

MINUTES OF SEPTEMBER 10, 197312TH BOARD OF REPRESENTATIVESSTAMFORD, CONNECTICUT

A regular monthly meeting of the 12th Board of Representatives of the City of Stamford was held on Monday, September 10, 1973 in the meeting room of the Board, second floor, Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut.

The meeting was called to order at 9:10 P.M. by the President, George V. Connors.

INVOCATION was given by Rev. Vasilios Remoundos, Greek Orthodox Church of the Annunciation.

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

CHECK OF VOTING MACHINE:

The President conducted a check of the voting machine which was found in good working order.

ROLL CALL was taken by the Clerk. There were 38 present and 2 absent at the calling of the roll, one being deceased since the last Board meeting (Stephen E. Kelly, (D) 4th District Representative). The absent member was William P. Caporizzo (R), 15th District. After a replacement for Mr. Kelly was voted upon, there were 39 present and 1 absent.

VACANCY in 4th District - To replace Stephen E. Kelly, deceased (Vacancy under Sec. 201 of Charter and first order of business under Rules of Order.)

MR. RYBNICK spoke in praise of Mr. Kelly and said he served the City of Stamford and was a member of the Board of Representatives since it was legally organized 24 years ago, and before that as a member of the Common Council. He said for over 50 years he devoted his time and energy and personal funds to the Stamford Boxing Club, which he organized to teach youngsters the manly art of self defense. He said only recently he received a long overdue honor and recognition from the Exchange Club. He said he will be sorely missed as a member of this Board and as a good citizen.

MR. RYBNICK offered the name of JOHN A. SANDOR (D), 4th District, residing at 18 Hale Street as replacement to fill the vacancy in the 4th District.

He said Mr. Sandor previously served on this Board back in 1951-1952 with the late Steve Kelly.

Many members spoke in praise of Steve Kelly.

MRS. VARNEY proposed that we make a special exception and place a photograph of him, with a commemorative plaque here in this room, and so MOVED. Seconded and CARRIED.

A MOMENT OF SILENCE was observed at this time in memory of the departed Mr. Kelly.

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ELECTION OF JOHN A. SANDOR (D), 4th District, to fill vacancy

A VOTE was taken on the nomination of Mr. Sandor and CARRIED unanimously.

THE PRESIDENT administered the oath of office and Mr. Sandor assumed his seat as a member of the Board.

ACCEPTANCE OF MINUTES -- August 6, 1973 meeting

The Minutes of the above meeting were approved, there being no corrections.

COMMITTEE REPORTS:

The reading of the report of the Steering Committee was waived and appears below:

STEERING COMMITTEE REPORTMeeting held Monday, August 27, 1973

A meeting of the Steering Committee was held on Monday, August 27, 1973 in the Board of Representatives' Caucus Room, Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut.

The meeting was called to order by Mr. Morabito, Majority Leader. However, the Chairman arrived immediately thereafter and conducted the meeting. The following members were present:

George Connors(D)	Gerald Rybnick (D)*
Chalres Heinzer, III (R)	Jeremiah Livingston (D)
Matthew Rose(D)	Frederick Miller (D)
Joseph Morabito (D)	Edward Scofield (R)
John Boccuzzi (D)	Frederick Lenz (D)
John Colasso (D)	Robert Exnicios (R)
George Russell (R)	Thomas Morris (R)
	Mrs. Marilyn Laitman (D)

*Replacing Stephen Kelly (D) deceased 3-23-73

Also present was William Flanagan (R) from the 19th District. Absent were: Theodore Boccuzzi and Mrs. Lois Pont-Briant.

The following matters were discussed and acted upon:

(1) Appointments:

All appointments held in Committee at the August 6, 1973 meeting were ORDERED on the Agenda under APPOINTMENTS COMMITTEE, with the exception of one appointment -- that of Robert Timbers for appointment as a Planning Board Alternate, which was withdrawn by the Mayor. Two appointments to the Urban Redevelopment Commission -- Anthony V. Boccuzzi (D) to term expiring 3-1-76 and Robert Bermester (R) to term expiring 3-1-78 were ORDERED ON THE AGENDA under APPOINTMENTS COMMITTEE.

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(2) Additional Appropriations:

Two items that were held in Committee at the August 6, 1973 Board meeting, were ORDERED ON THE AGENDA under FISCAL COMMITTEE, one being an appropriation of \$6,486.40 for SPECIAL POLICE and the other in the amount of \$13,815.00 for the Office of the Commissioner of Finance, being salary for the Grants Officer for 1973-1974.

All other matters on the Board of Finance agenda for their meeting held Thursday, August 9, 1973 and expected to be acted upon at their Executive Session to be held prior to our September 10th meeting, were ORDERED ON THE AGENDA under the FISCAL COMMITTEE. All items over \$2,000 were referred to a secondary committee.

- (3) Letter, dated 8-16-73 from Dr. Carpenter, Supt. of Schools, re: TRANSFER of jurisdiction of School Health Services to the HEALTH DEPARTMENT and remaining funds of \$150,000.00 to the Health Department in the 1973-74 Operating Budget

ORDERED ON AGENDA under FISCAL COMMITTEE

- (4) Three items, in the Legislative & Rules Committee, and deferred by them at the August 6th meeting were ORDERED ON THE AGENDA under the LEGISLATIVE AND RULES COMMITTEE - one concerned a CONSUMER PROTECTION ORDINANCE, another was final adoption of an ordinance entitled "SEWERS AND SEWAGE DISPOSAL" and the third was a proposed resolution CONCERNING RULES AND REGULATIONS OF SEWER COMMISSION.
- (5) Other items held in the Legislative & Rules Committee at the 8-6-73 meeting and deferred, were ORDERED ON THE AGENDA under the L & R Committee.
- (6) Proposed RESOLUTION CONCERNING THE URBAN RENEWAL PLAN FOR THE SOUTHEAST QUADRANT PROJECT

Mr. Miller introduced the above resolution, containing five paragraphs in the body of the resolution, which was REFERRED TO THE LEGISLATIVE & RULES COMMITTEE, but not ordered on the agenda

- (7) Resolution authorizing CONDEMNATION OF A SANITARY SEWER EASEMENT through and under property of JOSEPHINE C. MURPHY, which is required for completion of the SPRINGDALE SANITARY SEWER PROJECT, known as Section 14-3. (See Mayor's letter of 7-31-73)

ORDERED ON AGENDA and REFERRED TO LEGISLATIVE & RULES COMMITTEE

- (8) Request for TAX ABATEMENT ORDINANCE (for publication) for MACEDONIA F.B.H. CHURCH OF GOD OF THE AMERICAS for property located at 89 Spruce Street (Partially eligible for tax abatement according to Tax Assessor, James Hyland)

ORDERED ON AGENDA and REFERRED TO LEGISLATIVE & RULES COMMITTEE

- (9) Proposed Ordinance LIMITING THE USE OF AUTOMATIC ALARM CALLING DEVICES for CITY OF STAMFORD (Proposed by Hawley Oefinger, Supt. of Communications, in letter dated 7-26-73)

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Item #9 was ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (10) Request in letter dated 7-26-73 from Registrars of Voters, for amendment to Section 2-11, Chapter 2 "VOTING PLACES" of Code of General Ordinances (which names the various voting places in the City and is no longer up-to-date)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (11) Proposed INLAND-WETLAND Ordinance, entitled "CONCERNING INLAND-WETLANDS AND WATER COURSES -- (See Mayor's letter dated 8-13-73)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (12) Request for approval of REVISED PROPOSED CONTRACT BETWEEN CITY OF STAMFORD AND TOWN OF DARIEN CONCERNING SANITARY SEWERS FOR PROPERTY OF PHILLIPS PARK, INC. - (Mayor's letter of 7-27-73)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (13) Request in letter dated 7-19-73 from Chairman of Fair Rent Commission, requesting certain proposed changes to amend the Fair Rent Commission Ordinance (Now Article III of Section 10 of the Code of General Ordinances) in order to bring local legislation into compliance with State legislation

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (14) Letter dated 8-9-73 requesting approval by the Board of Representatives for the CREATION OF A LOCAL BICENTENNIAL COMMITTEE, or the designation of an existing organization, to serve as such a Committee - (Requested in Mayor's letter of 8-9-73)

- (15) BALL PLAYING IN STREETS (Requested for review of Ordinance prohibiting same)

MR. RUSSELL requested the Legislative & Rules Committee to look into the provisions of Sec. 18-6 "PLAYING BALL, THROWING STONES, ETC. UPON STREETS" for the reason that he has been receiving numerous complaints about small boys playing softball on or near Westover Road and the fathers of these boys did not want them to break the law. REFERRED TO LEGISLATIVE & RULES COMMITTEE --- NOT ON AGENDA

- (16) METHOD OF PAYING CONSULTING ENGINEER

MR. COLASSO brought up the above matter. There was some discussion as to the method of paying the Consulting Engineer, whether it is a percentage of the estimated figure for the job, or how -- REFERRED TO SEWER COMMITTEE and ORDERED ON THE AGENDA.

