

SPECIAL MEETING OF 10th BOARD OF REPRESENTATIVES
CONCERNING THE REPORT OF THE NINTH CHARTER
REVISION COMMISSION - APRIL 14, 1969

A Special Meeting of the 10th Board of Representatives of the City of Stamford was held on Monday, April 14, 1969 at 8.15 P.M. in the Board's meeting rooms, Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut, in response to a "Call" issued by the President John C. Fusaro mailed to all Board Members on April 8, 1969.

In the absence of the President, Mr. Frank A. Coperine, Clerk, called the meeting to order at 8.15 P.M.

ELECTION OF TEMPORARY CHAIRMAN:

In accordance with the Rules of Order, Mr. Coperine called for nominations for Temporary Chairman.

MR. JOHN BOCCUZZI nominated HOWARD KAPLAN as Temporary Chairman. There being no further nominations, Mr. Kaplan was elected as Temporary Chairman.

MR. KAPLAN took the Chair.

ROLL CALL was taken by the Clerk. There were 27 present and 13 absent at the calling of the roll. However, several members arrived shortly thereafter, changing the roll call to 33 present and 7 absent. The absent members were:

Paul Kuczo, Sr. (D)	1st District
Edward Dombroski (D)	3rd District
Robert Durso (D)	5th District
Theodore Boccuzzi (D)	9th District
John Fusaro (D)	10th District
Richard Colhoun (R)	18th District
Watson Horner (R)	19th District

PLEDGE OF ALLEGIANCE TO FLAG: The Chairman led the members in the Pledge of Allegiance to the Flag.

THE CHAIRMAN read the following "Call" of the meeting:

BOARD OF REPRESENTATIVES
MUNICIPAL OFFICE BUILDING
429 Atlantic Street
Stamford, Connecticut

April 8, 1969

TO: ALL MEMBERS OF 10th BOARD OF REPRESENTATIVES
SUBJECT: SPECIAL BOARD MEETING ON REPORT OF CHARTER REVISION
COMMISSION, SUBMITTED TO BOARD ON MARCH 3, 1969

I, JOHN C. FUSARO, President of the Board of Representatives
of the City of Stamford, Connecticut, pursuant to Section 202 of the
Stamford Charter and Sec. 7-191 of the General Statutes of the State

of Connecticut, 1967 Rev., do hereby call a SPECIAL MEETING
of said Board of Representatives, for

MONDAY, APRIL 14, 1969

In the Board of Representatives' Meeting Room

MUNICIPAL OFFICE BUILDING
at 8.00 P.M.

for the following purpose:

To consider and act upon the REPORT OF THE 9th
CHARTER REVISION COMMISSION and the recommendations
of the Charter Revision Committee, and to act upon
proposed Charter amendments to be submitted to
Referendum, or referred back to the Commission for
such changes as it may deem desirable.

JOHN C. FUSARO

John C. Fusaro, President
10th Board of Representatives

JCF:vf

In answer to a question from Mr. Heinzer, the Chairman said any matter which we do not move to send back to the Charter Revision Commission with modifications, is automatically approved by our silence.

MR. HEINZER addressed the Chair with a question at this time, but as he failed to turn on his "mike" his remarks could not be heard.

THE CHAIRMAN answered him. He quoted the following from the Home Rule Act:

STEP 6. (Sec. 7-191_

Appointing Authority has 15 days after final hearing to recommend changes. If no change is recommended, draft is final after 15 days.

He explained that our April 1st meeting when the Public Hearing was held marks the date from which this is reckoned. He said if we don't recommend any changes tonight, then the draft of the Charter Revision Commission is final and of course, this Board has another vote coming up under Step 8.

MR. HEINZER asked another question which also could not be heard.

THE CHAIRMAN said he would say that any matter which we feel should be studied further, we will have to refer it back to the Charter Revision Commission.

THE CHAIRMAN announced the "ground rules". He said he will call out the number of the Proposals sent to this Board by the Charter Revision Com-

Special Meeting of 10th Board of Representatives
held Monday, April 14, 1969

5807

mission, and will ask the Committee (of this Board) to give their recommendation and then if anyone wishes to speak or make a motion on the Proposal, it will then be in order. He said if nobody moves to modify the recommendations of the Committee, we will then go on to the next Proposal submitted by the Charter Revision Commission, the Proposal as submitted to us will then be considered approved by this Board.

He explained that this Board does not have the right under the Home Rule Act to compel the Charter Revision to accept anything which they have rejected.

MR. RUSSELL informed the Chair that we can ask the Charter Revision Commission to reconsider anything which they have rejected, which does not compel the Commission to take further action if they do not wish to do so.

PROPOSAL NO. 2

DESCRIPTION:

Sec. 525 and 525.1 to remove the necessity for holding public hearings by the Planning Board in the case of applications for subdivisions of land into not more than two lots when a new street is not required.

MR. GEORGOULIS, Chairman of the Charter Revision Committee, presented the recommendations of his Committee at this time. He said the Committee met on April 10 and present were: Richard Grisar, Otto Calder, Charles Heinzer, George Russell and himself, the Chairman.

Concerning above Proposal No. 2, he said the Committee agreed to return this to the Commission for further study and asked that reference be made to Proposal No. 20 which was approved by the Commission and to Proposal No. 1 which was rejected by the Commission. He said the Committee feels that No. 2 tied in with No. 20 and No. 1 should all be reviewed and a new Proposal submitted. HE SO MOVED. Seconded and CARRIED.

PROPOSAL NO. 4

DESCRIPTION:

Sec. 110 and others - to abolish the Board of Selectmen.

MR. GEORGOULIS said the Committee agreed that no action was required on this.

MR. MILLER asked what is meant by "no action is required"?

THE CHAIRMAN explained that this means that the Committee was in favor of this proposal as stated by the Charter Revision Commission. He explained that the Proposal is approved unless changed or modified by our Board, in which case it must be returned to the Commission for reconsideration.

MR. GEORGOULIS said he will leave this up to the Board to decide whether

Special Meeting of 10th Board of Representatives
held Monday, April 14, 1969

whether or not to accept the recommendation of the Charter Revision Commission.

MR. MILLER said he thinks the Board of Selectmen are placed in an awkward position, because if they say anything, it looks as if they are trying to protect their own jobs. HE MOVED this be sent back to the Charter Revision Commission. Seconded by Mr. Rybnick. MOTION FAILED TO CARRY.

PROPOSAL NO. 5

DESCRIPTION:

Sec. 574 to authorize City to make a charge for Tax books

MR. GEORGOULIS said the Committee decided to REJECT this proposal and to delete Sec. 574 and recommend passage of an Ordinance to authorize the City to make a charge for Tax Books and also for aerial maps as outlined under Proposal No. 135 (to be voted on later), and HE SO MOVED. Seconded by Mr. Heinzer who said the Committee felt this would be better as an Ordinance and does not belong in the Charter.

THE CHAIRMAN said as he understands it, then, the recommendation of the Committee is that this entire Sec. 574 of the Charter be abolished and that this be handled by the passage of an Ordinance. He asked if this is correct.

MR. GEORGOULIS said this is correct and that it also ties in with Proposal No. 135 - to enable the City to charge for aerial maps.

After considerable further discussion a VOTE was taken on the motion to return this to the Charter Revision Commission for modification. CARRIED unanimously.

PROPOSAL NO. 6

DESCRIPTION:

Concerning Chapter 54 and Chapter 59 to consolidate the Board of Recreation and the Park Commission.

MR. GEORGOULIS said his Committee recommends that Mr. Connell's suggestions contained in his letter of April 1, 1969 be adopted and referred back to the Commission. He said prior to this evening's meeting, many of the Board Members were contacted and there appears to be some discrepancy. He said he can only recommend what transpired at the meeting of his Committee. Therefore, he said his Committee recommends that the suggestions in the above letter from Mr. Connell be adopted and referred back to the Commission with those recommendations. Seconded.

MR. HEINZER said Mr. Connell wanted (in his letter) for the Commission on Parks & Recreation to have the wording changed to read: "The Parks and Recreation Commission" and he also felt that November 30th was not the right date for this change, but ought to be July 1st, so as to be in line with the fiscal year.

Special Meeting of 10th Board of Representatives
held Monday, April 14, 1969

whether or not to accept the recommendation of the Charter Revision Commission.

MR. MILLER said he thinks the Board of Selectmen are placed in an awkward position, because if they say anything, it looks as if they are trying to protect their own jobs. HE MOVED this be sent back to the Charter Revision Commission. Seconded by Mr. Rybnick. MOTION FAILED TO CARRY.

