

MEETING OF THE 9TH BOARD OF REPRESENTATIVES

5102

Minutes of July 10, 1967

Stamford, Connecticut

A regular monthly meeting of the 9th Board of Representatives of the City of Stamford was held on Monday, July 10, 1967 in the Board's meeting room, Municipal Office Building (2nd floor), 429 Atlantic Street, Stamford, Connecticut.

The meeting was called to order by the President, George E. Russell, at 8:30 P.M.

INVOCATION was given by Rev. Rocco Nadile of the Sacred Heart Church.

PLEDGE OF ALLEGIANCE TO FLAG: The President led the members in the pledge of allegiance to the flag.

ROLL CALL was taken by the Clerk. There were 30 present and 10 absent at the calling of the roll. However, several members arrived shortly afterward, changing the roll call to 33 present and 7 absent.

The absent members were:

Stephen E. Kelly (D) 4th District
Robert M. Durso (D) 5th District
William D. Murphy (D) 6th District
Patsy Arrusza (D) 9th District
Jonathan M. Bennett (R) 11th District
Booth Hemingway (R) 19th District
Randolph Rogers (R) 20th District

THE PRESIDENT said that Steve Kelly, member from the 4th District, is coming along fine and expects to be present at the August Board meeting. Also, he said he talked to Velma Farrell and as we all know, is home and coming along reasonably well, but of course, in a slow way. He said she is anxious to get back to work. He said the office has been swamped with work for the past two months, but we soon hope to catch up in the backlog.

MR. NATHANSON said Mr. Bennett is absent, due to the illness of his wife.

MR. KAPLAN said he would like to mention that Patsy Arrusza, 9th District, has been ill for some time, but hopes for his quick recovery.

THE PRESIDENT said he is sure the Board wishes everyone a speedy recovery - that you might call it a "sickly" Board.

CONCERNING AIR CONDITIONING SYSTEM IN BOARD MEETING ROOM

MR. CHIRIMBEES asked when the Board is going to get air conditioning in their meeting rooms.

THE PRESIDENT said he has checked into this and the bill comes to well over \$4,000 if we can get some place to put a booster system in, and whoever is in office next year can fight for it.

PAGE BOYS: MARK JOBSON of Stamford High School
BRUCE MONROE of Rippowam High School
RONALD ANCRUM of " " "

THE PRESIDENT called attention to the Page Boys for tonight who are here to carry messages. He said just nod to one of them and he will come over.

MAYOR'S ANNUAL MESSAGE - 1966-1967 fiscal year

MAYOR THOMAS C. MAYERS presented his annual message for the 1966-1967 fiscal year to the Board of Representatives, as required by Section 303.1 of the Charter.

Copies of the Mayor's message were presented to all members of the Board.

COMMITTEE REPORTS:

The report of the Steering Committee was presented and entered in the Minutes as follows:

STEERING COMMITTEE REPORT

Meeting held Monday, June 19, 1967

A meeting of the Steering Committee of the Board of Representatives was held on Monday, June 19, 1967, in the Board of Representatives' meeting rooms, Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut.

The meeting was called to order by the Chairman, George Russell, at 8:00 P.M. All members were present, with the exception of the following: Hilda Clarke, Booth Hemingway, William Murphy, Robert Durso and the ex-officio members Jonathan Bennett, Robert Bromley and Paul Kuczo.

- (1) Additional appropriations (10) approved by the Board of Finance at their meeting held June 8, 1967 were ORDERED PLACED ON THE AGENDA under the FISCAL COMMITTEE - Items in excess of \$2,000 except pensions, were referred to a secondary committee.
- (2) Proposed Ordinance AUTHORIZATION OF AN EASEMENT FROM CITY OF STAMFORD TO FRIENDSHIP HOUSE, INCORPORATED, FOR THE PURPOSE OF PROVIDING A STORM DRAIN TO FRIENDSHIP HOUSE, PRESENTLY UNDER CONSTRUCTION
(Mayor's letter of 5/24/67 with enclosures and map)
(Approved by Board of Finance at their June 8, 1967 meeting)