- (17) Letter dated 8-19-73 from John Colasso, 14th District Representative, asking why the delay on SEWER CONSTRUCTION FOR OLD BARN ROAD, SEVERANCE DRIVE and WINDSOR ROAD AREA, for which \$330,000 was appropriated in 1972, bonded in January 1973, the plans for which were completed months ago, but the project never started

REFERRED TO SEWER COMMITTEE to investigate the reason for the delay and report back to the Board

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- (18) Letter dated 8-27-73 from Thomas Morris (R) 15th District Rep. with regard to TWO POLICE DEPARTMENT NOMINEES WITH FELONY RECORDS being almost sworn in as Police Officers, and the Mayor's "quick action in preventing this happening" and REQUEST TO INVESTIGATE THE HIRING PRACTICES OF POLICE in order to prevent similar occurrences in the future.
- REFERRED TO HEALTH & PROTECTION COMMITTEE to look into the facts in the case.
- (19) ICE SKATING RINK FEE SCHEDULE -- (Proposed in letter dated 8-23-73 from Park Dept. - needed in time for opening of rink on Nov. 4th)
- REFERRED TO PARKS & RECREATION COMMITTEE and ORDERED ON AGENDA
- (20) COLLECTIVE BARGAINING CONTRACTS - NURSES and DENTAL HYGIENISTS - (From July 1, 1972 through June 30, 1974) -- (Re-submitted in Mayor's letter of 8-14-73 previously disapproved by Board of Representatives on 6-4-73 because of retirement clause in Article IX A (page 14 & 15 of contract) -- Will be working under supervision and control of HEALTH DEPARTMENT, except for Smith House nurses.
- REFERRED TO PERSONNEL COMMITTEE and ORDERED ON AGENDA
- (21) SALE OF CITY-OWNED PROPERTY - In accordance with Section 6-33 of Code of General Ordinances - Request to SELL immediately - (13 listed in attachment to Mayor's letter of 6-28-73)
- REFERRED TO PLANNING & ZONING COMMITTEE - ORDERED ON AGENDA
- (22) Re: Complaint of Mr. Werner Ortmeier - WARCHOL LANE -(Letter dated 8-23-73 from J. W. Roloff, Engineering Dept.) - Note: Warchol Lane is NOT an accepted street, but Resolution No. 773 was adopted by the Board of Representatives on Sept. 7, 1971 to initiate improvement under Chapter 64 of Charter at the request of Sidney Sherer, former Board member, who resigned as a member on 1-8-73)
- the above was NOT ordered on the agenda.
- (23) Proposed Resolution AUTHORIZING AMENDING OF URBAN RENEWAL PLAN (Submitted in letter dated 7-19-73 from James Hibben, URC Director - Board met as a "COMMITTEE OF THE WHOLE" on this matter on 8-14-73)
- REFERRED TO URC COMMITTEE - Ordered on Agenda
- (24) Two letters from CORPORATION COUNSEL, dated 8-21-73, rendering opinions in answer to questions from Mr. Knapp and Mrs. Laitman on URC Plan
- ORDERED ON AGENDA under COMMUNICATIONS
- (25) BAD TRAFFIC CONDITION NEAR BUXTON FARMS ROAD AND HIGH RIDGE ROAD
- MRS. LAITMAN requested that the above be investigated to see what can be done to eliminate this dangerous traffic problem.

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Item #25 REFERRED TO PLANNING & ZONING COMMITTEE and also to the LEGISLATIVE & RULES COMMITTEE --- Not on Agenda

- (26) Complaint from Armen Gurcian (D) 7th District Representative, regarding BAD ROAD CONDITION ON LENOX AVENUE

REFERRED TO HEALTH & PROTECTION COMMITTEE

- (27) Letter dated 7-27-73 from Board of Recreation re: SCOFIELDTOWN DUMP SITE requesting this be designated as a recreational facility

REFERRED TO PARKS & RECREATION COMMITTEE - Not on agenda

There being no further business to come before the Committee, on motion, duly seconded and CARRIED, the meeting was adjourned at 9:10 P.M.

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GEORGE V. CONNORS, Chairman
Steering Committee

APPOINTMENTS COMMITTEE:

MR. THEODORE BOCCUZZI, Chairman, presented his Committee report at this time. Action taken is outlined below:

URBAN REDEVELOPMENT COMMISSION:

Term Expiring:

ANTHONY V. BOCCUZZI (D)
20 Grandview Avenue
(Replacing James Carey,
deceased)

VOTE: 31 yes
7 no

Aug. 1, 1976

ROBERT BERMESTER (R)
51 Mountainwood Road
(Reappointment)

VOTE: 24 yes
15 no

August 1, 1978

PAGES:

THE PRESIDENT announced the presence of DAVID GAINES and JOHN GAINES, (twins) from the Turn-of-River School as Pages for this evening.

FISCAL COMMITTEE:

MR. JOHN BOCCUZZI, Chairman, said his Committee met Wednesday, September 5, 1973 and acted on the following items, which he now presented for a vote:

(1) \$6,486.40

SPECIAL POLICE - To grant increases in hourly rate from \$2.50 - \$3.00 to \$3.40, to be allocated as follows:

Police Department - Code 530.0102	-----	\$3,236.40
Park Department - Code 710.0107	-----	3,200.00
		<u>\$6,436.40</u>

MR. BOCCUZZI MOVED for approval of the above request. Seconded by Mr. Heinzer who said the Personnel Committee concurs. CARRIED unanimously.

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- (2) \$13,815.00 - COMMISSIONER OF FINANCE - Code 114.0101, Salaries (Grants Officer salary for 1973-1974) - (Denied by Board of Finance in the 1973-74 Operating Budget) - (Letter dated 4-30-73 from George V. Connors, Acting Mayor) -- Held in Committee on 8-6-73

MR. BOCCUZZI said the Fiscal Committee approved this item and he SO MOVED. Seconded by Mr. Heinzer who said the Personnel Committee concurs. CARRIED with two no votes.

- (3) \$4,800.00 - FAIR RENT COMMISSION - Code 198.0101, Salaries - To Continue the salary of an Investigator, to be phased out under the EEA as of Nov. 15, 1973 - (Mayor's letter of 7-26-73) - (Approved by the Board of Finance on 8-29-73)

MR. BOCCUZZI MOVED for approval of the above item. Seconded by Mr. Heinzer, who said the Personnel Committee concurs. CARRIED.

- (4) \$254,293.00 - To provide salary increases of 5.4% for 1972-73 fiscal year for Civil Service employees belonging to the M.A.A. group, some deceased or retired, and 5% for 1973-74 fiscal year; also included are elected and appointed officials - To receive same increases as those given under the Collective Bargaining contracts recently approved for all City employees, except for administrative and supervisory people who are not covered - (Requested in two letters from the Mayor - 1st letter dated 8-3-73 requesting \$159,118; 2nd letter dated 8-27-73 requesting \$254,293) - DEFERRED by Board of Finance on 8-29-73

The above matter was held in Committee

- (5) \$17,332.51 - DEPARTMENT OF PARKS - Code 710.0101, Salaries - To effect salary increases for employees in accordance with Collective Bargaining Contract with the Teamster's Union - (Mayor's letter of 7-12-73) - (Approved by Board of Finance on 8-29-73)

MR. BOCCUZZI MOVED for approval of the above item. Seconded by Mr. Heinzer, who said the Personnel Committee concurs. CARRIED.

- (6) \$128,103.00 - DEPARTMENT OF PARKS - Covering operation of the TERRY CONNORS ICE SKATING RINK for period Nov. 1, 1973 through June 30, 1974, to be allocated to accounts as listed in attachment to Mayor's letter dated 8-2-73 - (Approved by Board of Finance 8-29-73)

MR. BOCCUZZI MOVED for approval of the above item. Seconded by Mr. Rybnick who said the Parks & Recreation Committee concurred in approval. CARRIED.

- (7) \$550.98 - DEPARTMENT OF PARKS - Code 710.0103 - Overtime, which represents contractual percentage increase and arbitration award for the 1972 Christmas Holiday - (Mayor's letter of 8-6-73 -- Approved by Bd. of Finance on 8-29-73)

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MR. BOCCUZZI MOVED for approval of Item #7. Seconded and CARRIED, with two no votes.

- (8) \$29,000.00 - Resolution No. 907 - Amending 1973-1974 Capital Projects Budget to TRANSFER funds in the Project known as "ENCROACHMENT LINES - TOILSOME BROOK" to Project in said Budget, known as "ENCROACHMENT LINES - RIPPOWAM RIVER" - (Letter sent to Board of Finance from Louis Casale, Chairman of Flood & Erosion Control Board, giving details, but NO letter was sent to the Board of Representatives) (Approved by Board of Finance on 8-29-73)

MR. BOCCUZZI MOVED for approval of the following resolution. Seconded by Mr. Lenz, who said the Public Works Committee concurs. CARRIED unanimously:

RESOLUTION NO. 907

AMENDING 1973-1974 CAPITAL PROJECTS BUDGET BY TRANSFERRING FUNDS IN THE PROJECT KNOWN AS "ENCROACHMENT LINES - TOILSOME BROOK" TO PROJECT KNOWN AS "ENCROACHMENT LINES - RIPPOWAM RIVER" IN THE AMOUNT OF \$29,000

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford, in accordance with provisions of Sec. 611.5 of the Stamford Charter, to approve an amendment to the 1973-1974 Capital Projects Budget to transfer funds in the Project known as "ENCROACHMENT LINES - TOILSOME BROOK" to Project in said Budget, known as "ENCROACHMENT LINES - RIPPOWAM RIVER" in the amount of \$29,000.00.