PROPOSAL NO. 5

DESCRIPTION:

Sec. 574 to authorize City to make a charge for Tax books

MR. GEORGOULIS said the Committee decided to REJECT this proposal and to delete Sec. 574 and recommend passage of an Ordinance to authorize the City to make a charge for Tax Books and also for aerial maps as outlined under Proposal No. 135 (to be voted on later), and HE SO MOVED. Seconded by Mr. Heinzer who said the Committee felt this would be better as an Ordinance and does not belong in the Charter.

THE CHAIRMAN said as he understands it, then, the recommendation of the Committee is that this entire Sec. 574 of the Charter be abolished and that this be handled by the passage of an Ordinance. He asked if this is correct.

MR. GEORGOULIS said this is correct and that it also ties in with Proposal No. 135 - to enable the City to charge for aerial maps.

After considerable further discussion a VOTE was taken on the motion to return this to the Charter Revision Commission for modification. CARRIED unanimously.

PROPOSAL NO. 6

DESCRIPTION:

Concerning Chapter 54 and Chapter 59 to consolidate the Board of Recreation and the Park Commission.

MR. GEORGOULIS said his Committee recommends that Mr. Connell's suggestions contained in his letter of April 1, 1969 be adopted and referred back to the Commission. He said prior to this evening's meeting, many of the Board Members were contacted and there appears to be some discrepancy. He said he can only recommend what transpired at the meeting of his Committee. Therefore, he said his Committee recommends that the suggestions in the above letter from Mr. Connell be adopted and referred back to the Commission with those recommendations. Seconded.

MR. HEINZER said Mr. Connell wanted (in his letter) for the Commission on Parks & Recreation to have the wording changed to read: "The Parks and Recreation Commission" and he also felt that November 30th was not the right date for this change, but ought to be July 1st, so as to be in line with the fiscal year.

MR. MILLER said with all due respect to Mr. Connell, he thinks the ideas of Mr. Hunt on this issue should also be considered. He said as he understands it, the Recreation Board is not opposed to having one Commission for both Parks and Recreation. However, they are not in favor of eliminating the position of Superintendent of Recreation. He said it would seem logical to have both under the one Commission - a Supt. of Parks and also a Supt. of Recreation, with both of them working under a Director. HE MOVED this be sent back to the Charter Revision Commission.

THE CHAIRMAN said the motion is out of order for the reason that there now is the exact same motion on the floor. He said the speaker is just giving an additional reason for sending this back, so he agrees with Mr. Georgoulis' motion.

MR. MILLER said he agrees this is true.

MR. COPERINE said it seems that this was the intent of this Proposal, to have both a Supt. of Parks and also a Supt. of Recreation. Somewhere along the line this got changed. He said after asking several people as to why this was changed and not being able to find out the reason, he also is in favor of sending this back to the Commission.

THE CHAIRMAN asked if there is anyone who is against referring this back to the Charter Revision Commission.

MR. DEUTSCH said he feels we should be sure to let the Commission know the reasons why this is being sent back to them. He said if this is an opportunity to eliminate a position, we should give it serious consideration.

MR. KELLY said both the Board of Recreation and the Park Commission agreed to something very different since that time, this thing has transpired, which he feels is wrong - to place a man in jeopardy who has spent some 40 years working for the City.

MR. HEINZER said he feels that those who have objections should voice them when this is sent back to the Commission and not just make these remarks on the floor of this Board.

MR. RUSSELL said individuals should not go to the Commission and voice their objections and that these recommendations are being made as coming from the entire Board, which is the correct method.

MR. GEORGOULIS said Mr. Connell came before the Committee at the public hearing held April 1st at which time all he said was that he would suggest the name be changed to Parks and Recreation Commission rather than the other way around: Commission on Parks & Recreation, which conforms to normal usage and good language.

MR. CONNORS said presuming that we approve this - which takes over - Parks or Recreation - which one?

MR. GEORGOULIS said he can't answer this - all he knows is that the suggestion reads to put the word Commission at the end rather than at the beginning, so he would assume that the first one named, being Parks,

MR. MILLER said with all due respect to Mr. Connell, he thinks the ideas of Mr. Hunt on this issue should also be considered. He said as he understands it, the Recreation Board is not opposed to having one Commission for both Parks and Recreation. However, they are not in favor of eliminating the position of Superintendent of Recreation. He said it would seem logical to have both under the one Commission - a Supt. of Parks and also a Supt. of Recreation, with both of them working under a Director. HE MOVED this be sent back to the Charter Revision Commission.

THE CHAIRMAN said the motion is out of order for the reason that there now is the exact same motion on the floor. He said the speaker is just giving an additional reason for sending this back, so he agrees with Mr. Georgoulis' motion.

MR. MILLER said he agrees this is true.

MR. COPERINE said it seems that this was the intent of this Proposal, to have both a Supt. of Parks and also a Supt. of Recreation. Somewhere along the line this got changed. He said after asking several people as to why this was changed and not being able to find out the reason, he also is in favor of sending this back to the Commission.

THE CHAIRMAN asked if there is anyone who is against referring this back to the Charter Revision Commission.

MR. DEUTSCH said he feels we should be sure to let the Commission know the reasons why this is being sent back to them. He said if this is an opportunity to eliminate a position, we should give it serious consideration.

MR. KELLY said both the Board of Recreation and the Park Commission agreed to something very different since that time, this thing has transpired, which he feels is wrong - to place a man in jeopardy who has spent some 40 years working for the City.

MR. HEINZER said he feels that those who have objections should voice them when this is sent back to the Commission and not just make these remarks on the floor of this Board.

MR. RUSSELL said individuals should not go to the Commission and voice their objections and that these recommendations are being made as coming from the entire Board, which is the correct method.

MR. GEORGOULIS said Mr. Connell came before the Committee at the public hearing held April 1st at which time all he said was that he would suggest the name be changed to Parks and Recreation Commission rather than the other way around: Commission on Parks & Recreation, which conforms to normal usage and good language.

MR. CONNORS said presuming that we approve this - which takes over - Parks or Recreation - which one?

MR. GEORGOULIS said he can't answer this - all he knows is that the suggestion reads to put the word Commission at the end rather than at the beginning, so he would assume that the first one named, being Parks,

Special Meeting of the 10th Board of Representatives
held Monday, April 14, 1969

would be considered as heading it up.

MRS. PONT-BRIANT said she thought Mr. Connell had made a point of vacancies, and if these were approved in November 1969 and a vacancy occurred on November 2nd, for instance, in the Board of Recreation - it says here that neither position should be filled until July 1, 1971. How could you function properly? This is my first question, and the second is that he wanted the date changed, which apparently has been done - to July 1st. She asked if this does not pertain to the budget which would make it easier because the new budget takes effect on that date and then one would not have to operate under the budget of the other.

MR. GEORGOULIS said this is true that the change is to take effect as of the start of the new fiscal year rather than starting in mid-stream and then start off as a new Commission. He said regarding the vacancies, when this new Commission has been formed, whoever comes in and fills those vacancies will be filling those vacancies under the new name of the Commission.

MR. MILLER MOVED to amend that we recommend to the Commission that Sec. 595 include provision so that the position of Supt. of Recreation will be retained. Seconded.

MR. SCOFIELD spoke in favor of the amendment. He said if we just delete Sec. 595.1 because this is the section that the Board of Recreation objects to and this would not allow the Board of Recreation to fill a vacancy before July 1, 1971 and ordinarily when a person leaves, the vacancy would be filled as soon as possible.

THE CHAIRMAN said he would prefer it if we only gave the general purpose of our recommendations rather than going into specific language. He said it is impossible to try to draft these Charter changes from the floor tonight and that a recommendation as to our intent is enough.

MR. GEORGOULIS said now that the paragraph is mentioned, perhaps this will enlighten the members - Sec. 596 concerns effective date and within that paragraph Mr. Connell stated that the five members of one Board or Commission and the four members of the other Board of Commission shall function independently for the remainder of the fiscal year - 1969-1970 and between December 1st and December 15th of 1969, will submit to the Mayor and the fiscal Boards a combined department of Parks and Recreation, operating on the Capital Budget of the fiscal year 1970-1971, and one July 1970, the NINE remaining members of the Park Commission and Board of Recreation will legally become the Park and Recreation Commission and carry out the functions of such combined Commission as outlined in Sec. 595 which Mr. Scofield mentioned.