REFERRED TO PARKS & RECREATION COMMITTEE and PUBLIC WORKS COMMITTEE - ORDERED ON AGENDA
- (3) Proposed Ordinance re: PAYMENTS FOR DAMAGES INCURRED BY CITIZENS ASSISTING A PEACE OFFICER OR OFFICER APPREHENDING A CRIMINAL OR CRIMINALS, OR TO PRESERVE THE PUBLIC PEACE, OR TO PREVENT PUBLIC DISTURBANCE - (Brought in by William Murphy, 6th District Representative at Steering Committee meeting held 5/22/67 and referred to the Corporation Counsel for an opinion June 5, 1967)

REFERRED TO LEGISLATIVE & RULES COMMITTEE and ORDERED ON AGENDA
- (4) Re: URBAN RENEWAL AREA - A request by Benjamin Nathanson, 11th District Representative, the question will anyone be able to include as a part of their business a repair shop for motor vehicles in the URC area

REFERRED TO URBAN REDEVELOPMENT COMMITTEE and ORDERED ON AGENDA

Steering Committee Report (continued):

- (5) Request for Inclusion in Stamford Building Code the latest edition of the B.O.C.A. Code, its amendments and changes up to 1966 - (B.O.C.A. is the "Basic Building Code, Building Officials Conference of America, Inc.) (Requested in letter dated 3/7/67 from James J. Sotire, Building Inspector and Zoning Enforcement Officer - See page 5 of Building Code, under 100. General 2. Conformance with Code, paragraph (c) and paragraph (d) last sentence on page 6) (Held in Legislative & Rules Committee 4/3/67, 5/1/67 and 6/5/67)

Still in Legislative & Rules Committee - Not on agenda

- (6) Proposed amendment to RULES OF ORDER, Paragraph 9 of the Section of the Board's Rules entitled "COMMITTEES" for the current third sentence, to be substituted the following sentence: "ALL PUBLICITY RELEASES SHALL BE MADE BY THE CHAIRMAN WITH THE APPROVAL OF A MAJORITY OF THE COMMITTEE" (Letter dated 5/1/67 from John Rich, 18th District Representative) (Referred to the Legislative & Rules Committee on 5/22/67 - Held in Committee 6/5/67)

Still in Legislative & Rules Committee - Not on agenda

- (7) Proposed Resolution supporting Public Law 89-754, entitled "Demonstration Cities & Metropolitan Development Act of 1966" and a proposed Resolution "CONCERNING MODEL NEIGHBORHOOD PROGRAMS IN DEMONSTRATION CITIES" - (Letter dated 4/13/67 from Clement L. Raiteri, Jr., President, Stamford Democratic Association, Inc.) (Held in Legislative & Rules Committee 6/5/67)

Still in Legislative & Rules Committee - Not on agenda

- (8) Letter (dated 5/22/67) from Paul Kuczo, 8th District Representative, concerning eleven questions he would like answered about SNOW REMOVAL job

REFERRED TO PUBLIC WORKS COMMITTEE - Not on agenda

- (9) Letter (dated 5/25/67) from M. H. Meyers, Secretary, Knights of Pythias, PETITIONING for a parade permit for Saturday, October 21, 1967

REFERRED TO PARKS & RECREATION COMMITTEE - ORDERED ON AGENDA

- (10) Letter (dated 5/29/67) from Joseph J. Lasko, President, Hubbard Heights Golf Club, concerning resignation of Frank Daley from the STAMFORD GOLF AUTHORITY; also that Mayor Meyers wants Committee to look into the possibility of acquiring High Ridge Country Club, automatically preventing available Federal and State funds

REFERRED TO PARKS & RECREATION COMMITTEE - Not on agenda

- (11) Letter (dated 5/11/67) from Ralph W. Moore, Chairman, Coalition of Neighborhood Associations, congratulating the Board on their action in turning down allotment for WASHINGTON AVENUE EXTENSION and withholding appropriation for Regional Planning

Above letter noted and filed - Not on agenda

Steering Committee Report (continued):

- (12) Letter (dated 6/2/67) from Walter A. Wachter, Planning & Zoning Director, concerning proposed subdivision "WEBBS HILL ESTATES" and "CHATHAM ROAD"