- (9) \$10,000.00 - GRANT by ACTION (A Federal Agency) for the purpose of establishing a Volunteer Programs Coordinator Program, in order to coordinate all volunteer programs within the City, and to utilize all available volunteers working with various organizations and groups -- (Mayor's letter of 7-1-73) - (Approved 8-29-73 by Board of Finance)

MR. BOCCUZZI MOVED for approval of the above item. Seconded by Mr. Livingston, who said the Education, Welfare & Government Committee concurs in approval. CARRIED.

- (10) \$16,243.00 - HEALTH DEPARTMENT - Code 510.0101 - Salaries for Laboratory Technician at \$7,113 and Account Clerk at \$7,113 - (Clerk-Typist I at salary of \$5,955 was deferred and Dental Hygienist at salary of \$10,337 was DENIED by Board of Finance on 8-29-73) - (Mayor's letter of 5-4-73) - Note: \$5,000 for Code 514.0000 - Salaries, Forensic Drug Laboratory, was approved by Board of Representatives on 2-6-73 - See Minutes, page 9792)

MR. BOCCUZZI MOVED for approval of the above request. Seconded by Mr. Rose

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who said the Health & Protection Committee concurs in this.

MR. RUSSBACH objected to this. He said before the Board concurs, they ought to remember what they did a few short months ago, when we passed a record Budget for the City. He said at that time he thought we were quite liberal with the money and the new positions that were created and there is adequate staff and funds for all departments, yet here it's September, after the first of July (the new Budget) and we find a request for two more new positions in the Health Department which is becoming the HUD of Stamford. He said he demands to know why these two new positions are coming in now, right after we passed the Budget for this fiscal year. He said this happens all the time and this particular department is one of the worst offenders. He said he can see no reason why we should be creating new positions just barely 60 to 90 days after we passed the Budget for the entire year with adequate sums of money and now we are told they need new positions of a Lab. Technician and an Accounts Clerk. He said he thinks the Board should object to this sort of procedure.

MRS. LAITMAN said the speaker's point is well taken, except that situations DO change. She said for some time we have been talking about transferring Health personnel from the school system to the Health Department, which would add 125 employees and with only two people to service them it would be almost impossible. She said in addition to that the Health Department has signed a contract with the Welfare Department to give health examinations under Title 19 for children up to the age of 21. She said there is a tremendous amount of clerical work involved and up to this time, nurses have been doing it. She said this appears to be a deplorable waste of personnel and this situation has definitely changed.

MR. RUSSBACH said this is their way of coming back again, and if you will check the Health Department Budget you will see that their budget was totally adequate.

MRS. PONT-BRIANT pointed out that a lot of the salaries in the Health Department are funded by Grants and apparently it was forgotten when they cut the Budget, and he is getting nearly \$35,000 back in reimbursable items which would more than cover these two people and it is almost a zero cost to the City.

THE PRESIDENT called for a VOTE on the question. A voice vote was taken, but it was so close he was unable to tell. A machine vote was then taken and LOST by a vote of 20 yes and 17 no (emergency appropriations require a two-thirds vote to carry, which can never be less than a majority of 21 votes). (39 present - two-thirds of which would be a vote of 26 needed to carry).

(11) \$4,000.00 - COMMISSIONER OF FINANCE - DATA PROCESSING DEPARTMENT.
Code 114.0901, Professional Services - (To monitor progress of the Data Processing Department - Details explained in Mayor's letter of 5-8-73 and attached letter from Ernst & Ernst dated 5-7-73) - (Approved by Board of Finance on 8-29-73)

MR. BOCCUZZI MOVED for approval of the above item. Seconded by Mr. Livingston, who said the Education, Welfare & Government Committee concurs. CARRIED.

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- (12) \$314,307.00 - PUBLIC WORKS DEPARTMENT - To cover 1973-1974 salary increases resulting from Teamster's Union Collective Bargaining contract previously approved by Board of Representatives - (This represents the 5% increases for the 1973-1974 fiscal year) - (Mayor's letter of 6-8-73) DEFERRED by Board of Finance 8-29-73

The above item was held in Committee.

- (13) \$57,241.00 - BOARD OF EDUCATION - Representing salary increases for TEACHERS AIDES for 1973-1974 fiscal yr. - (Letter dated 7-6-73 from Dr. Carpenter, Supt. of Schools) - DEFERRED by Board of Finance on 8-29-73

The above was held in Committee.

- (14) \$223,000.00 - Resolution No. 908 - Amending 1973-1974 Capital Projects Budget - DEPARTMENT OF PUBLIC WORKS, RESTORATION OF DYKE PARK - (Mayor's letter of 8-2-73) - (Approved by Planning Board 7-31-73 and Board of Finance on 8-29-73)

MR. BOCCUZZI MOVED for approval of the following resolution. Seconded by Mr. Lenz, and CARRIED unanimously:

RESOLUTION NO. 908

AMENDING 1973-1974 CAPITAL PROJECTS BUDGET BY ADDING THERETO PROJECT TO BE KNOWN AS "RESTORATION OF DYKE PARK" AND APPROPRIATION OF \$223,000.00 THEREFOR

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford, in accordance with provisions of Sec. 611.5 of the Stamford Charter, to approve an amendment to the 1973-1974 Capital Projects Budget by adding Project to be known as "DEPARTMENT OF PUBLIC WORKS, RESTORATION OF DYKE PARK" and appropriation of \$133,000.00 therefor, and "PARKS DEPARTMENT, RESTORATION OF DYKE PARK" and appropriation of \$90,000.00 therefor for a total Project addition in the amount of \$223,000.00.

- (15) \$83,556.00 - PUBLIC WORKS DEPARTMENT - Additional appropriation for 8 Garbage Collectors and 1 Driver - (Mayor's letter of 7-6-73) - Approved by Board of Finance on 8-29-73

MR. BOCCUZZI MOVED for approval of the above request. He said that in order to get this work done, the Public Works Department had to request men who had already completed one day to do the extra route at time and one-half. He said every time you put in sewers you add garbage collection and we are paying time and one-half.

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MR. COLASSO said the Public Works Committee concurs and seconded the motion. CARRIED.

- (16) TRANSFER OF jurisdiction of School Health Services to HEALTH DEPARTMENT and the \$150,000.00 remaining funds in the 1973-1974 Operating Budget - (Letter dated 8-16-73 from Dr. Carpenter, Supt. of Schools)
Not yet approved by the Board of Finance - Will probably go on their September Agenda.

MR. BOCCUZZI said it was a request by the Fiscal Committee of this Board that additional moneys be given to the Health Department in order to enable them to carry on a complete health program in the school system for the City of Stamford. HE MOVED for approval of the transfer, PENDING BOARD OF FINANCE APPROVAL. Seconded.

MR. HEINZER rose on a point of order. He said this should have been referred to another Committee.

MRS. PONT-BRIANT reminded the members that last month when we approved an appropriation for \$158,443.00 being a TRANSFER from the Board of Education to the Health Department, it hinged on the Board of Education transferring another \$150,000.00 over to the Health Department. (NOTE: See Minutes of 8-6-73, pages 9790-91-92). She said as we requested, the transfer we requested has now been issued. She said she asked the Chairman of the Board of Finance if we could approve this ahead of the Board of Finance' approval and if they would have any objection to our acting first and they said they would not object.

THE PRESIDENT said Mr. Heinzer is right - it should have been referred to another committee.

MRS. PONT-BRIANT MOVED to WAIVE referring this to a secondary committee. Seconded and CARRIED.

VOTE taken on the motion as presented by Mr. Boccuzzi. CARRIED (Based on approval by the Board of Finance)

- (17) \$458,477.38 - Resolution No. 909 - CONCERNING AUTHORIZATION FOR FILING OF AN APPLICATION FOR STATE ASSISTANCE IN AMOUNT NOT TO EXCEED \$458,477.38 TO ENABLE WAIVER OF PAYMENT IN LIEU OF TAXES

MR. BOCCUZZI MOVED for SUSPENSION OF THE RULES in order to take up the above item. Seconded and CARRIED.

MR. BOCCUZZI MOVED for approval of the following resolution, as requested in letter from the Mayor dated August 13, 1973. He said this resolution merely gives the City the right to apply and there is no money involved.