MR. RUSSBACH spoke in favor of the amendment.

MR. HEMINGWAY said it appears that someone in these two departments is either being elevated or downgraded and that is not what this Board wants and that we expect that they will serve out their useful terms

Special Meeting of 10th Board of Representatives
held Monday, April 14, 1969

as they are now doing. He said he does not favor that some third person be employed to "ride herd" over the whole thing. He said it may come ultimately when certain changes take place and the years go by, but at the moment we only want to refer this back to the Charter Revision Commission for re-phrasing to make sure that the intent is that these two men are not affected one against the other and also, from an economy point of view we do not wish to imply that a third fellow is going to be on top and thus creating a new position.

After some further discussion a VOTE was taken on Mr. Miller's motion to amend the original motion and CARRIED with two "no" votes.

VOTE taken on referring this back to the Charter Revision Commission, including Mr. Miller's amendment. CARRIED.

PROPOSAL NO. 7

DESCRIPTION:

Sec. 522.4, 522.5, 552.3, 553.2 and Chapter 56 - To change required number of signatures on referral of decisions of Zoning Board, and Planning Board to the Board of Representatives and to enable such referral of decisions of Zoning Board of Appeals.

No action was taken on this Proposal. Approved.

MR. MURPHY brought up the question at this time regarding certain Proposals that were not approved by the Charter Revision Commission and therefore not before the Board, and MOVED they be sent back.

PROPOSALS NOS. 8 - 9 - 10 - 11

DESCRIPTION:

Composition of Board of Representatives. Elimination of Board of Finance and give its duties to Board of Representatives; enable Board of Representatives to elect to vacancies in elective office; and election of Board of Education to 6 year term.

THE CHAIRMAN explained that these have been REJECTED by the Charter Revision Commission. However, he said, we CAN ask them to reconsider them but they do not have to do so.

MR. GEORGIOULIS said his Committee decided that any Proposal that was rejected, we would not concern ourselves with, because they had been rejected and therefore were not referred to this Board.

MR. HEINZER said since they have been rejected, he fails to see how we can now consider them, so is going to ask for a vote and said HE MOVED that a vote be taken.

THE CHAIRMAN asked the speaker if he is MOVING THE QUESTION.

MR. HEINZER replied yes - that he is moving the question. SECONDED and CARRIED.

Special Meeting of 10th Board of Representatives
held Monday, April 14, 1969

THE CHAIRMAN asked the members to vote on the question of sending these Proposals BACK to the Charter Revision Commission for reconsideration. LOST.

PROPOSAL NO. 12

DESCRIPTION:

Sec. 921.1 (New) To establish provisions for Public Referendum

MR. GEORGOULIS said this was reviewed by his Committee and REJECTED. He said it also refers to Proposal No. 113 which was approved by the Charter Revision Commission.

MR. GEORGOULIS said this was REJECTED by the Committee by a vote of 3 to 1. He said HE MOVES this be REJECTED.

MR. GUROLIAN read an editorial from the STAMFORD ADVOCATE at this time and spoke on the merits of the right of referendum.

MR. GEORGOULIS said in regard to a referendum, he feels that the voters elect a 40 member Board of Representatives who are supposed to represent those who elected them and if he wanted to shirk his duty, he would submit it to referendum. He said he feels the members should take the responsibility of voting on issues and not hide behind a referendum.

MR. RICH said he agrees with Mr. Georgoulis and that this Proposal indicates a lack of trust in the representative form of government. He said our legislative body is the largest throughout the country and this Proposal would suggest that it even be larger and we just finished voting down the suggestion that it might be reduced. He said the Proposal would make decisions and deliberations of this body meaningless. He said it has been said that this is a Republic and not a Democracy and a true Democracy is a referendum on every issue. He said another thing is if a small group of voters do not like the action of one of the City Boards, they can form themselves into a small pressure group and "away we go".

MR. MURPHY spoke in favor of the Proposal and said it is his understanding that this is being referred back to the Charter Revision Commission. HE MOVED to change this from 10% of the voters required, to 20%. Seconded and CARRIED.

MR. GRISAR said he does not think the motion is really in order for the reason that the Committee rejected this Proposal and is sending it back to the Commission, and you cannot amend a rejection.

THE CHAIRMAN said he stands corrected and a vote will be taken on the rejection and if the rejection is carried, there will be no further discussion; if the rejection is defeated, we will then have further discussion on this Proposal.

MR. MURPHY said the Committee has rejected that it be 10% of the voters and he wants to change it.

Special Meeting of the 10th Board of Representatives
held Monday, April 14, 1969

THE CHAIRMAN said we will first vote on the rejection and if that motion is carried, it won't help - but if it is defeated, we will then vote on Mr. Murphy's motion.

MR. RUSSBACH said he strongly supports the power of referendum. He said if this is referred back to Commission, there are powerful forces that will kill it off and that would be a shame. He spoke in favor of the Proposal.

MR. RUSSELL spoke against a referendum and cited several dangers, such as it only requires a majority of this 10% to make it law, so if it is 10% then only 6% of the voters of this City would be dictating to the rest of the voters. Another point he made is that very few voters are acquainted with the subject of a referendum and therefore do not vote at all on the issue.

THE CHAIRMAN relinquished the Chair, in order to speak to the motion. He spoke in favor of Mr. Georgoulis' motion to kill referendum. He said he believes this to be the most incompetently drafted piece of legislation he has ever seen in the City of Stamford and does not do credit to the Charter Revision Commission. He said it fails to say what the limits of the referendum are, or how it would work in clear language. As an example, State law, which is higher than our Charter, provides that we must have either or a Planning Board, Zoning Board, or a Planning & Zoning Commission, or in addition, a Zoning Board of Appeals. He asked if this referendum gives the right to turn down a zoning change - to downzone 60 acres of land in the heart of the City, and does it give the power of zoning changes now in the hands of the Zoning Board, to the people in a referendum and if it does then it is illegal. He said if you read the draft, you can't tell whether it does or doesn't. He asked if the power to appropriate money is given to the people in a referendum. He said the Board of Finance and the Mayor carefully study the effect of appropriations on the mill rate and if in a public referendum they decide (whether or not they are well informed) to appropriate an extra ten million dollars for a high school, which the City could not afford under its safe borrowing limits, the referendum would enable such an appropriation to be put through. He said sometimes we find that under the law money has to be appropriated, perhaps it is reimbursable money and money we might be under contract to appropriate, but if there were a referendum, these issues could not be carefully explained to each voter and under such circumstances the City might not appropriate money that it is legally under obligation to do.

He pointed out many pitfalls under referendum that have not been taken into consideration that could result in putting the City in a very impossible position.

MR. MILLER spoke in favor of referendum. He said he does not feel a legislative body necessarily is shirking its duties by favoring a referendum. He said our form of government is based upon the assumption that man is capable of governing himself and in a small society it

Special Meeting of 10th Board of Representatives
held Monday, April 14, 1969

is possible to have a true Democracy where everyone can vote on every issue and in larger societies you must have some sort of representative government. He said he sees no danger in allowing for a referendum. He said he supports the referendum because it shows faith in man's ability to govern himself.

MR. JOSS spoke in favor of the referendum and said it goes back to the time of the "Boston Tea Party" and gives the people the right to express themselves.

MR. JOHN BOCCUZZI asked what opportunity do those who vote in a referendum have to meet with those who can give them the answers to some of the problems and the only place they can get the answers is from the newspaper and the radio and sometimes it doesn't always come out right. He wanted to know when the referendum would be held and would you have to wait until a Municipal election each time and if this is so, would it not hold up projects for over a year and maybe two years and if not, then would you have a special election every time 10% of the people decided they didn't like something.

MR. CALDER said he believes we have made an excellent case for referring this back to the Commission to see if they can't come up with a better Proposal.

MR. SCOFIELD said he feels it incumbent upon the Charter Revision Commission to come up with better restrictions in this.

MR. HEMINGWAY said the 40 elected representatives have enough trouble now in getting basic information on various issues upon which they try to make intelligent decisions for the best interests of the City and representing their Districts. He said it would be impossible for a large number of people to get the information they would need.

MR. CHIRIMBES said he is in favor of the referendum.

MR. HEINZER said that a while ago the Chairman told Mr. Murphy that Mr. Georgoulis' recommendation to REJECT could not be amended. He said he questions that statement because we can only recommend and everyone seems to be talking about sending it back with recommendations. HE MOVED THE QUESTION in order to vote on the REJECTION as moved by Mr. Georgoulis.