For information only - noted and filed - Not on agenda

- (13) LEASE between CITY OF STAMFORD and THE HALLOWEEN YACHT CLUB, INC., for term of six years, at annual rental of \$2,000 payable in advance, in payments of \$1,000 on January 1st and July 1st of each year

(No action needed as this was DENIED by the Board of Finance 6/8/67)

- (14) Letter (dated 6/7/67) from William Watrous, 72 Charles Street, Stamford, Conn., concerning reply to Mr. Sotire's letter about the D'Aquila property next door to Mr. Watrous - Violations of UNSANITARY AND UNHEALTHY CONDITIONS

REFERRED TO HEALTH & PROTECTION COMMITTEE - Not on agenda

- (15) Letter (dated 6/10/67) from C. L. Herold, member of Darien Conservation Advisory Commission - Report on condition of Noroton River and recommendations leading to correction of these conditions by the Special Committee of the Stamford District Board (Mr. Kuczo's Committee)

Above letter noted and filed - Not on agenda

- (16) Letter (dated 6/9/67) from James B. Hibben, Director of Urban Renewal, concerning Resolution No. 531 relating to working in close harmony to assure that the City's renewal program moves forward expeditiously as a community undertaking

Above letter noted and filed, with copy to Urban Renewal Committee

- (17) Letter (dated 6/13/67) from Mrs. Lewis E. Ferris, 74 Merrell Avenue, Stamford, Connecticut re Horn blowing and noise and disturbances in area of Merrell Avenue

Referred to HEALTH & PROTECTION COMMITTEE - Not on agenda

- (18) Letter (dated 6/14/67) from Mrs. Carole R. Myers, 6 Fourth Street, re Complaint concerning Rippowam River, odor of gasoline from river, complaining that a filling station on Summer Street dump their refuse into the river

Above letter noted and filed with a copy to the Health & Protection Committee - Not on agenda

- (19) Letter (dated 6/15/67) from Allen Rosenbeck, 14 Fourth Street, Stamford, Connecticut, complaining of POLLUTION OF THE RIPPOWAM RIVER, debris, beer cans, shopping carts, four-smelling oil, etc.

Above letter noted and filed with a copy to the Health & Protection Committee - Not on agenda

Steering Committee Report (continued):

- (20) Letter (dated 6/15/67) from Dr. James J. Costanzo, Director of Health, to Mr. William Watrous, 72 Charles Street, Stamford, stating no violation exist on the D'Aquila property on Avery Street

For information only - noted and filed - not on agenda

- (21) Complaint concerning ROXBURY STABLES

REFERRED TO HEALTH & PROTECTION COMMITTEE - Noted and filed -
Not on agenda

- (22) Letter (dated 6/19/67) from Benjamin Nathanson, 11th District Representative, questioning by what authority did the City fence the end of Hobson Street

REFERRED TO PUBLIC WORKS COMMITTEE - Not on agenda

- (23) Letter (dated 6/19/67) from Edwin Lindstrom, 1st District Representative, concerning the proper committees to study the possibilities of providing recreational areas when an apartment house or large housing permit is requested

REFERRED TO PUBLIC WORKS COMMITTEE - Not on agenda

- (24) Letter (dated 6/19/67) from Walter Berges, President of SASCA, requesting permission from the Board to remain in their present quarters in the Old Town Hall

REFERRED TO PUBLIC WORKS COMMITTEE - Not on agenda

There being no further business to come before the Committee, on motion, duly seconded and CARRIED, the meeting adjourned at 9:15 P.M.

ad

George E. Russell, Chairman
Steering Committee

APPOINTMENTS COMMITTEE:

MR. NATHANSON, Chairman, presented his Committee report. He said a meeting of his Committee was held in the Municipal Office Building at 7:30 P.M. on July 6th. Present were: Mr. Boccuzzi, Mr. Bitetto, Mr. Buchanan and Chairman Nathanson. He said the Mayor's appointments were considered.