Seconded and CARRIED unanimously:

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RESOLUTION NO. 909

CONCERNING AUTHORIZATION FOR FILING OF AN APPLICATION FOR STATE ASSISTANCE IN AN AMOUNT NOT TO EXCEED \$458,477.38 TO ENABLE WAIVER OF PAYMENT IN LIEU OF TAXES, MAKING SOCIAL SERVICE PROGRAMS POSSIBLE IN STATE MODERATE RENTAL PROJECTS, (OAK PARK MR-6, WILLIAM C. WARD HOMES MR-33, VIDAL COURT MR-55, LAWNHILL TERRACE MR-52)

WHEREAS, pursuant to Chapters 128, 129, 130, and 133 of the Connecticut General Statutes, the Commissioner of Community Affairs is authorized to extend financial assistance to local housing authorities, municipalities, human resource development agencies and non-profit corporations; and

WHEREAS, it is desirable and in the public interest that the City of Stamford make application to the State for financial assistance under Section 8-216 of the General Statutes in order to undertake a program of Payment-In-Lieu-Of-Taxes and to execute an Assistance Agreement therefore;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF REPRESENTATIVES:

1. That it is cognizant of the conditions and prerequisites for State Assistance imposed by Chapters 128, 129, 130, and 133 of the Connecticut General Statutes, especially the requirement of Section 8-207 of the Connecticut General Statutes, as amended.

2. That the filing of an application by the City of Stamford in an amount not to exceed \$458,477.38 is hereby approved, and that the Mayor is hereby authorized and directed to execute and file such application with the Commissioner of Community Affairs, to provide such additional information, to execute such other documents as may be required by the Commissioner, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an Agreement is offered, to execute any amendments, recisions, and revisions thereto, and to act as the authorized representative of the City of Stamford.

3. That in consideration of said Assistance Agreement applicant does hereby waive any payments in lieu of taxes by the Housing Authority to the Municipality under the provisions of Section 8-71 of the Connecticut General Statutes.

LEGISLATIVE & RULES COMMITTEE:

MR. MILLER, Chairman, said his Committee met on September 6th and present at the meeting were Representatives Miller, Knapp, Walsh, Flanagan, Heinzer, Scofield and Russell. He presented the following items referred to his Committee:

- (1) Proposed Consumer Protection Ordinance (Creating a Consumer Protection Commission) for the City, consisting of 3 members - (Held in Committee 4-2-73, 5-7-73, 6-4-73, 7-2-73 and 8-6-73)

The above item was held in Committee.

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- (2) Ordinance (for final adoption) entitled: "SEWERS AND SEWAGE DISPOSAL"
 (Adopted for publication 4-2-73; published 4-6-73. Amended version approved for publication on 5-7-73 and published 5-11-73 --- REFERRED BACK TO L & R COMMITTEE at 6-4-73 meeting by roll call vote of 22 yes and 16 no --- Again referred back to L & R Committee on 7-2-73 by a ROLL CALL vote of 21 in favor, 14 opposed and 1 abstention -- Held in Committee for further study on 8-6-73.

The above matter was held in Committee.

- (3) Resolution No. 910 - Concerning Rules and Regulations of Sewer Commission -- (Held in Committee 8-6-73) - Prepared by office of Corporation Counsel - (Mayor's letter of 8-7-73)

MR. MILLER said this is the latest resolution and the one which was drawn up by Assistant Corporation Counsel Barry Boodman at the request of the Mayor. He said this one meets with the approval of the Sewer Commission and has the unanimous approval of the Legislative & Rules Committee. HE MOVED for approval of the following resolution. Seconded by Mrs. Varney who said she thinks this is a step in the right direction.

MR. COLASSO said the Sewer Committee also agrees that this is a step in the right direction and concurs with it.

VOTE taken on the following resolution and CARRIED by unanimous vote:

RESOLUTION NO. 910

CONCERNING RULES AND REGULATIONS OF THE SEWER COMMISSION

WHEREAS, the Sewer Commission has amended its rules and regulations for the exercise of the powers and duties set forth in paragraph 1 below, to require Board of Representatives approval, and

WHEREAS, it is in the best interest of the City of Stamford to have these powers and duties subject to Board of Representatives approval, and regulated thereby,

BE IT RESOLVED BY THE BOARD OF REPRESENTATIVES OF THE CITY OF STAMFORD THAT:

The Corporate powers of the City of Stamford as they regard sewage systems are hereby regulated, amplified and defined as follows:

1. The Board of Representatives shall have the power to grant or deny approval to the Sewer Commission prior to the exercise by that Commission of the power and duty of that Commission to make any contract with any private individual, partnership, corporation or other entity to connect with the City sewage system or to otherwise use the City sewer facilities.

2. The Board of Representatives shall have the right to waive its approval under Paragraph 1 of this Resolution.

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3. The Sewer Commission shall not exercise its power and duty which requires Board of Representatives approval under this resolution when such approval has been denied.

4. The Board of Representatives shall grant, deny or waive approval as follows:

(a) The Board of Representatives shall grant or deny such approval in a matter consistent with Chapter 202.2 of the Charter of the City of Stamford.

(b) The Board of Representatives may waive approval by taking no action for sixty (60) days from the date the Sewer Commission submits any proposed action for Board of Representatives approval.

5. The Board of Representatives shall receive proposals by the Sewer Commission for the Board of Representatives approval on a monthly basis.

6. Proposals by the Sewer Commission for Board of Representatives approval shall be handled in the same manner for the transaction of any business by the Board of Representatives as provided by the Charter and Ordinance of the City of Stamford.

7. This resolution shall take effect upon its adoption.

- (4) Resolution No. 911 - Authorizing CONDEMNATION OF PROPERTY FOR EASEMENT TO CONSTRUCT A RAILROAD SPUR AND BED WITH TRACKS THROUGH AND UNDER PROPERTY OF EAST MEADOW CORPORATION, for accessway to new Sewage Treatment Plant by railroad tank car delivering chlorine for designed function of new Treatment Plant -- (See Mayor's letter of 6-12-73) held in Committee 8-6-73

MR. MILLER MOVED for adoption of the following resolution. Seconded and CARRIED unanimously:

RESOLUTION NO. 911

AUTHORIZING CONDEMNATION OF PROPERTY FOR AN EASEMENT TO CONSTRUCT A RAILROAD SPUR AND BED WITH TRACKS THROUGH AND UNDER PROPERTY OF EAST MEADOW CORPORATION

WHEREAS, the City of Stamford, Connecticut, desires the condemnation for an easement to construct a railroad spur and bed with tracks through and under property of East Meadow Corporation for an accessway to the new sewage treatment plant by railroad tank car delivering chlorine for the designed function of the new treatment plant, and

WHEREAS, the East Meadow Corporation has refused voluntarily to grant the required easement although the City of Stamford and the owner of said premises have negotiated in good faith and are unable to agree as to the fair market value of said premises; and

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IT IS FURTHER RESOLVED that the Mayor of the City of Stamford is herewith authorized to acquire said land in the name of the City of Stamford and that the Corporation Counsel of the City of Stamford is hereby authorized, on behalf of the City of Stamford, to institute and file condemnation proceedings to acquire title to said property, more specifically described in Schedule A annexed hereto.

This resolution shall take effect upon the date of its passage.

SCHEDULE A

Beginning at a point on the division line between properties of East Meadow Corporation and City of Stamford, said point being further located 278.459 feet westerly from a monument on the westerly street line of Harborview Avenue, as measured along said division line between properties of East Meadow Corporation and City of Stamford, thence still westerly along said division line S 67° 30' 00" W a distance of 32.849 feet to a point, thence northerly through land of East Meadow Corporation the following courses and distances: on a curve to the right, the radius of which is 315.00 feet a distance of 39.955 feet, N 7° 33' 31" E a distance of 54.98 feet on a curve to the left, the radius of which is 285.00 feet, a distance of 151.507 feet to a point at the southwesterly terminus of the existing railroad right of way, thence easterly along said existing railroad right of way N 67° 06' 00" E a distance of 30.00 feet to a point at the southeasterly terminus of said existing railroad right of way, thence southerly through land of East Meadow Corporation the following courses and distances: on a curve to the right, the radius of which is 315.00 feet, a distance of 167.455 feet, S 7° 33' 31" W a distance of 54.98 feet on a curve to the left, the radius of which is 285.00 feet, a distance of 32.42 feet to the point or place of beginning. Being more particularly shown and delineated on a certain map on file in the City and Town Clerk's office Stamford, Connecticut. Reference thereto being hereby had and entitled "Map of a Portion of East Meadow Corp. Property on Harborview Ave. Showing Proposed Extension Of Railroad Right of Way Scale 1" = 30' June 1972, William D. Sabia, City Engineer, Conn. Lic. No. 6303."

The above described easement lies in Block No. 25, Stamford Land Records.

- (5) Old Business: HEALTH DEPARTMENT PROPOSED SCHEDULE OF FEES, PERMITS AND/OR LICENSES - (Approved for publication 11-13-72; published 11-25-72 -- Never given final approval by the Board - See letter dated 7-11-73 from Dr. Gofstein -- HELD IN COMMITTEE 8-6-73)

The above item was held in Committee.