THE CHAIRMAN said he would permit the motion, although there are two people who still wish to speak on the motion - Mr. Plotnick and Mr. Alswanger.

MR. PLOTNICK and MR. ALSWANGER yielded on moving the question. Seconded and CARRIED.

THE CHAIRMAN explained the issue at hand. He said a motion is on the floor to send a recommendation of total rejection back to the Charter Revision Commission. He asked for a standing vote.

MR. GUROIAN asked for a ROLL CALL VOTE. There being enough members (1/5th) requesting this, a roll call vote was ordered taken.

Special Meeting of 10th Board of Representatives
held Monday, April 14, 1969

THE CHAIRMAN explained that a vote of "yes" is against referendum - to kill it, and a vote of "no" is against the Committee report of Mr. Georgoulis. He said this is a motion to accept his Committee report, which rejects referendum. He said, therefore, if you are against referendum you vote "yes" and if you are for referendum, you vote "no".

The following ROLL CALL VOTE was taken at this time. LOST by a vote of 16 in favor and 17 opposed:

THOSE VOTING IN FAVOR:

ALSWANGER, Herman (D)
BOCCUZZI, John (D)
CONNORS, George (D)
DEUTSCH, Chester (D)
FEDAK, Robert (D)
GEORGOULIS, George (D)
GRISAR, Richard (D)
HEMINGWAY, Booth (R)
KAPLAN, Howard (D)
KELLY, Stephen (D)
PALMER, Jack (R)
PENSIERO, Joseph (D)
PLOTNICK, Paul (D)
RICH, John (R)
RUSSELL, George (R)
TRUGLIA, Anthony (D)

THOSE VOTING IN OPPOSITION:

BROMLEY, Robert (R)
CALDER, Otto (D)
CAPORIZZO, William (R)
CHIRIMBES, Peter (R)
COPERINE, Frank (D)
DIXON, Handy (D)
GUROIAN, Armen (D)
HEINZER, Charles (R)
JOSS, James (D)
LONGO, Carmine (D)
MILLER, Frederick (D)
MORRIS, Thomas (R)
MURPHY, William (D)
PONT-BRIANT, Lois (R)
RUSSBACH, Daniel (R)
RYBNICK, Gerald (D)
SCOFIELD, Edward (R)

MR. BROMLEY said he would like to ask that Mr. Murphy's motion be re-instated. He said his vote of "no" on this was really in order to consider this further. He said he thinks that the Board of Representatives is not infallible, and unfortunately, sometimes we do make mistakes and there should be given the right to the public to overrule us and bring the public wishes to bear in a direct way.

MR. BROMLEY said he does not feel that 10% is enough and favors Mr. Murphy's 20%. He said, assuming that you are talking about registered voters - if 10,000 voters made their presence felt, either for or against some particular issue, that ought to "speak to us" and the rest of the electorate then ought to have the chance to consider the proposal. He said he is therefore speaking in favor of Mr. Murphy's motion, and also agrees that the whole thing has to be re-written as it is not in very good shape now.

THE CHAIRMAN said Mr. Murphy's motion is now in order. He said although we cannot draft the language of the Charter at this meeting tonight, we can convey our thoughts. He said if we feel that the subjects covered by referendum should be limited and restricted, we should put that in and if we feel that the number of voters should be limited, then we should put that in.

Special Meeting of 10th Board of Representatives
held Monday, April 14, 1969

MR. HEINZER MOVED this be sent back to the Charter Revision Commission with the recommendations of this Board.

MR. BROMLEY rose on a POINT OF ORDER. He said he believes that Mr. Murphy did make a motion before and he spoke to that motion and unless he withdraws that motion, this discussion is out of order.

MR. KAPLAN said with all due respect to the Board Members, he is unable to tell what the motion is. He asked Mr. Murphy if his motion is a motion that it be limited to 20% of what -- the registered voters or those actually voting?

MR. MURPHY said his motion was to change the Proposal from 10% to 20%.

MR. BROMLEY said if he can be permitted to explain Mr. Murphy's motion -- what he means is that the forms should bear the signatures of a minimum of TWENTY (20) PERCENT of the voters of the City at the last municipal election. He said as far as the other specifics of the Proposal, that they be reconsidered and changes made by the Charter Revision Commission. He said that is the motion he spoke to and he seconds that motion.

MR. HEINZER said if that's Mr. Murphy's motion, he will also second it.

THE CHAIRMAN said he will re-state the motion in his own language, which is as follows:

"We re-commit the entire Proposal to the Charter Revision Commission for changes in the entirety of the Proposal, including, without limitation, the percentage of voters that has to vote, the subject matters, to be subject to the Referendum, and the details of the Referendum."

MR. BROMLEY added: "..... from 10% to 20%".

THE CHAIRMAN said this is correct -- to change the amount of voters needed from 10% to 20%. He asked if there is a seconder to that motion.

MR. HEINZER and Mr. Bromley said they seconded that motion.

MR. BOCCUZZI said he thinks the figure of whether it is 10% or 20% should be left up to Mr. Georgoulis' Committee.

THE CHAIRMAN said that is the motion as he just stated it.

MR. CONNORS said we are trying to vote on something and we don't even know what we are voting on and that's the point that Mr. Murphy is trying to drive home. He said if we send this back to the Charter Revision Commission and let them come out and explain to us what they are thinking, maybe we'll not be so confused.

MR. RYBNICK asked if there is any way that we might be able to amend this particular motion so that a referendum can't be held for any little item that might come up, but would have to be a major item before we

Special Meeting of 10th Board of Representatives
held Monday, April 14, 1969

have a referendum.

THE CHAIRMAN said he believes this is included in the motion to have a TOTAL reconsideration of each and every provision of this referendum, including, without limiting it to this change from 10% to 20%, limiting the subject matters and restricting the manner of taking the vote. He said this is possible.

MR. MORRIS MOVED THE QUESTION. Seconded and CARRIED with a few "no" votes.

THE CHAIRMAN called for a vote on the motion on the floor. CARRIED unanimously.

PROPOSAL NO. 13

DESCRIPTION:

Sec. 708 involving clarification and strengthening of this Section regarding Contract Limitations

MR. GEORGOULIS explained that the Committee felt this nullified the effect of the Board of Ethics and that it was poorly constructed to begin with. He said his Committee recommends under No. 1 to eliminate the wording: "unless through competitive bidding... fulfilled in any other manner."

THE CHAIRMAN stepped down from the Chair in order to speak to this Proposal. Mr. Coperine (Clerk) took the Chair at this time.

MR. HEINZER asked if there is a motion on the floor.

MR. KAPLAN MOVED this be re-committed (Sec. 708) back to the Charter Revision Commission for strengthening of Sec. 708 rather than weakening as it presently is here. He said he has written out a draft, but he does not have his copy and neither does Mr. Morris, who had a copy, or else he would read it aloud, which is adding to the strength of Sec. 708 appreciably, rather than the Proposal from the Charter Revision Commission, which really takes away all of 708's powers and ruins the Ethics Board as he conceived of it. He said his motion is that this Proposal 13 be re-committed to the Charter Revision Commission with instructions to re-write it so as to strengthen 708 rather than weaken it. Seconded by several.

MR. RUSSEBACH said he supports both the Committee recommendation and Mr. Kaplan's recommendation. He said as we are all aware the intent of the current version of Sec. 708 which to him is quite clear, is violated consistently every day with impunity. He said the proposed revision of 708 would, in his opinion, legitimize conflict of interest. He said "no elected or appointed City employee" should be allowed to bid, provide service to or contract in any way with the City. He said if we enforce what is already on the books as it is written, instead of interpreting it as we want to, we can take the profit out of

Special Meeting of 10th Board of Representatives
held Monday, April 14, 1969

being in politics and we're supposed to be in politics for the gain of our constituents - not ourselves.

MR. BROMLEY said he was the Chairman of a special committee that was empowered by this Board, last term, to look into the whole question of Sec. 708 and the Committee spent several months on this and came up with a recommendation. He said it was his understanding that this recommendation was forwarded to the Charter Revision Commission and he understands that it was.

