

MINUTES OF SPECIAL MEETING HELD DECEMBER 8, 197212TH BOARD OF REPRESENTATIVESSTAMFORD, CONNECTICUT

A Special Meeting of the 12th Board of Representatives of the City of Stamford, was held on Friday, December 8, 1972 pursuant to a "Call" from Mayor Julius M. Wilensky, in the meeting room of the Board, 2nd floor, Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut.

The meeting was called to order by the President, George V. Connors, at 8 P.M.

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

ROLL CALL was taken by Mrs. Kim Varney. There were 29 present and 11 absent at the calling of the roll. However, several members arrived shortly thereafter, changing the roll call to 34 present and 6 absent. The absent members were:

Frederick P. Lenz, Jr. (D) 1st District
 Philip J. Gambino (D) 6th District
 Theodore J. Boccuzzi (D) 9th District
 James S. Iacovo (R) 10th District
 Charles J. Heinzer, III (R) 13th District
 Richard J. Schade (R) 18th District

Those present in addition to the Board members were: Mayor Julius M. Wilensky, Mr. Samuel Kanell, Deputy Director of the State Department of Transportation, Mr. Colin Pease, the Governor's Aide, Mr. Ronald Weber, City Traffic Director and J. Robert Bromley, City Corporation Counsel.

"CALL" OF MEETING:

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

TO: All members of the 12th Board of Representatives

FROM: Mayor Julius M. Wilensky

SUBJECT: "CALL" of Special Meeting to consider the adoption of an Ordinance setting up a "TRANSIT DISTRICT" and appointing the Directors thereof.

I, Julius M. Wilensky, Mayor of the City of Stamford, pursuant to Section 202 of the Stamford Charter, hereby call a SPECIAL MEETING of said Board of Representatives for:

FRIDAY, December 8, 1972

At the Municipal Office Building, second floor,
 429 Atlantic Street, Stamford, Connecticut

at 8:00 P.M.

for the following purpose:

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To consider and act upon an Ordinance creating a "TRANSIT DISTRICT" and the appointment of Directors thereof.

You already have information on this and we will have experts at your meeting to answer any questions you have.

Julius M. Wilensky, Mayor

THE PRESIDENT asked the members if they have any objection to hearing from the Mayor, Mr. Samuel Kanell, Mr. Colin Pease, Mr. Ronald Weber and the Corporation Counsel, J. Robert Bromley. There being no objection, he called upon the Mayor to proceed. The Mayor introduced the following speakers:

MR. SAMUEL KANELL, Deputy Director, State Department of Transportation, was the first to address the Board. He said they are here to deal with the City on a fair and cooperative basis in order to get bus service restored. He said they now have an application pending in Washington for new buses, and shelters, and are prepared to work with whoever may be delegated. He said there are many who have no other means of transportation but buses, and his 'phone hasn't stopped ringing since the buses stopped running. He said Stamford is the one City that has had the most profitable type of bus service. He said an audit was made less than a year ago, with the following results: In 1971, the New Haven division had a loss of \$211,013.00; the Hartford division showed a loss of \$199,390.00 and the Stamford division showed a profit of \$18,838.00.

He said one of the first things they want to do is utilize available Federal funds to acquire new buses and other capital improvements, such as bus stops, shelters, and anything else needed to make the service more attractive.

He said in order to qualify for this Federal money, we must make a commitment to Washington that these buses will be operated in the public service for at least FIVE years, so they are asking Stamford to agree that these buses will be operated in the public service for at least that period of time. He said during the interim period before these new buses become available, they are prepared on behalf of the State, to provide whatever funds are required (during this interim period) to meet any deficit, but after this interim period, under this five year contract, which becomes effective after the buses arrive, then they ask the city to share any deficits which are incurred. He said the State will provide 25% and the Transit District will provide 75% of the losses. He said they intend to try to make bus service more attractive to the public and will make funds available for that purpose, similar to what they are offering Hartford, Bridgeport and other major cities for this purpose. Thereafter, he said they would then provide in their contract that for future promotional funds, the State will provide 75% and the Transit District 25%.