- (6) Resolution No. 912 - Authorizing CONDEMNATION OF A SANITARY SEWER EASEMENT through and under property of JOSEPHINE C. MURPHY, which is required for completion of the SPRINGDALE SANITARY SEWER PROJECT, known as Section 14-3 -- (See mayor's letter of 7-31-73)

MR. MILLER MOVED for approval of the following resolution. He said the vote on his Committee was 6 in favor and 1 abstention, with Mr. Russell abstaining for the reason that Mrs. Murphy is one of his constituents. He said the entire

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Committee was somewhat disturbed at the treatment Mrs. Murphy seems to have received at the hands of the City. He said it might be well for us to examine the City's policies when they have matters of this kind to deal with. He said the Committee asked him to informally communicate with Mr. Landau, the attorney for the Sewer Commission and with Mr. Monroe who is Mrs. Murphy's attorney. He said we are very much disturbed over the way this was handled, nevertheless he did move for approval.

MR. COLASSO said the Sewer Committee is also disturbed, but still concurs with action taken by the Committee in approving the resolution and seconded the motion. CARRIED with one abstention (Mr. Russell):

RESOLUTION NO. 912

AUTHORIZING THE CONDEMNATION OF EASEMENTS THROUGH AND UNDER PROPERTY OF JOSEPHINE C. MURPHY IN CONNECTION WITH SANITARY AND STORM SEWERS PROJECT 14-3

WHEREAS, easements through and under private property of JOSEPHINE C. MURPHY must be obtained for the successful completion of Sanitary Sewer Project 14-3; and

WHEREAS, JOSEPHINE C. MURPHY has refused voluntarily to grant the required easements although the Sewer Commission has negotiated in good faith to obtain said easements,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF REPRESENTATIVES OF THE CITY OF STAMFORD, CONNECTICUT AS FOLLOWS:

That authority be granted empowering the CITY OF STAMFORD on behalf of its Sewer Commission to condemn easements through and under property of JOSEPHINE C. MURPHY, Mulberry Street, which easements are more specifically described in Schedule A annexed hereto, for the purpose of completing the sanitary and storm sewer system known as Sanitary Sewer Project 14-3.

This Resolution shall take effect upon the date of its passage.

SCHEDULE A

SANITARY SEWER EASEMENT "A"

Beginning at a point on the division line between lot number 21 and lot number 22 as shown and delineated on map 467 of the Stamford Land Records, both lots being the property of the Grantor, said point being further located 262.702 feet northerly from the street line of Mulberry Street as measured along said division line, thence in a westerly direction through land of the Grantor N 89° 19' 20" W a distance of 20.54 feet to a point, thence in a northerly direction continuing through land of the Grantor N 2° 47' 20" W a distance of 10.02 feet to land of Ross Gelb Et Al., thence in an easterly direction along said land of Ross Gelb Et. Al., and land of Robert T. Kalen Et. Al., each in part S 89° 19' 20" E a distance of 22.20 feet to a point, thence in a southerly direction along the before mentioned division line S 6° 44' 00" W a distance of 10.054 feet to the point or place of beginning.

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SANITARY SEWER EASEMENT "B"

Beginning at a point on the northerly street line of Mulberry Street as it now exists, at the division line between lot number 21 and lot number 22 as shown and delineated on map number 467 of the Stamford Land Records, both lots being the property of the Grantor, thence in a northerly direction along said division line N 6° 44' 00" E a distance of 272.756 feet to land of Robert T. Kalen Et. Al. thence in an easterly direction along said land of Robert T. Kalen Et. Al. S 89° 19' 20" E a distance of 43.81 feet to a point, thence in a southerly direction through land of the Grantor S 23° 09' 10" W a distance of 10.32 feet to a point, thence in a westerly direction continuing through land of the Grantor N 89° 19' 20" W a distance of 30.68 feet to a point thence in a southerly direction continuing through land of the Grantor S 6° 44' 00" W a distance of 263.76 feet to the northerly street line of Mulberry Street thence in a westerly direction along said northerly street line of Mulberry Street N 83° 16' 00" W a distance of 10.00 feet to the point or place of beginning.

STORM SEWER EASEMENT "C"

Beginning at a point on the division line between land of Robert T. Kalen Et. Al. and land of the Grantor said point being located 8.51 feet westerly from the northeast corner of land of the Grantor as measured along the before mentioned division line, thence in a southerly direction through land of the Grantor S 6° 44' 00" W a distance of 41.99 feet to land of Anna D. Comito, thence in a southerly direction along said land of Anna D. Comito S 17° 54' 04" W a distance of 27.09 feet to a point, thence in a Westerly direction through land of the Grantor N 80° 52' 50" W a distance of 4.76 feet to a point, thence in a northerly direction continuing through land of the Grantor N 6° 44' 00" E a distance of 67.31 feet to land of Robert T. Kalen Et. Al., thence in an easterly direction along said land of Robert T. Kalen Et. Al., S 89° 19' 20" E a distance of 10.06 feet to the point or place of beginning, being more particularly shown and delineated on a certain map on file in the City and Town Clerk's office Stamford, Connecticut reference thereto being hereby had and entitled "Map Showing Sanitary and Storm Water Sewer Easement Through Properties of Josephine C. Murphy and Anna D. Comito, Stamford, Connecticut," and certified substantially correct by William D. Sabia, City Engineer.

The above described easement lies in Block No. 328 Stamford Land Records.

- (7) Request for TAX ABATEMENT ORDINANCE (for publication) for MACEDONIA F.B.H. CHURCH OF GOD OF THE AMERICAS for property located at 89 Spruce Street - (Partially eligible for tax abatement according to Tax Assessor, James Hyland)

The above matter was held in Committee.

- (8) Proposed Ordinance (for publication) LIMITING THE USE OF AUTOMATIC ALARM CALLING DEVICES for City of Stamford - (Proposed by Hawley Oefinger, Supt. of Communications in letter dated 7-26-73)

MR. MILLER MOVED for approval for publication of the following proposed Ordinance. Seconded and CARRIED unanimously:

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PROPOSED ORDINANCELIMITING THE USE OF AUTOMATIC ALARM CALLING DEVICES TO BE EFFECTIVE THROUGH THE ENTIRE CITY OF STAMFORD

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

No person, except a public utility, engaged in the business of providing communications services and facilities shall use or operate, attempt to use or operate, or cause to be used or operated, or arrange, adjust, program or otherwise provide or install any device or combination of devices that will upon activation, either mechanically, electronically or by other automatic means, initiate an intrastate call and deliver a recorded message to any telephone number assigned to any agency of the City of Stamford by a public telephone company without prior approval of the appropriate city agency.

Henceforth, any person who desires to have a private secondary telephone line terminate at one location in any City of Stamford building shall submit an application in writing to the City of Stamford, Department of Communications. Such application shall contain specific provisions relating to false alarms and testing procedures.

The Department of Communications, in coordination with the Department Head concerned, shall receive, issue and control such applications.

It shall approve the application, if it finds:

They are necessary to the proper and efficient handling of emergency calls to that specific agency.

The termination of such a telephone line shall constitute no hindrance to regular city activities.

In the event that the applicant is in the business of installing or selling or leasing said alarm systems, there shall be additional requirements as follows:

The applicant seeking the termination agrees that no messages will be telephoned on said lines except by an agent of his with access to customer files and the means to provide access to the premises.

The applicant seeking the termination maintain adequate equipment and workforce to repair, maintain and otherwise service alarms sold or leased by him.

Adequate procedures to test and prevent false alarms as determined by the Department Head concerned.

No person shall place any monitoring panels and annunciation or receiving equipment, other than private line telephones, as provided herein, in any City of Stamford building without prior approval of the appropriate City of Stamford agency and the Department of Communications.

This Ordinance shall take effect upon the date of its enactment.

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- (9) Request for amendment to Section 2-11, Chapter 2 "VOTING PLACES" of Code of General Ordinances (which names the various voting places in the City and is no longer up-to-date -- (Requested in letter dated 7-26-73 from Registrars of Voters)

The above item was held in Committee.

- (10) Proposed INLAND-WETLAND Ordinance, entitled "CONCERNING INLAND-WETLANDS AND WATER COURSES" - (See Mayor's letter dated 8-13-73)

The above item was held in Committee.

- (11) Request for approval of REVISED PROPOSED CONTRACT BETWEEN CITY OF STAMFORD AND TOWN OF DARIEN CONCERNING SANITARY SEWERS FOR PROPERTY OF PHILLIPS PARK, INC. -- (Mayor's letter of 7-27-73)

The above item was held in Committee.

- (12) Request in letter dated 7-19-73 from Chairman of Fair Rent Commission, to adopt an Ordinance regarding certain proposed changes to amend the Fair Rent Commission Ordinance (now Article III of Section 10 of the Code of General Ordinances) in order to bring local legislation into compliance with State legislation

MR. MILLER said this involves amendments to the Fair Rent Commission Ordinance, and the changes are technical rather than substantive in nature and their purpose is to bring the Fair Rent Commission Ordinance into conformity with the State Statutes on this subject. He said the Legislative & Rules Committee unanimously voted for publication and he MOVED for publication of the following. Seconded and CARRIED unanimously:

PROPOSED ORDINANCE

TO AMEND CERTAIN SECTIONS OF CHAPTER 10, ARTICLE III, OF THE CODE OF GENERAL ORDINANCES, "RENT CONTROL"

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Section 10-76 of the Code of General Ordinances of the City of Stamford as follows:

- (8) To continue, review, amend, terminate or suspend all its orders and decisions.