He said in the Committee report, which was contained in the Minutes of February 6, 1967 - a meeting of this Board - we included a draft of proposed changes, which, in effect, was a revision of Sec. 708. He said the revision that has come out of the Charter Revision Commission bears some resemblance to what our proposed changes were, but it differs quite markedly in other areas. One of the questions that has come up, which Mr. Russbach has raised, would make it possible for some of the City employees or persons on the payroll, to bid for public contracts, which would present the anomalous situation of say, perhaps the Purchasing Agent bidding for contracts which he could then award to himself. He said this was never a part of their proposed change to Sec. 708, but somehow it has gotten re-worded in the wrong way. He said he is against that.

In general, he said, as Sec. 708 now stands, is perhaps a bit too strict, and is violated quite a bit - at least many of the Board Members feel that the intent of it is violated. He said he thinks the question is what are the violations? And is it bad for a member of an appointive board of the City of Stamford, who might have business dealings with the City, to have to resign from a Board or Commission because he has submitted bids and been awarded a contract on a phase of work that he could not possibly vote on either money for himself, or use his persuasion to get his own contracts. He said he feels that public bidding is enough protection for the City of Stamford - and if it goes through the competitive bidding process, then a person on an appointive board might well have the right to bid on contracts with the City.

He said if a man happens to be on the Park Commission and it involves the question of bidding on park services, then, that would be a violation and in conflict of interest. However, he said, with such a tremendous proliferation of appointive Boards in this City, this involves a great many citizens and to make a man who is bidding on something which has nothing to do with the Board upon which he serves at all is a bit punitive. He said if you wish to not allow any elective officer to bid on City contracts, he could go along with that, but draws the line on appointive officers being allowed to bid, IF they go through the competitive bidding process.

THE CHAIRMAN asked the speaker if he is speaking in favor of returning this Proposal to the Commission.

MR. BROMLEY said "yes" basically he is, but he wanted to put that in the record.

Special Meeting of 10th Board of Representatives
held Monday, April 14, 1969

MR. GUROIAN said it has been brought to his attention that Sections 1 and 2 are the same as sent to the Charter Revision Commission.

MR. RUSSBACH said he begs to differ - that it is NOT the same as was proposed by the Board of Representatives. He said in that version there was no mention made of City employees bidding, and also, the other point that the Committee did recommend - in case of professional services "with prior written consent of the Mayor" and this was one of the Committee's original recommendations to the Charter Revision Commission at that time. He said Mr. Gluss said that it is the view of the Commissioner of Finance, the Corporation Counsel and the heads of Purchasing and Personnel that the system as it existed and has existed for many years, rather than the interpretation of Sec. 708 held by the Committee is a "good and workable" system.

MR. HEINZER said the recommendations as sent by the Board of Representatives at that time (and he spent some time listening to the records of that meeting) the Committee made it very clear that night that they were merely assigned the task of finding out how Sec. 708 was being used and they were reporting back on that. He said they had gotten a recommendation together which would be in line with the way Sec. 708 was at that time being used. He said no vote was taken that night and the President at that time (George Russell) discharged the Committee, but it was NOT the feeling of the Board of Representatives that those recommendations go to the Charter Revision Commission, but was merely part of a report of a Committee.

He said he also wished to speak about a remark that Mr. Bromley made about not thinking there was anything wrong if a man were on an appointive Board and the contract had nothing to do with his job on that Board. He said he thinks he is forgetting that if a man is appointed in this City by the Mayor and by the Board of Representatives, he IS politically involved and as long as he is politically involved, he can exert some kind of political pressure and therefore should NOT be involved in contracts with the City.

THE CHAIRMAN called for a vote on the motion as presented by Mr. Kaplan. CARRIED unanimously.

PROPOSAL 17.3

DESCRIPTION:

Sec. 402 - To clarify and up-date the provision on salaries.

MR. GEORGOULIS said his Committee felt that no action was needed on this. APPROVED.

PROPOSAL 20

DESCRIPTION:

Sec. 553.3 (new section) - Referral of proposed amendments to the regula-

PROPOSAL 20 (CONTINUED)DESCRIPTION:

tions or zone boundaries to Planning Board.

MR. GEORGOULIS said his Committee recommends this be returned to the Charter Revision Commission for study and also refers to No. 2 which was approved and No. 1 which was rejected. He said in light of the State Statute 83-A as discussed by Mrs. Eve Paul at the Public Hearing.

MR. GEORGOULIS SO MOVED. Seconded.

MR. HEINZER said Mrs. Eve Paul seemed to be very well informed on this subject and she said that this recommendation for a Charter Revision was in DIRECT conflict with State Statutes 83-a as Mr. Georgoulis has said. For this reason he felt this should be sent back to the Charter Revision Commission - at least to clarify that point if for no other reason.

THE CHAIRMAN said he does not believe Mrs. Paul said it was in direct conflict, but that it appeared to be in conflict, but that there had been a decision in a case called LUREY vs. THE ZONING BOARD OF APPEALS which reconciled them and made Stamford unique in the State in having it.

MR. RUSSBACH MOVED to AMEND the Committee's recommendations in that down on the bottom in the last paragraph (of the new Section) where it now reads:

"...A proposal disapproved by the Planning Board may be adopted by the Zoning Board by a majority vote of the Zoning Board."

that this be amended to read: "two-thirds vote" instead of "majority vote" as it now states. Seconded by Mr. Joss.

MR. RUSSBACH said we had a classic example of this last month in the Bongiorno Appeal which was passed by the Zoning Board 4 - 0. He said he feels that the two-thirds vote is absolutely essential on issues such as we had at our last meeting.

VOTE taken on above amendment. CARRIED unanimously.

VOTE on Mr. Georgoulis' motion to return this to the Charter Revision Commission for further study, as amended. CARRIED unanimously.

PROPOSAL 21DESCRIPTION:

Sec. 552.1 - To be deleted, as it now appears. A new one to be inserted.
Sec. 553.1 - To be deleted, as it now appears. A new one to be inserted.

MR. GEORGOULIS said his Committee recommends the elimination of the wording in Sec. 552.1: "... be required to." Also, to eliminate the wording in Sec. 553.1: "...be required to." He said that is where you have the

Special Meeting of 10th Board of Representatives
held Monday, April 14, 1969

underlined area which states: "...The Zoning Board shall be required to hear any application....."

He said the Committee recommends that we eliminate the words: "... be required to" Seconded.

MR. HEINZER said as it is now written it says that the Zoning shall not be required to hear an application, etc." and what we want to strengthen is to say that the "...Zoning Board shall NOT HEAR an application."

THE CHAIRMAN called for a VOTE on Mr. Georgoulis' Committee's recommendations. Seconded and CARRIED with one "no" vote.

PROPOSAL 23

DESCRIPTION:

Sec. 306. (new) - To extend medical and hospitalization benefits to full time officials. (Mayor, Town Clerk and Registrars of Voters)

MR. GEORGOULIS said his Committee recommends this be REJECTED and recommends the passage of an Ordinance to extend medical and hospitalization to full-time City Officials, and SO MOVED. Seconded and CARRIED.

PROPOSAL 23.1

DESCRIPTION:

Sec. 401.3 (new) - To establish the Registrars of Voters as full time officers

MR. GEORGOULIS said his Committee approved this Proposal and therefore feels no action is needed.

PROPOSAL 26

DESCRIPTION:

Sec. 577 to be deleted in its entirety.

MR. GEORGOULIS said his Committee approved this Proposal. No action required.

PROPOSAL 27

DESCRIPTION:

Sec. 561 - To be deleted and new Section inserted in its place. The intent is to correct section due to conflict with State Statute Sec. 8-7. Concerns reversal of decision of zoning officer.

MR. GEORGOULIS said his Committee approved this Proposal. No action required.

Special Meeting of 10th Board of Representatives
held Monday, April 14, 1969

PROPOSAL 28

DESCRIPTION:

Sec. 746. - Delete the word "Association" so that it will now read: "Classified Employees" instead of "Classified Employees Association"

MR. GEORGOULIS said his Committee approved this Proposal. No action required.

PROPOSAL 29

DESCRIPTION:

Sec. 426 (new) - School nurses and school dental hygienists.

MR. GEORGOULIS said his Committee recommends this be referred back to the Charter Revision Commission for further study, in view of the Nurses' testimony at our Public Hearing on April 1, 1969 and SO MOVED. Seconded and CARRIED.

PROPOSAL 35

Sec. 423 - Concerning Health Director.

MR. GEORGOULIS said his Committee REJECTED paragraph No. 2, thereby keeping all reference to the "Director of Health". He said they also REJECTED the Health Commission's recommendations that the Director shall be appointed by the Mayor upon recommendation of a majority of the Health Commission and approval by the Board of Representatives, for a term of five years, and SO MOVED. Seconded.