The Tellers distributed the ballots to the Board members. The vote on each appointment is recorded below:

STAMFORD GOLF AUTHORITY:Term Ending

- (1) MICHAEL J. HOLAHAN (D)
131 Ocean Drive East
(Replacing Frank J. Daley,
who resigned)

VOTE: 17 yes
14 no
1 disqualified

JAN. 1, 1969

HUMAN RIGHTS COMMISSION:Term Ending

- (2) MORT LOWENTHAL (R) (3rd submission)
 Windward Lane
 (Replacing Joseph Whitaker)

Dec. 1, 1969
 (3 yr. term)

VOTE: 20 yes
 12 no

MR. FUSARO questioned the method of holding an appointment in Committee for several months. He pointed out that under Section 401 of the Charter it states that the name shall be "submitted immediately at the next meeting". He asked if this question has been submitted to the Corporation Counsel to see if we are acting within the meaning of the Charter by postponing action on a name submitted by the Mayor for appointment to a City Board.

MR. NATHANSON said this question was never presented at the time the Steering Committee met to prepare the agenda so the Committee did not see fit to present the matter to the Corporation Counsel for an opinion.

MR. FUSARO reminded the members that the name of this appointment did not come before the Steering Committee when they met.

MR. NATHANSON said this is correct - the name was given directly to the Appointments Committee, with the approval of the Steering Committee.

MR. CONNORS said he has always been under the impression that the name of an appointee has to be submitted at three CONSECUTIVE meetings, regardless of whether it happens to be Mr. Lowenthal or not. He said if it is not done this way, it will be setting a precedent and when an appointment is a little on the "hot side" the Appointments Committee can postpone acting on it - and it could even be four or five months before action is finally taken.

No action was taken on two other names of appointees appearing on the agenda, being the appointment of Dr. John M. Weir to the Health Commission and Samuel Bernstein to the Planning Board as an Alternate.

MR. CONNORS said he thinks we should get a ruling from the Corporation Counsel as to how much time can elapse after submission of a name for appointment to a City Board and presentation of this name to the Board for action. He said he believes that when a name is submitted that action is mandatory to bring it on the floor for acceptance or rejection and not to hold it in Committee.

MR. RUSSELL said this would be done.

FISCAL COMMITTEE:

MR. KARL, in the absence of the Chairman, Booth Hemingway, presented the Fiscal Committee report.

- (1) \$37,300.00 - Road improvements for LOUGHRAN AVENUE in accordance with Section 619 of the Charter, as amended by Special Acts #290 and #309 of the 1953 General Assembly - \$6,880 City's share and \$30,420 property owners' share.

MR. KARL MOVED for approval of the above appropriation. Seconded and CARRIED.

- (2) \$59,500.00- DEPARTMENT OF PUBLIC WELFARE - (Mayor's letter of 6/1/67)

| | |
|--|-------------|
| Code 410.5502 - Cash Relief----- | \$27,500.00 |
| Code 422.0000 - General Hospitals----- | \$32,000.00 |
| | \$59,500.00 |

MR. KARL MOVED for approval of the above request. Seconded by Mr. Murphy who said his Committee - the Education, Welfare & Government Committee - also concurred in approval. CARRIED.

- (3) \$111,640.64 - BOARD OF EDUCATION - Project #135-2, "Aspiration: Education"
Approved under Title I of Public Law 89-10, Elementary and Secondary Education Act of 1965 - (Submitted under terms of Resolution No. 489 approved by Board of Representatives April 1, 1966, concerning STATE AND FEDERAL GRANT FUNDS) (See letter of 5/26/67 from Joseph B. Porter, Supt. of Schools)

MR. KARL explained this figure which appeared erroneously on the agenda in the amount of \$11,640.64 has been corrected. He said the total sum will be reimbursed to the City under both State and Federal Grant funds. HE MOVED for approval of the request. Seconded and CARRIED.

- (4) \$1,000.00- BOARD OF EDUCATION - Project #FY67-SDC-1351, "Development of a Primary Level Planning Group" - (Approved under Title V of the Elementary and Secondary Education Act of 1965, Section 503) - (Submitted under terms of Resolution No. 489, approved by Board of Representatives 4/1/66, concerning STATE AND FEDERAL GRANT FUNDS) (See letter of 5/26/67 from Joseph B. Porter, Supt. of Schools)

MR. KARL said this also will be reimbursed to the City and HE MOVED for approval of the above request. Seconded and CARRIED.