To amend Section 10-76 of the Code of General Ordinances of the City of Stamford by adding:

- (12) To carry out the provisions of Section 19-375 (a) of the Connecticut General Statutes concerning retaliatory action by landlords.

To amend Section 10-77 of the Code of General Ordinances of the City of Stamford:

In determining whether a rental charge is so excessive with due regard to all circumstances as to be harsh and unconscionable the Fair Rent Commission shall consider such of the following circumstances as are applicable to the

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type of accommodation; and

To amend Section 10-78 (subsection 3) of the Code of General Ordinances of the City of Stamford as follows:

(3) Any person aggrieved by any order of the commission may appeal to the court of common pleas for the county, such appeal to be taken within thirty (30) days after the rendering of the order in question. Any such appeal shall be considered a privileged matter with respect to the order of trial (Ord. No. 202, S. 8 (2-4), eff. 10/23/70.

To amend Section 10-81 of Said Code of General Ordinances of the City of Stamford as follows:

Any person who shall violate any order of rent reduction or rent suspension by demanding, accepting or receiving an amount in excess thereof while such order remains in effect, or, the provisions of this article prohibiting retaliatory action, or any other provision of this article or any person who shall refuse to obey any subpoena, order or direction of the commission pursuant thereto, shall be fined not less than twenty-five (25) dollars nor more than one hundred (100.00) dollars for each offense. If such offense continues for more than five (5) days, it shall constitute a new offense for each day it continues to exist thereafter. No action shall be taken on any such violation by the prosecuting authorities of the City except upon written complaint of the chairman of the commission or his designee.

This Ordinance shall take effect upon the date of its enactment.

- (13) Proposed Resolution concerning the CREATION OF A LOCAL BICENTENNIAL COMMITTEE, or the designation of an existing organization, to serve as such a Committee - (Requested in Mayor's letter of 8-9-73)

MR. MILLER said this meets with the unanimous approval of the Legislative and Rules Committee and HE MOVED for approval of the following resolution. Seconded and CARRIED:

RESOLUTION NO. 913

AFFIRMING THE APPOINTMENT BY THE MAYOR OF A BICENTENNIAL COMMITTEE FOR THE CITY OF STAMFORD

WHEREAS, the American Revolution Bicentennial Commission of Connecticut has requested that each municipality create a bicentennial committee by both executive and legislative action,

BE IT RESOLVED BY THE BOARD OF REPRESENTATIVES OF THE CITY OF STAMFORD THAT:

The Board of Representatives affirms the appointment by the Mayor of the City of Stamford of a Bicentennial Committee for the City of Stamford which includes in its membership: Ronald Marcus, Zolton A. Benyus, Jr., Alphonse Pia, John Hogan, James DeVito, Stephen Vitka, Thomas Kernan, Thomas Ryan, Thomas Lombardo, John DeForest, Reigh Carpenter, Bruno Giordano, Bettie Gershman, Charles Ukkerd, Carl Loboza, Lillian Moran and such other persons as may from time to time be appointed by the Mayor to this Committee.

This resolution shall take effect upon the date of its adoption.

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- (14) Request for a WAIVER OF BUILDING PERMIT FEE for a new CHILD DAY CARE CENTER To be located on Palmer's Hill Road (presently located at 177 Broad Street) — (Letter dated 9-7-73 from Attorney Julius B. Kuriansky)

MR. MILLER MOVED for suspension of the rules in order to bring the above request on the floor. Seconded and CARRIED.

MR. MILLER MOVED for approval of the above request. Seconded and CARRIED.

- (15) Proposed Ordinance - REGARDING THE LIMITATION OF CAMPAIGN SPENDING FOR ELECTIVE OFFICE IN THE CITY OF STAMFORD - (Proposed by Mrs. Laitman)

MRS. LAITMAN MOVED for suspension of the rules in order to introduce the above proposed ordinance. Seconded.

MR. EXNICIOS said the Ordinance to which Mrs. Laitman refers is on the desks of the Board members. He said this is ten paragraphs long and is handed to the members tonight. He said no one has had a chance to look at it and he does not think it is in the best interests of anyone to take it up tonight and should properly be referred to the Steering Committee. He urged everyone to vote against suspending the rules to bring this up tonight.

MR. HEINZER reminded the members that this takes a two-thirds vote to carry.

There was considerable discussion at this point as to whether or not a ROLL CALL VOTE can be taken.

MR. FLANAGAN called attention to page 6 of the Rules of Order, paragraph 2, under "VOTING".

MR. THEODORE BOCCUZZI MOVED for a roll call vote. Seconded.

MR. HEINZER said there can be no roll call vote at this time, because the President had declared the vote.

MR. FRIEDMAN objected to having this thrust upon the members with no chance to study it.

MR. RUSSELL said we can always ask for a division, which has been done many times, and is always done by a machine vote or a show of hands.

It was finally decided to play the recording back to find out if the President had declared the vote.

Upon playing the record back it was found that the President had said that the vote was carried (by a voice vote).

MR. THEODORE BOCCUZZI MOVED for a division by a roll call vote.

MR. EXNICIOS read from the Rules of Order: "In all cases when a vote is taken without a division, the President shall determine whether it is or is not a vote. In all doubtful cases he shall ask "Is it doubted?" If the vote be doubted by a member rising in his place, for that purpose, it shall be tried again. If the President shall doubt the vote, or a division be called for, the Board shall divide, those in the affirmative by RAISING THEIR HANDS UNTIL COUNTED....."

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He said, therefore, a division is by a raising of the hands and not by roll call vote.

THE PRESIDENT called for a showing of hands. LOST by a vote of 22 in favor, and 1 abstention. (Needs a 2/3rd vote to carry under suspension).

MRS. PONT-BRIANT MOVED this be referred to the Steering Committee. Seconded and CARRIED.

SEWER COMMITTEE:

Re: Method of paying consulting engineer

MR. COLASSO said in the past they paid the consulting engineer on HIS figure, and now they pay the consulting engineer on the figure given by the City Engineer --- in other words, if the consulting engineer comes up with a big figure, which is unfair, the City Engineer will come in with the proper figure.

HEALTH & PROTECTION COMMITTEE:

Concerning Method of Making Police Appointments - (Requested in letter from Thomas Morris (R) 15th District Representative)

MR. ROSE said on account of the holidays and a lot of meetings that interfered, the Committee did not have a chance to meet, but they intend to meet next week to consider the above matter.

PARKS & RECREATION COMMITTEE:

ICE SKATING RINK FEE SCHEDULE - (Proposed in letter dated 8-23-73 from Park Department - Needed in time for opening of rink on Nov. 4th)

MR. RYBNICK MOVED for approval of the following fee schedule. Seconded and CARRIED:

1) Scheduling priority:

- (a) Public Recreational Skating
- (b) Public Instructional Skating (sponsored by rink management)
- (c) City Departments
 - Board of Education for High School Hockey
 - Board of Recreation for Youth Hockey
- (d) Private Groups: Figure Skating Club, Speed Skating Club, etc.

2) Hours scheduled for each type of skating activity:

- (a) Public Recreational Skating Instructional Skating: 55 hrs/wk
- (b) City Departments: High School Hockey 9 hrs/wk
Youth Hockey 6 hrs/wk
- (c) Private Groups: 15 hrs/wk
- (D) Ice Maintenance: 15 hrs/wk

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3) Fees: Admission to Public Recreational Skating Sessions:

	Before Six	After Six
(a) Resident Child	.75	1.00
(b) Resident Adult	1.50	1.75
(c) Non-resident Child	1.00	1.50
(d) Non-resident Adult	2.00	2.25

4) Fees: Ice Rental to Private Groups

	Winter	All other
(a) Ultra-Prime	\$60.00	\$50.00
(b) Prime	50.00	40.00
(c) Non-Prime	40.00	30.00

5) Fees: Patch and Freestyle and Dance:

Morning - \$1.50 Afternoon - \$2.50

6) Fees: Instructional Skating:

(a) Beginners and Intermediate	\$1.50 plus admission
(b) Hockey II and III	1.50 " "
(c) Junior and Senior and Hockey I	2.00 " "

7) Fees: Spectator Events:

(a) Hockey (High School)	Students - \$1.00	Adults - \$2.00
(b) All other events:	RESERVED \$2.75	

Ice Shows, Pro or Semi Pro Hockey games, etc. fees to be set by Park Commission not to exceed \$5.00 per person for individual events.

Note: Children are those persons who have not reached their 18th birthday.