MR. HEINZER said at the last Charter Revision we changed the title of the Health Commissioner to that of "Director of Health" so that he wouldn't be confused with the Members of the Health Commission and for some reason or other the Charter Revision Commission decided to change it back this time and he believes this was an error on their part. On the other part of the issue, he said, the Health Commission's recommendation was that the Director should be appointed by the Mayor, upon the recommendation of a majority of the members of the Health Commission and we felt that any Mayor would naturally ask for the recommendations of the Health Commission, but that we ought not to limit the Mayor's powers in making appointments by saying that he could only make appointments with prior approval of a Commission. He said they felt this could just as easily apply to other Commissions and Boards of the City.

THE CHAIRMAN said we do not have to vote upon the recommendations of the Health Commission, but only have to vote upon the recommendations of the Charter Revision Commission. He said as he understands it, the only motion that is being made is to substitute the words "Director of Health" in place of "Health Commissioner".

MR. HEINZER said it is his understanding that this was embodied in

Special Meeting of 10th Board of Representatives
held Monday, April 14, 1969

Proposal 35.

MR. GEORGOULIS said the Committee removed where it says: "the order of the Health Commissioner".

THE CHAIRMAN said we are just changing the words and the Charter Revision Commission did not recommend this - it was a recommendation of the Health Commission. He said the only extent of this proposal is to substitute the words: "Director of Health" for "Health Commissioner". He called for a VOTE on this. CARRIED unanimously.

PROPOSAL 40

DESCRIPTION:

Sec. 442. to be deleted - To simplify appointment of Fire Marshal to conform with Public Act 567.

MR. GEORGOULIS said no action is needed on this. Approved.

PROPOSAL 43

DESCRIPTION:

Sec. 707.1 to be deleted - New Section to be inserted - To strengthen prohibition of dual office holding

MR. GEORGOULIS said no action is needed on this. Approved.

PROPOSAL 48

DESCRIPTION:

Sec. 484.1 - To amend purchasing procedures of City by changing non-bid limits from \$500 to \$1,000.

MR. GEORGOULIS said no action is needed on this. Approved.

PROPOSAL 53

DESCRIPTION:

Sec. 554.2 (new) - To regulate approval of Designed Districts by the Zoning Board

MR. GEORGOULIS said no action is needed on this. Approved.

PROPOSAL 54

DESCRIPTION:

Sec. 554.3 (new) - Applications for approval of site and architectural plans and/or requested uses.

Special Meeting of 10th Board of Representatives
held Monday, April 14, 1969

MR. GEORGOULIS said no action is needed on this. Approved.

PROPOSAL 55

DESCRIPTION:

Sec. 554. - To regulate public hearings by Zoning Board

MR. GEORGOULIS said no action is needed on this. Approved.

PROPOSAL 56

DESCRIPTION:

Sec. 554. - To require filing of copies of proposed amendments of the Zoning Regulations.

MR. GEORGOULIS said no action is needed on this. Approved.

PROPOSAL 57

DESCRIPTION:

Sec. 555.1 - To require publication of denials as well as adoptions of decisions made by Zoning Board.

MR. GEORGOULIS said no action is needed on this. Approved.

PROPOSAL 59

DESCRIPTION:

Sec. 552.1 to be deleted and new Section inserted - To clarify language concerning amendments to Zoning Map after effective date of the Master Plan

MR. GEORGOULIS said no action is needed on this. Approved.

PROPOSAL 78

DESCRIPTION:

Chapter 70 to add new Sec. 704.1 - To provide job security for Municipal Employee and prohibit transfers.

MR. GEORGOULIS said this was REJECTED by the Committee, as it does not belong in the Charter and SO MOVED. Seconded by Mr. Heinzer and CARRIED with one abstention. (Mr. Kaplan).

PROPOSAL 80

DESCRIPTION:

Special Meeting of 10th Board of Representatives
held Monday, April 14, 1969

PROPOSAL 80 (CONTINUED)

Sec. 620.1 to be amended - City Tax District

MR. GEORGOULIS said this was REJECTED by the Committee, because of error in plans and it was felt it was not needed. He said the Committee also felt that it would establish a bad precedent of extending tax districts to incorporate new businesses locating within said lines and SO MOVED. Seconded by Mr. Heinzer.

MR. MURPHY said this Proposal was seemingly changed quite a bit from the original one that was submitted. He said he thought it could have been used as a vehicle to equalize the Personal Property Tax for cars, boats, etc., which could be city-wide and have a standard tax, instead of the way it now is, with perhaps someone on Cove Island having their boat taxed at a different rate than someone up in the Ridges with the same kind of boat, with each one having a different tax.

THE CHAIRMAN said as he understands this Proposal, it is very limited. He stepped down from the Chair at this point and spoke to the motion.

MR. KAPLAN said Proposal 80 is only to extend the "A" District into a certain area of his District (14th) and is strictly intended to extend the "A" Tax District to Lord & Taylor's, General Electric and Olin Mathieson. He said it has been estimated that this would mean additional tax revenues to the City each year in the estimated amount of some \$300,000. He said it strikes him that by one stroke of our pen, we could take some of the most precious buildings in Stamford and place them in a high tax district. He said it also makes sense because these businesses would need trash services and also need City fire protection. He said Mr. Brennan felt that he agrees with him, that this is a very easy way for the City to raise additional revenues and will not hinder growth and our taxes are a lot lower than these businesses would find elsewhere, especially in New York State. He said to extend the "A" District to them would just be a way of helping our City's financial problems.

MR. MURPHY said when this was first proposed it was the intention of bringing the entire City into one tax district - that was the original intention of this Proposal which was changed all over the place by the Charter Revision Commission.

MR. HEINZER spoke in favor of REJECTING this proposal, first of all because it is in error and therefore it must be returned to the Charter Revision Commission because they didn't draw the lines properly. In regard to Mr. Kaplan's remarks, he said it would be a VERY dangerous thing to immediately change the tax districts on three new businesses in Stamford. He said we have a problem in trying to get people to locate here and he does not want Stamford to have that reputation -

Special Meeting of 10th Board of Representatives
held Monday, April 14, 1969

that as soon as you get there, fellows, they're going to change your tax district and hit you with it. He said this definitely would not help us to get new businesses to locate here.

MR. HEMINGWAY said he strongly seconds that moral approach and thinks it would be incredibly stupid to think that the minute somebody moves into some sections of the City that we can re-juggle the lines and catch them with a new tax rate. He said nobody would like to see more tax revenue than he, and furthermore, the expenses that would follow this new tax district would probably more than eat up the \$300,000 revenue we would receive - in the sense of a new Fire Station, a new complement of firemen and new equipment - and garbage.

MR. RUSSELL said he agrees with the sentiments of the previous two speakers because if you are going to stop there, why not go a little further up the line and catch High Ridge Park which is also a very juicy morsel. He said he also might suggest that the City's trash collections are not exactly the best in the world in either the cost to the City or the quality of it. He said presently newcomers to Stamford are getting high quality fire protection by being very close to it and are also getting high quality trash collection. He said we are better off leaving them where they are.

MR. FEDAK said the people are worrying about the high taxes and said he wants to go on record as favoring this inclusion of these three businesses.

MR. PLOTNICK spoke in favor of Proposal 80. He said since Lord & Taylor have opened he notices four or five Police Officers and various City vehicles stationed in the vicinity at various intersections surrounding the Lord & Taylor area. He said he wants to know if this is going to be something permanent, or if this is only on a temporary basis. He said he has nothing against the expansion of Stamford, and has seen it grow from a small New England community into a large City which it now is and can "roll with the punch" but, on the other hand, if these new businesses are going to come in here and use our services, they are going to be a drain on our tax dollars and he thinks they should pay for the privilege.

MR. HEINZER rose on a POINT OF INFORMATION. He asked if anyone knows whether or not Lord & Taylor has paid for signal lights up there and whether, when it's completed, and installed, that those policemen will be relieved of their duties?

THE CHAIRMAN said he does not know the answer to the question and does not think it is a valid point of information.

MR. PLOTNICK said he wants to answer that question. He said there is a signal already in operation at the driveway intersection of Lord & Taylor because he had to stop there tonight.