THE MAYOR said he wished to point out one other fact that has not been mentioned, which explains why Stamford shows a profit --- we carry 3,000 private, parochial and public school children every day and these are mostly high school students and with the 30¢ they pay, the bus driver's salary is paid which is a guaranteed built in profit. He said he has been informed by the Board of Education that they cannot stand a long bus strike because it is a great inconvenience - some students are on double runs and schools have to change their starting time. He said if they have to do without bus service, they would then have to contract for more school buses, which is the most expensive way to do it.

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MR. COLIN PEASE, the Governor's Aide, was the next speaker. He said by providing bus service, it will eliminate the clogging of the streets with private cars. He said they realize that the new buses will not arrive for seven months or so, and in the meantime there will be a learning period and a need for us all to work closely together. He said they are willing to provide the funds to survey routes, and to promote the use of buses and to help eliminate clogging of the streets in the center of the City, and for this purpose the State is willing to pay 75% of the costs of promotion.

There followed a question and answer period, with the Board members asking questions

MRS. SHERMAN asked about the profit from the School children.

THE MAYOR said his figures only covered an eight month period and figuring on the basis of 12 months, the profit would be much higher — more like \$26,000. He said without the school children, which is the basis of the profit, you're dead.

MRS. SHERMAN said, then, without the school children, on this basis of \$18,000 and 100 school days, we would have lost \$180,000 by now.

THE MAYOR agreed, saying it definitely would be a loss without those school children. However, he said, it is more economical for the Board of Education to transport them this way, more convenient for everyone concerned.

MRS. SHERMAN said it is true that the poor and the aged are most desperately hurt by this, but to also remember that the poor and the aged are also taxpayers. She said the only reason that Stamford has made a profit is because of the school children, but that could stop and we would then have nothing but a great big deficit.

MR. WEBER said he has the figures from the Connecticut Company and the revenues from the school bus runs is \$31,129.00 up to the month of May — the last month these school figures were available and the total revenue, including all the other runs was \$76,000. On a monthly basis, he said it is about \$250,000 — 180 days for a school year.

The Corporation Counsel, J. Robert Bromley, spoke at this time as to the legal ramifications. He said after the Board declined to establish this Transit District at their meeting on October 24, 1972, the President of the Connecticut Company, on or about October 15th publicly announced that the Bus Company would discontinue all bus service in all of its divisions throughout the State on October 30th.

He said on Saturday, October 28th, the Assistant Corporation Counsel, Ronald Schwartz, obtained a special ex parte injunction, signed by Superior Court Judge William L. Tierny, Jr., which prohibited the Connecticut Company from ceasing operations in the City of Stamford until further order of the Court. He said the complaint filed by the City of Stamford by the Law Department, which was a class action by the Mayor on behalf of the taxpayers and residents of the City of Stamford — which complaint alleged that discontinuance of service would cause immediate harm to the taxpayers and asked for an Injunction and also for the appointment of a Receiver for the Connecticut Company. He said briefs were filed by the City on November 14th and an extension of the Injunction, which had been granted, was further granted by the Superior Court in Hartford, which Injunction was continued until Saturday, November 25th, when it was automatically dissolved

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by Judge Saden's order when the Union walked out on strike. He said Mr. Schwartz, for the Corporation Counsel's office, on behalf of the appointment of a Receiver at a Hearing before Judge Saden on Wednesday, November 29th, in Hartford. He said at that time Mr. Schwartz contended that it was necessary for the purpose of protecting the public, particularly since the case was an extraordinary case, justifying the appointment of a Receiver.