PERSONNEL COMMITTEE:COLLECTIVE BARGAINING CONTRACTS - NURSES AND DENTAL HYGIENISTS -

From July 1, 1972 through June 30, 1974 - (Re-submitted in Mayor's letter of 8-14-73 - Previously disapproved by Board on 6-4-73 because of retirement clause in Article IX A (page 14 & 15 of contract - Will be working under supervision and control of the HEALTH DEPARTMENT, except for Smith House nurses.

MR. HEINZER said he is reporting on the above contracts which this Board previously turned down because of the reduction in the retirement age and other contracts which contained the same clause were approved, as this Board set a precedent with the Teamster's contract. He MOVED for approval of the above contracts. Seconded and CARRIED unanimously.

RE-NEGOTIATED ADMINISTRATOR'S COLLECTIVE BARGAINING CONTRACT with the STAMFORD BOARD OF EDUCATION - COVERING TWO YEARS - 1973-1975 (from July 1, 1973 to June 30, 1975)

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MR. HEINZER MOVED for suspension of the rules in order to bring the above re-negotiated contract on the floor tonight. He said the reason is because we rejected the contract last month because of the 6.4% raise, which they have now reduced to something like 5.3%. He said the Administrator's did that in spite of the fact that they are working a longer school year now. Also, he said we are coming into October and will be involved in election, etc. and he would like to get this out of the way tonight, if it meets with the Board's approval.

MR. THEODORE BOCCUZZI said he would like the record to indicate that he is abstaining from all voting and discussion.

THE PRESIDENT called for a VOTE on the matter of suspending the rules. CARRIED.

MR. HEINZER said everyone has received a copy of the contract in the mail and they have taken the cut that this Board requested them to take. HE MOVED for approval of the contract at this time. Seconded.

MRS. LAITMAN asked for a point of clarification. She asked Mr. Heinzer to explain what he meant by a longer work year.

MR. HEINZER said he believes it is an extra week at the beginning of the year and at the end of the year - something like two extra weeks.

MR. BOCCUZZI said the contract says 20 days extra.

MR. HEINZER said that is the reason why they felt they were entitled to a bigger raise than was given the teachers, but in the interests of harmony they willingly accepted the cut.

MRS. PONT-BRIANT said she also wishes to abstain, as she did not realize this would be coming out tonight and she is not too sure what she is voting on.

THE PRESIDENT called for a vote on the question. CARRIED with the previous two abstentions.

EDUCATION, WELFARE & GOVERNMENT COMMITTEE:

Concerning Bus Transportation to Stamford Catholic High School

MR. JOHN BOCCUZZI said he would like the Chairman of the Education, Welfare and Government Committee to check into this matter and find out why a Stamford Catholic High student who lives past the St. Clemens Church and practically on the Old Greenwich line, has to walk all the way up to the Fire House on the West side before he can catch a bus. He said he thought bus transportation was to be furnished to these students somewhere near where they live. He said the students in his area have to go to the West side Fire House to get a bus.

He said this is about a mile and a half walk. He said it was his understanding that the Board of Education was supposed to furnish transportation to students at the Catholic High School due to a State law. He said they do

come all the way down to Congress Street with all the public school buses and there is no reason why the Catholic High School bus can't start from there. He said there are only a few students - some 7 or 8, but you can't draw the line because there are only a few of them - they still have the right to bus service and he does not feel that they should have to walk a mile and a half to two miles in order to get the bus.

MR. THEODORE BOCCUZZI suggested that Mr. Livingston (Chairman of the Education, Welfare & Government Committee) call Mr. Downing tomorrow, extension 417.

MR. LIVINGSTON said he will try his best to take care of this tomorrow.

PLANNING & ZONING COMMITTEE:

SALE OF CITY-OWNED PROPERTY - In accordance with Section 6-33 of Code of General Ordinance - Request to SELL immediately (13 listed in attachment to letter from Mayor dated 6-28-73)

MR. RUSSELL gave his committee report. He said they met on Wednesday, September 5th with all members present. He said the above matter was held in Committee for additional information.

DANN DRIVE - Traffic Problem

MR. RUSSELL said the Traffic Director, Ron Weber, had requested time until the opening of Rippowam High School, so that he could study car flow conditions at maximum use and will forward his recommendations to the Committee some time in the next couple of weeks.

WARHOL LANE and BRANDT ROAD (unaccepted City Streets)

MR. RUSSELL said these two roads are in the Engineering Department - who are gathering data for costs for their proposed acceptance as city streets.

BUXTON FARM ROAD

MRS. LAITMAN asked the Committee Chairman if he had done anything on the above.

MR. RUSSELL said this is a State Road and they are working on the problem with Mr. Weber and they admit that there is a serious egress or outlet problem from the parking lot by the A & P store there. However, the State controls the road he said.

SPECIAL COMMITTEES:

URBAN RENEWAL COMMITTEE:

Proposed Resolution AUTHORIZING AMENDING OF URBAN RENEWAL PLAN
(submitted in letter dated 7-19-73 from James Hibben, URC Director)
(Board met as a "COMMITTEE OF THE WHOLE" on this matter on 8-14-73)

RECESS:

MR. LENZ MOVED for a five minute recess at 10:50 P.M. which was granted. The meeting was re-convened at 11:22 P.M.

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MR. ROOS gave his committee report. He said the URC Committee met jointly with the Legislative & Rules Committee on September 4th, with the following present: The Legislative & Rules Committee members, the URC Committee members and the developer. He said the members of the URC Committee present were Mr. Dixon, Mr. Costello, Mr. Gambino, Mr. Crosby and himself.

He said they also met on September 10th at which time the following were present: Mr. Exnicios, Mr. Dixon, Mr. Crosby and Mr. Roos.

He said the Committee discussed Mr. Gambino's suggestion to further revise Article II, page 9 of the proposed URC change and it was decided that the changes suggested differed little, if any, from the renewal change made by the URC Commission. He said he believes all members of the Board have copies of the changes made by the URC Commission as well as Mr. Gambino's suggestion.

He said it was also decided to present the following resolution, which he read this time and MOVED for its approval. Seconded:

RESOLUTION NO. 914

AUTHORIZING AMENDING OF THE URBAN RENEWAL PLAN FOR CITY OF STAMFORD

WHEREAS, the city of Stamford, Connecticut Urban Redevelopment Commission is presently engaged in the carrying out of the Southeast Quadrant Urban Renewal Project, Project No. Comm. R-43; and

WHEREAS, the Urban Renewal Plan has been at various times amended; and

WHEREAS, the Urban Redevelopment Commission, after public hearing has found and determined that further amendments are required; and

WHEREAS, there have been several public hearings on said proposed further amendments,

NOW, THEREFORE BE IT RESOLVED BY THE CITY OF STAMFORD, CONNECTICUT BOARD OF REPRESENTATIVES THAT:

The Urban Renewal Plan submitted by the Urban Redevelopment Commission to the Board of Representatives, dated July 19, 1973, and as amended through August 27, 1973, be and it is hereby approved.

MR. MILLER said this item was also given to the Legislative & Rules Committee and they met also on September 4th with Mr. Roos' Committee, with the Corporation Counsel, and representatives of the redeveloper and members and staff from the URC. He said the Committee again met on September 6th, and at that meeting heard a proposal by Representative Gambino with reference to a change in the language in No. 11 in the Plan. He said he wants to be very clear about the vote of the Legislative & Rules Committee because it has been reported incorrectly to the Press. He said the Committee voted 5 in favor and 2 opposed to the Plan as it was presented by the URC, but they did also state that in the event that before tonight's meeting the URC

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made the changes suggested by Mr. Gambino that we also would agree and support a favorable report this evening. He said his Committee was in no way opposed to Mr. Gambino's suggestions. However, he said the URC has not seen fit to have such a meeting and he understands from Mr. Lutz and the reason he gave is that he had a 48 hour written notice of this requirement which he was unable to comply with. He said on behalf of the URC Committee, he moves to approve the Plan as it has been presented by the URC. He asked for a ROLL CALL VOTE.

He said he also wished to make a few personal remarks. He said he believes that one of our problems in this whole business has been the fact that the people of Stamford, and many of the public officials have lost confidence in the Urban Redevelopment Commission and it would be well for the members of the Commission to reflect on why they have lost confidence, because in the past they had it. He said one of the problems, certainly, has been this unheard of use of proxies at meetings. He said he is now satisfied that legally they have cleaned that up. He said this is something they should give some thought to, because no one questions that this was certainly improper. He said all through this, the Urban Redevelopment Commission has shown a lack of interest in having any public input and have not been very much interested in the democratic process. He said for the first hearing they had a defective notice and then they held a second hearing and all along the public has been given the general impression that the URC was not the least bit interested in hearing from them.

He said in regards to Parcel 38 and housing, that is a moral issue and he would hope that the F.D. Rich Company, the redeveloper, would be willing to comply not only with their legal responsibility, but to go a little beyond that and understand that they have a moral obligation to the citizens of Stamford, to see to it that in the downtown area there is sufficient housing --- that that housing be integrated and be provided for all income levels.

MR. GUROIAN rose on a point of personal privilege. He said he has been very much disturbed over the fact that the URC has not observed local zoning laws and in fact, has flaunted a decision of Mr. D'Andrea. He said he has a resolution of his own which he wishes to present.