MR. JOHN BOCCUZZI said he wants to go on record as being against taxing a new business as soon as they come into town and said he does not think this is fair. He said when they first decide to locate here they look

Special Meeting of the 10th Board of Representatives
held Monday, April 14, 1969

into all these things and then after they get their building built, you come in and say: "Well, all right, now we're going to change the district and hit you with a few more tax dollars." He said he does not think this is fair to the company putting up the building and the new company coming into the City. He said he also would like to go on record as being in favor of Mr. Murphy's suggestion that all cars and boats be taxed at the same mill rate, regardless of where they are. He said he thinks it should not make any difference where you live, that when you drive a car you use the City's streets and if you own a boat, you should pay the same tax, regardless of what district you live in.

As far as the policemen located up at Lord & Taylor, he said he thinks Lord & Taylor is paying them for their services and it is not charged to the City.

MR. GUROIAN said Proposal 80 was his proposal and as it now appears before him, it has been butchered beyond all recognition. He said the original intent has been stated by Mr. Murphy; however, he feels that half a loaf is better than none and if we can't get our tax dollars from North Stamford and we have these wealthy businesses which are coming into the City who aren't by any means paupers and to raise their taxes is no more a sin than to raise the taxes of the people of his district, or any district. He said he feels no sympathy for Lord & Taylor and feels no sympathy for any of these large complexes that have moved into the City, because they are using the services of the City.

MRS. PONT-BRIANT said she is against Proposal 80 as it now stands, because she does not feel it is fair to have a firm come in and settle here in good faith and then say: "O.K., give us more money". She said perhaps it is all right to ask for legitimate fees, if the garbage and trash collection and other facilities are going to be overtaxed, then perhaps Lord & Taylor would also agree to this. Also, she said she does not want to get into a running debate with Mr. Guroian, as she is from North Stamford, but if services were given North Stamford, such as in other sections, perhaps the people would not object to paying taxes, but they are high and you can't evaluate things on a one base standard for all.

MR. GEORGOULIS said the areas in question are all in his district. He said the Board of Representatives is the third largest City Council in the United States - the first is Chicago, Illinois, and the second is Lincoln, Nebraska. He said we talk about referendum and if we can't get things straight here among forty of us, how can you expect to get anything done through referendum? He said the word will leak out that we are pulling in high class stores and if you want to go there and spend your money, you go and nobody is asking you to go and now that they are here, it's a credit to the City of Stamford to be able to attract this type of business. He said if you turn around and start to impose higher taxes on these corporations you are causing a destruction that will affect the City. Secondly, how about the individual home owners who live in the same district as Lord & Taylor? If they can get away with increasing the taxes of these corporations, they certainly will also sneak into the

Special Meeting of the 10th Board of Representatives
held Monday, April 14, 1969

home owners' property which is now in Class "B" and raise their taxes too under the pretense that sewers will be coming. He said he thinks this whole thing is a big farce and he hopes that Lord & Taylor, Olin Mathieson and General Electric - the concerns that were mentioned tonight, will excuse us for expressing the opinion about increasing taxes.

MR. CALDER said he thought the basis for determining the tax rates for Districts "A", "B" and "C" were the services that you received. He said either this particular district qualifies under services received as District "A" or it doesn't. He said if it does qualify, then he can see no moral obligation to classify it as being in the proper tax district where it belongs just because it happens to be a new store that has just settled here. He said if they receive the same services which he receives in his District, which is "A", then it should be put in that district.

MR. FEDAK said the major opposition as he sees it is that these three major companies have just located here and are now being subjected to a new tax. He said he thinks it should be brought out that it is not these three companies that are being taxed, but the taxes are being imposed on the ones who own the land on which they are located, because they are NOT one and the same.

MR. JOSS said he agrees with Mr. Calder and he sees that Mr. Georgoulis complaint is for the poor home owner again, who finds himself staggering under the taxes for "B" District and then finds himself in another tax district before he knew what happened and without the services that go along with it. He said it may be another five years or so before the City gets around to giving them the services that go with the taxes they are being asked to pay.

MRS. PONT-BRIANT said, as an accountant, she begs to differ with Mr. Fedak on the tax structure. She said inventories of retail stores in this City are taxed, so therefore Lord & Taylor, per se would be taxed on inventories, furniture and equipment and, in addition to the building, which happens to be in their name. She said she would also like to ask about home owners in this immediate area which you propose to change - would they not, also, be placed in a higher taxing district? Also, she said, if the taxes had been higher, perhaps Lord & Taylor would not have wanted to come here in the first place, and you are getting taxes from them on inventory, buildings, stock, furniture and fixtures, which you would not get if these three companies did not come to Stamford.

MR. MURPHY said he thinks the Members of the 7th District are right in wanting to have the Personal Property Tax be put into one district.

MR. ALSWANGER spoke against Proposal 80 for the reason that he does not possess the knowledge of what all these changes will cost and while we think we might get a lot more money in tax revenues and it might cost us a lot more to give the services than we will get back in taxes for these services. He said some day it might pay the City to do this, but without the facts and knowledge of what all this will cost we had better wait until we know more about it.

Special Meeting of 10th Board of Representatives
held Monday, April 14, 1969

MR. SCOFIELD said the Master Plan is currently under study for bringing it up to date and all this discussion at this point is way out of order.

MR. HEINZER said he only reiterates what he said before in reference to Mr. Fedak's remarks. In the first place, he said, it is the company that pays the tax and not the owner, because it is reflected in the rental. He said he is most worried about the reputation that Stamford is going to get for doing this kind of thing when it comes to us trying to get other industry and other stores to locate here.

MR. GEORGOULIS MOVED THE QUESTION. Seconded. CARRIED.

THE CHAIRMAN said the question is on Mr. Georgoulis' committee's recommendation that Proposal 80 be REJECTED. He said the vote on the Committee's report is CARRIED.

MR. JOSS MOVED that Proposal 80 be sent back to the Charter Revision Commission that all cars and personal boats and personal property would be classified as one tax district.

THE CHAIRMAN asked Mr. Joss if he is referring to inventory.

MR. JOSS said "no" — just cars and boats, period. Seconded.

MR. HEMINGWAY said he wants more information before he votes on this. He asked if we are starting something unique, or is this common practice in the State of Connecticut.

MR. GEORGOULIS said he can answer that question, because about eight or ten years ago the Board of Representatives had a similar situation. A proposal was made at that time to make one tax structure for ALL automobiles and boats and at that time the Board found out that we could not do it. He suggested that this be reinvestigated, because we will probably get the same answer. He said as he recalls, it is something to do with the way the tax structure is set up which made it impossible to put the cars and boats under one tax district. He suggested going to the Tax Assessor's Office and they can probably give us the answer.

MR. RYBNICK said the simple reason why it could not be done, is because it is governed by the State Statutes and can't be changed except by the Home Rule Act and by referendum.

MR. BOCCUZZI suggested that perhaps by going to the State we might be able to bring the cars and boats under one taxing district.

THE CHAIRMAN said as far as this proposal is concerned, we haven't got the time to do all this — tomorrow is the deadline to get this back to the Charter Revision Commission.

MR. GRISAR said he thinks the Proposal is fair — that a Cadillac owned in "A" District is the same as a Cadillac owned in "C" District.

Special Meeting of 10th Board of Representatives
held Monday, April 14, 1969

THE CHAIRMAN asked the man who made the motion (Mr. Joss) if he would accept letting the Charter Revision Commission look into the legality of extending the same mill rate for boats and cars.

MR. RUSSELL said in order to simplify things - this was brought up by Representative Iacovo in a past Charter Revision Commission and all we have to do is look up the records at that time and it will probably tell the legal reasons why it could not be done.

MR. HEINZER suggested the Board go carefully here, because this will mean almost double work for the Tax Assessor's Office and instead of having everything listed under one tax rate, separate bills will have to be made out for people who may have a house in "C" District and whose boat or car is under the "A" District - separate tax rates will have to be figured on each one of those items. He said he is sure you will find out that this will just about double their work and may even result in a net loss to the City when it is all over.

MR. GRISAR said he does not believe that if this is all computerized, which is his business, that the work would amount to very much.

MR. RYBNICK said now that we have Home Rule, we are able to do this.

MR. MURPHY said if this is true and we can change the whole tax system just be going to referendum under Home Rule, he can't see why we then can't change it.

THE CHAIRMAN called for a vote on the motion. CARRIED.

PROPOSAL 85

DESCRIPTION:

Sec. 500., 501., 503.1, 503.2: Change title of Chapter 58 from "Board of Public Safety" to "Police Commission" and "Fire Commission" and to delete Sec. 580 and add a new Section in place; also add new Sec. 580.1 and eliminate all reference to "Board of Public Safety" in Charter.