He said Mr. Schwartz, Mr. Weber and himself went before the PUC in Hartford yesterday to get permission for the continuance of the temporary service that has been offered by the Administration - for the bus route that loops through the inner city and this was granted. He said there were many legal questions involved in Court and they were forced to say to the Judge that this was an extraordinary remedy, and it has never been done before, and the Judge was quick to point this out, but they felt they should undertake all possible avenues that might give us some relief from the Court. He said it is anticipated that the Court will not appoint a Receiver and the decision should be coming down any day now and as the Judge seemed to indicate, the City's sole course and remedy is to establish a Transit District and the responsibility to assume such an obligation of providing bus service, lies in the direction of this Transit District.

He said he wants to make it clear that the Law Department has exhausted every legal remedy it can use in order to obtain the help of the Court. He said it now appears that the responsibility is taken back to the Board of Representatives for action.

MR. SHERER said since the strike, the Board of Education has hired 14 new buses and these buses costs \$50 per day per bus. However, he said these buses can be re-routed and utilized for whatever direction is necessary. He said the cost of these 14 new buses is \$700 a day, so not only does it take care of the high school kids, but the elementary and whatever the case might be. He said since these buses have been operating they have had less late people coming to school and have dropped from about 120 late comers to about 40, and the absentee lists have also decreased appreciably.

MRS. PONT BRIANT said if the figures Mr. Sherer just quoted are correct, then the Board of Education is expending \$1100 a day.

THE MAYOR said they cannot get by with that many -- they will have to hire more buses, which would tip the balance and make the blue buses a better deal.

MR. WEBER said we have a total of 3,000 students and about the same amount of other riders, making a total of around 6,000 riders a day. He explained the questionnaire he sent out. He said out of a total of 120 people answering the questions, 17 got rides from their neighbor or family, which was totally unsatisfactory, and they preferred taking the bus. He said 23 walked and 9 took taxis, and 20 who did not make their trip at all, 13 used the yellow school buses and 5 used the one bus that is running - the Port Chester-Greenwich run.

The question and answer period continued for some time, after which MR. CAPORIZZO MOVED the question to vote on the Ordinance to establish a TRANSIT DISTRICT. Seconded and CARRIED.

THE MAYOR left the meeting at this time.

THE PRESIDENT announced that there are 33 members present and 7 absent.

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The following ROLL CALL VOTE was taken, and LOST by a vote of 19 opposed and 14 in favor:

THOSE VOTING IN FAVOR:

CAPORIZZO, William (R)
 COSTELLO, Robert (D)
 DIXON, Handy (D)
 EXNICIOS, Robert (R)
 FORMAN, Barbara (R)
 FLANAGAN, William (R)
 LIVINGSTON, Jeremiah (D)
 MILLER, Frederick (D)
 MORRIS, Thomas (R)
 PERKINS, Billie (R)
 ROOS, John (R)
 ROSE, Matthew (D)
 TRESSER, Michael (R)
 TRUGLIA, Anthony (D)

THOSE VOTING IN OPPOSITION:

BOCCUZZI, John (D)
 COLASSO, John (D)
 CONNORS, George (D)
 FOX, Gerald (D)
 FRIEDMAN, Bertram (R)
 GIROIAN, Armen (D)
 KELLY, Stephen (D)
 KNAPP, Warren (D)
 LAITMAN, Marilyn (D)
 MORABITO, Joseph (D)
 PERILLO, Alfred (D)
 RAVALLESE, George (D)
 RUSSEBACH, Daniel (R)
 RUSSELL, George (R)
 RYENICK, Gerald (D)
 SHERER, Sidney (R)
 SHERMAN, Edith (R)
 VARNEY, Kim (R)
 WALSH, Peter (D)

ADJOURNMENT:

On motion, duly seconded and CARRIED, the meeting was adjourned at 10:45 P.M.

Velma Farrell

Velma Farrell
 Administrative Assistant
 (Recording Secretary)

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APPROVED:

George V. Connors

George V. Connors, President
 12th Board of Representatives

Note: The above meeting was not broadcast over Radio Station WSTC.

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