MR. HEINZER said he cannot offer another motion on another resolution at this time, because there is a motion on the floor to vote on the resolution that was offered by Mr. Roos.

MR. GUROIAN said he wants to read his resolution anyway.

MR. MORRIS rose on a point of order and asked if this resolution is in relation to the URC Plan.

MR. GUROIAN said it was.

MR. GUROIAN asked for permission to read his resolution.

THE PRESIDENT told him to go ahead. Mr. Guroian proceeded to read the following resolution:

WHEREAS, the Stamford Board of Representatives is this day considering amending the Stamford Urban Redevelopment Commission's urban renewal plan; and

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WHEREAS, there has been considerable controversy during the past several years as to whether or not the Southeast Quadrant area is subject to local zoning rules and regulations, and

WHEREAS, the Corporation Counsel of the City of Stamford has by written opinion, stated that the Urban Redevelopment Project is not subject to local zoning rules and regulations, and

WHEREAS, there is considerable controversy as to the correctness of this opinion, and

WHEREAS, the Zoning Board of Appeals, by opinion dated September 7, 1973 has found that all buildings constructed in the URC area in the future shall comply with all zoning regulations of the City of Stamford, and

WHEREAS, the Urban Redevelopment Commission and the major redeveloper have publicly pledged to subject themselves to adhere to local zoning regulations:

NOW, THEREFORE BE IT RESOLVED BY THE STAMFORD BOARD OF REPRESENTATIVES as follows:

1. That it is the intent of this Board that the URC and any and all present and future redevelopers under contract with the URC fully comply with all zoning regulations of the City of Stamford.
2. That it is fully expected that the URC and the major redeveloper, based on recent public statements fully comply with the intent of this resolution and the above mentioned September 7, 1973 finding of the Stamford Zoning Board of Appeals.

RECESS:

MRS. LAITMAN requested a recess at this time (11:40 P.M.) which was granted.

THE PRESIDENT called the meeting to order and recognized Mr. Exnicios.

MR. EXNICIOS said after two recesses and much discussion, he MOVED THE QUESTION. Seconded by Mr. Lenz.

MR. KNAPP rose on a point of personal privilege. He said he had his hand up to be recognized before the recess was called and he demands to be heard.

THE PRESIDENT said he will get a chance to speak after the vote is taken on the motion to move the question. He called for a vote on the motion. CARRIED by a voice vote with several no votes.

MR. TRUGLIA said he wishes to speak on behalf of Mr. Knapp's request. He said he really feels that if he has something constructive to offer he should be allowed to speak.

Several members objected, saying there can be no debate after a vote is taken on moving the question.

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THE PRESIDENT said he will take a machine vote on the motion to move the question. He announced the vote - 20 yes and 18 no and declared the motion CARRIED.

He called on Mr. Morris, who asked for a ROLL CALL VOTE. Enough having signified their wish for a roll call vote, the following vote was taken on Mr. Roos' motion to approve Resolution No. 914.

MR. LIVINGSTON rose in his place and asked for the floor. He was recognized by the President. He said he thinks it is very wrong that a member of this Board was not allowed to speak and he thinks the President as a part of the Democratic team should have recognized him.

MR. RUSSELL said he would like to remark that the speaker thinks there is a set of rules only for him. He said the speaker was a part of accepting the rules of order of this Board and only wants the rules to apply when it is convenient for him. He said when a motion has been moved, it must be considered moved no matter who does it.

MR. GUROIAN said he would like to speak in order to chastise that member of the Board who moved the question and this is the most important thing in the City of Stamford and yet the members have been cut off from debate and he thinks democracy has gone down the drain tonight.

MR. BOCCUZZI asked the President if it is not the rules of the Board that when the question has been moved and a roll call vote called for that you must proceed with the business at hand.

THE PRESIDENT said that is the order of business and the speaker is right. He instructed the clerk to call the roll.

MR. GUROIAN left the meeting at this point.

The following ROLL CALL was taken by the Clerk on Resolution No. 914 and CARRIED by a vote of 33 in favor and 5 opposed, there now being 38 Board members present:

THOSE VOTING IN FAVOR:

BOCCUZZI, John (D)
 BOCCUZZI, Theodore (D)
 COLASSO, John (D)
 CONNORS, George (D)
 COSTELLO, Robert (D)
 CROSBY, Robert (R)
 DIXON, Handy (D)
 EXNICIOS, Robert (R)
 FORMAN, Barbara (R)
 FLANAGAN, William (R)
 FRIEDMAN, Bertram (R)
 HEINZER, Charles (R)
 KELLY, James (D)
 LAITMAN, Marilyn (D)
 LENZ, Frederick (D)
 LIVINGSTON, Jeremiah

THOSE VOTING IN OPPOSITION:

GAMBINO, Philip (D)
 KNAPP, Warren (D)
 PERILLO, Alfred (D)
 SANDOR, John (D)
 VARNEY, Kim (R)

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THOSE VOTING IN FAVOR: (continued)

MILLER, Frederick (D)
 MORABITO, Joseph (D)
 MORRIS, Thomas (R)
 PERKINS, Billie (R)
 PHILLIPS, Thomas (R)
 PONT-BRIANT, Lois (R)
 RAVALLESE, George (D)
 ROOS, John (R)
 ROSE, Matthew (D)
 RUSSBACH, Daniel (R)
 RUSSELL, George (R)
 RYBNICK, Gerald (D)
 SAINBURG, Richard (R)
 SCOFIELD, Edward (R)
 TRESSER, Michael (R)
 TRUGLIA, Anthony (D)
 WALSH, Peter (D)

Resolution No. 915 "SENSE OF THE BOARD"

MR. LENZ said he would like to read the following resolution, having to do with the Urban Renewal Plan for the Southeast Quadrant Project.

MR. LENZ MOVED for approval of the following resolution. Seconded and CARRIED:

RESOLUTION NO. 915"SENSE OF THE BOARD" RESOLUTION CONCERNING THE URBAN RENEWAL PLAN FOR THE SOUTHEAST QUADRANT PROJECT

WHEREAS, the City of Stamford, Connecticut Urban Redevelopment Commission is presently engaged in the execution of the Southeast Quadrant Urban Renewal Project No. Conn. R-43; and

WHEREAS, by memorandum dated July 19, 1973, the City of Stamford Urban Renewal Commission has requested that the City of Stamford, Connecticut Board of Representatives approve certain amendments to the Urban Renewal Plan for the Southeast Quadrant Project; and

WHEREAS, the Board of Representatives has approved those amendments to the Urban Renewal Plan for the Southeast Quadrant on September 10, 1973; and

WHEREAS, it is the consensus of this Board that although the substance of the proposed changes are acceptable, this Board wishes to make known to the Urban Renewal Commission the "sense of the Board" in approving the amendments to the Renewal Plan as presented.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF STAMFORD, CONNECTICUT BOARD OF REPRESENTATIVES:

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- (1) That within sixty (60) days from the date of this Resolution, the City of Stamford, Connecticut Urban Redevelopment Commission shall submit to the proper zoning authorities of the City of Stamford an application to amend the zoning in the CC-N and CC-S Districts to bring such zoning into conformity with the Renewal Plan, as amended, to assure that redevelopment in such Districts is in accordance with the needs and best interests of the people of the City of Stamford in accordance with Section 8-125 (5) of the Connecticut General Statutes.
- (2) That within one hundred eighty (180) days from the date of this Resolution, the Urban Redevelopment Commission shall submit to this Board a detailed statement setting forth standards and procedures said Commission shall utilize in its review and approval of plans submitted by said Redeveloper affecting re-use of Parcels 3, 12, 13 and 13A under the amended Urban Renewal Plan.

MR. MILLER said he wishes to not that on the agenda there was another resolution which he had introduced at the Steering Committee and of course after what has happened this evening that resolution would make no sense. He said he feels this should be noted.

HOUSE COMMITTEE:

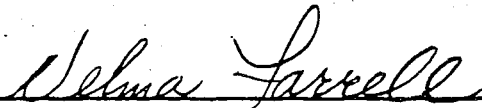
MR. RYBNICK, Chairman, said many complaints have come in to him that they are abusing the parking area and members are unable to find parking spaces.

NEXT BOARD MEETING:

MR. FLANAGAN MOVED to change the next Board meeting to Tuesday, October 2nd for the reason that October 1st is Primary Day for the Republicans. Seconded and CARRIED.

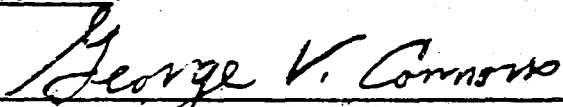
ADJOURNMENT:

There being no further business to come before the Board, on motion, duly seconded and CARRIED, the meeting adjourned at 12:10 A.M.



 Velma Farrell
 Administrative Assistant
 (Recording Secretary)

APPROVED:



 George V. Connors, President
 12th Board of Representatives

Note: Above meeting broadcast over Radio Station WSTC until 11 P.M.