MR. GEORGOULIS said no action is needed on this. Approved.

PROPOSAL 92

DESCRIPTION:

Sec. 40, item (28) last line, delete "Either, or" and "Without" which will then read: "..... work herein authorized within the municipality". (To clarify to right of eminent domain.)

MR. GEORGOULIS said no action is needed on this. Approved.

PROPOSAL 98

DESCRIPTION:

Sec. 120 to delete "except members of the Board of Finance". The first

Special Meeting of 10th Board of Representatives
held Monday, April 14, 1969

sentence to then read, in part: "..... any elective officer may be impeached and removed from office" (To render members of the Board of Finance subject to impeachment the same as any elective officer.)

MR. GEORGOULIS said no action is needed on this. Approved.

PROPOSAL 101

DESCRIPTION:

Sec. 204.2 - To clarify this Section regarding constituency of investigating committee.

MR. GEORGOULIS said no action is needed on this. Approved.

PROPOSAL 105

DESCRIPTION:

Sec. 304.5 - To clarify this Section by inserting: "If December 1 falls On Saturday or Sunday, the Mayor shall convene the Board of Representatives on the following Monday."

MR. GEORGOULIS said no action is needed on this. Approved.

PROPOSAL 108

DESCRIPTION:

Sec. 484.6 - To regulate disposal of surplus or unusable supplies, etc.

MR. GEORGOULIS said no action is needed on this. Approved.

PROPOSAL 113

DESCRIPTION:

Chapter 59, add new Sec. 598 - To restrict disposition of land owned or purchased by the City with proceeds of bonds except by approval of public referendum.

MR. GEORGOULIS said his Committee REJECTED this as it is tied directly to No. 12 which was sent back to the Charter Revision Commission. Seconded.

After some discussion, THE CHAIRMAN asked Mr. Georgoulis if he would accept referring Proposal 113 back to the Commission along with Proposal 12. Seconded and CARRIED.

PROPOSAL 115

DESCRIPTION:

Sec. 700 in last sentence, delete the word "Chapter" and insert in its place the word "Section" - In order to correct an apparent error.

Special Meeting of 10th Board of Representatives
held Monday, April 14, 1969

MR. GEORGOULIS said no action is needed on this. Approved.

PROPOSAL 120

DESCRIPTION:

Sec. 714.2 - At end add: "... unless otherwise provided in Sec. 714"
(To clarify retirement of Police and Firemen)

MR. GEORGOULIS said no action is needed on this. Approved.

PROPOSAL 123

DESCRIPTION:

Sec. 525, 529, and 556.- To clarify appeals from Planning Board to
Common Pleas with General Statute 8-10

MR. GEORGOULIS said no action is needed on this. Approved.

PROPOSAL 125

DESCRIPTION:

Sec. 431. and Sec. 441. - To eliminate the requirement that Members of
Police and Fire Department be electors of the City

MR. GEORGOULIS said no action is needed on this. Approved.

PROPOSAL 135 (See action taken under Proposal 5)

DESCRIPTION:

Sec. 574.1 (new) - To direct the City to charge for aerial maps.

MR. GEORGOULIS said his Committee REJECTED this and recommends it be included as an Ordinance - same action as taken under Proposal 5. HE SO MOVED. Seconded and CARRIED.

CONCERNING PROPOSALS REJECTED BY CHARTER REVISION COMMISSION - (See
Page 26 of their report to the Board, dated March 3, 1969)

REJECTED PROPOSAL 1

DESCRIPTION:

Sec. 553.11 (new) - To require that all applications for changes to
Zoning Map be referred to the Planning Board for a report as presently
required in the case of applications to amend the text of Zoning
Regulations.

MR. GEORGOULIS said his Committee feels this should be returned to the Charter Revision Commission for study and SO MOVED. Seconded.

Special Meeting of 10th Board of Representatives
held Monday, April 14, 1969

MR. HEINZER said the Committee wants this returned to the Commission for study with reference to Proposal No. 20 and Proposal No. 1. He said he believes this has already been taken care of when we asked the Commission to consider this under Proposal No. 2 when they asked that a new Proposal be submitted.

THE CHAIRMAN agreed that action is superfluous as it has already been taken.

REJECTED PROPOSAL 8

DESCRIPTION:

Sec. 101.. 110.. 115.- To change the composition of the Board of Representatives and to change the voting districts.

MR. GEORGOULIS said the Committee felt REJECTION should be continued.

REJECTED PROPOSAL 132.

DESCRIPTION:

Sec. 410.. 26-3. 26-4 and 26-5 - To strengthen authority of the Sewer Commission.

MR. GEORGOULIS said his Committee unanimously felt that rejection of this Proposal is warranted.

MR. SCOFIELD said his Proposal would strengthen the authority of the Sewer Commission and is in accord with the General Statute 7-247 which does not reflect its concern on duplication and cost. He said the Charter Revision Committee seems to imply that this Proposal would cause increased cost, which is foolishness. With the growing concern over harbor pollution in Stamford, he said it seems inconceivable to allow the record to show that monies were appropriated for the planning of a new sewage treatment plant back in 1964 which took us three years to pick engineers who were never approved by the Sewer Commission. He said it took us 16 months in the planning stage with more months still to go before construction can start. He said the cost of this procrastination will double the cost of this project. He said the Sewer Commission MUST be given the final authority over the City's sewers system. He said the Charter as it is presently written does not even allow the Sewer Commission to check the heavy infiltration of storm water run-off in sewers constructed before 1951. He said he wants to point out that the Public Works Commissioner cannot possibly devote the time necessary to this complex problem as one agency such as the Sewer Commission can. He said all he asks is that the experts in this field be allowed to speak before the Charter Revision Committee of this Board and not to throw this away as it is a very worthy proposal.

Special Meeting of 10th Board of Representatives
held Monday, April 14, 1969

THE CHAIRMAN pointed out to the speaker that this Proposal has been rejected by the Charter Revision Commission, so the only thing this Board can do now is to ask them to reconsider it. He said the Committee (of the Board of Representatives) has refused to do this and therefore the Committee's recommendation is for this NOT to go back to the Charter Revision Commission, so therefore the speaker (Mr. Scofield) is speaking AGAINST the recommendation of the Committee and asking people to vote "no" on the vote that will come up.

MR. SCOFIELD said that is correct.

MR. RUSSELL said there may be another reason why the Committee acted in this manner and it could be that it was not clear just what was the position of the Sewer Commission was in this matter - such as engineering advice. He said there has to be some clarification as to how this highly technical and involved information and recommendations from an engineering standpoint, how this would get through to the Sewer Commission. He said there is a point of confusion in this area that goes beyond just giving them the power and has to be clarified.

MR. GEORGOULIS reminded the Members that we tried to include the Sewer Commission in one of the Ordinances and it was defeated, and apparently the Charter Revision Commission felt the same way as our Committee felt.

MR. SCOFIELD said he spoke to the sub-committee on Charter Revisions and they did not have anyone testify before them and went over it very hurriedly and he thinks on a second go-round that they could be easily convinced that this is worthy of their consideration.

MR. GEORGOULIS said he is referring to the Board of Representatives who defeated it.

MR. PLOTNICK spoke in favor and said it might be a good thing and he will go along with Mr. Scofield on it.

VOTE taken on MOVING THE QUESTION. Seconded and CARRIED.

THE CHAIRMAN said the question is now on the recommendation of the Charter Revision Committee that we approve the action of the Charter Revision Commission in rejecting Proposal 132. LOST. The Committee's report was rejected.

MR. SCOFIELD MOVED that the Proposal (No. 132) be recommitted to the Charter Revision Commission for reconsideration and ask them to receive testimony from experts before making their final decision. Seconded and CARRIED.

MR. KAPLAN thanked the Committee for doing an excellent job.

MR. COPERINE thanked Mr. Kaplan for filling in so ably in the absence of the President, Mr. Fusaro.


Special Meeting of 10th Board of Representatives
held Monday, April 14, 1969

ANNOUNCEMENT

MR. MORRIS announced that the President's wife, Mrs. Fusaro, just had a baby boy. Applause.

ADJOURNMENT:

Upon motion, duly seconded and CARRIED, the meeting was adjourned at 11.30 P.M.



Velma Farrell
(Administrative Assistant and
Recording Secretary)

NOTE: This meeting was broadcast
over RADIO STATION WSTC until 11 P.M.

VF