Brien said that we would operate under the auspicious of the Advisory Board (CRRA) Bridgeport Solid Waste Regional Advisory Board. Mr. O'Brien indicated a \$75,000 grant was given to CRRA for a study as to how to implement local recycling. It appears that the city will be signing a resolution before the end of this year indicating that Stamford will participate in the state recycling effort under CRRA.

Mr. O'Brien said that in September, a group of state consultants were in Stamford and met with Deputy Commissioner John Canavan. The city is part of the Bridgeport Advisory Group, and we have state consultants as additional resources. He presumes that each source will have 3 or 4 garbage cans to separate materials, and it may take special vehicles and pick-up schedules. Also, the public will have to be educated.

The state has mandated that Stamford must have a recycling plan in effect by January 1, 1991. In order to accomplish this, markets for recycled materials must be found, and this is a difficult task. Stamford will have a recycling committee to coordinate the efforts with the state and to spur local recycling.

TRANSPORTATION COMMITTEE - Mary Lou Rinaldi, Chairwoman

Chairwoman Rinaldi was absent from the meeting. The Committee meeting scheduled for November 3, 1988 was cancelled for lack of information.

1. REPORT ON INTENT OF STAMFORD TRANSIT DISTRICT IN COORDINATING ALL DIAL-A-RIDE PROGRAMS AND EXTENDING SERVICE NORTH OF THE MERRITT PARKWAY. Submitted by Reps. Maria Nakian D-20, David Martin D-19, and David Blum D-12, 5/13/88. Held in Committee 6/6 and 10/3/88.

HELD IN COMMITTEE

LABOR CONTRACTS LIAISON COMMITTEE was eliminated in accordance with changes in the Rules of Order of the 20th Board.

SPECIAL COMMITTEES

HOUSE COMMITTEE - Gerald Rybnick, Chairman - No report.

COLISEUM AUTHORITY LIAISON COMMITTEE - David Blum, Chairman - No Report.

SPECIAL COMMITTEE TO ASSESS PRIORITY ISSUES - David Jachimczyk & Scott Morris,  
No report.

ETHICS COMMITTEE - Ruth Powers and Maria Nakian, Co-Chairpersons - No report.

RESOLUTIONS - None.

PETITIONS - None.

PRESIDENT GOLDSTEIN said Thomas Pia will seat on the Health and Protection Committee replacing Thomas Burke.

She also stated she received correspondence from Robert Neu, Director, Parks and Recreation, saying he would like to meet in small groups with various members of the Board on a district level, perhaps four district representatives at a time, to speak and discuss the problems in their districts relating to recreation and parks. Mrs. Goldstein said she would coordinate the districts to meet with Mr. Neu.

MINUTES

1. SEPTEMBER 7, 1988 REGULAR BOARD MEETING - Held 10/3/88. APPROVED as corrected.
2. OCTOBER 3, 1988 REGULAR BOARD MEETING - APPROVED.

COMMUNICATIONS - None.

OLD BUSINESS - None.

NEW BUSINESS - None.

ADJOURNMENT - There being no further business to come before the Board, the meeting was adjourned at 10:20 p.m. after the motion to adjourn was made, seconded and approved.

*Anne A. Kachaluba*

Anne A. Kachaluba, Administrative Assistant  
and Recording Secretary  
20th Board of Representatives

APPROVED:

*Sandra Goldstein*

Sandra Goldstein, President  
20th Board of Representatives

SG:ak  
Enclosures