- (5) \$530.77 - PENSION - POLICE DEPARTMENT - For Sergeant Charles Howard, effective 5/12/67, based on an annual pension of \$3,900.00, or 50% of annual salary of \$7,800.00 - (Mayor's letter of 5/23/67)

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

- (6) \$408.35 - ZONING BOARD OF APPEALS (Mayor's letter of 6/7/67)

| | |
|---|-----------|
| Code 140.0301 - Stationery & Postage ----- | \$ 43.01 |
| Code 140.0501 - Telephone & Telegraph ----- | \$ 49.24 |
| Code 140.0104 - Overtime Meetings----- | \$ 260.80 |
| Code 140.0701 - Janitor's Services----- | \$ 55.30 |
| | \$ 408.35 |

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

- (7) \$2,650.00 - POLICE DEPARTMENT - Code 530.0501 - Telephone & Telegraph
(Mayor's letter of 5/3/67)

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

- (8) \$16,179.08 - BOARD OF EDUCATION - Project #ABE-135- Adult Basic Education
(Submitted under terms of Resolution No. 439) Approved by
Board of Representatives 4/1/66, concerning STATE AND FEDERAL
GRANT FUNDS) (See letter of 6/2/67 from Joseph B. Porter,
Supt. of Schools)

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

- (9) \$35,932.15 - BOARD OF EDUCATION - Project approved under Title II, Ele-men-
tary and Secondary Act, Public Law 89-10 - (Submitted under
terms of Resolution No. 489, approved by Board of Representa-
tives 4/1/66, concerning STATE AND FEDERAL GRANT FUNDS) -
(See letter of 6/14/67 from Joseph B. Porter, Supt. of Schools)

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

MR. LINDSTROM asked a question. He said as we know the Board of Education constantly comes up for additional funds, either from the City, the State or the Federal Government and regardless of whether this Board sits here representing the City and the City taxpayers, we still have to pay taxes to the State and Federal Government. He said he would like to know just how much the Board of Education receives in a year between these three governments - the City, the State and the Federal Government. He asked if anyone has this answer.

THE PRESIDENT said he is sure that the Fiscal Committee has these facts available, and if not, then perhaps the Education, Welfare & Government Committee. He said it might be a good idea to have these figures available at Budget time.

- (10) \$118,000.00 - SOCIAL SECURITY - Code 160.0000 - Controller's Office
(Mayor's letter of 6/8/67)

MR. KARL said the City has received a ruling from the Social Security Administration that all Temporary and Summer Help must be covered back as far as we have records, which is about 7 years, and we are now paying this for all Temporary and Summer Help. This will amount to around \$49,000. He said we cannot avoid paying this, but in the future it will appear in the Budget, which has not been the practice exercised in the Controller's Office in the past.

MR. KAPLAN said he would like to ask the Committee, through the Chair, the date of the opinion that was received from the Social Security Office.

MR. KARL said he would attempt to go through the correspondence and see if that date can be established.

MR. RYBNICK said he might be able to clarify this - that the notification came in after the Budget had been passed. Also, new Classifications have brought in new increases. He said our Social Security this year was \$160,000 and next year it is expected to go to \$228,000.

MR. KARL said we only have the letter of transmittal, which dates back to June 8th, but this letter does not state when the Controller received the information.

8.13 MR. FUSARO said he had also wanted to ask this question - when was the City notified by the Social Security Administration that we would have to go back seven years to pick up these past payments on Social Security. He said there certainly must have been some inkling prior to June 8th that this was a possibility.

MR. RYBNICK said the reason it was by-passed as far as the City is concerned, is that any individual not connected with the Pension Plan did not have to pay Social Security and they were wrong in failing to apply this to the seasonal and part-time help. He said he was told that it came in after the Budget was passed.

MR. FUSARO said he is sure that this thing did not come out of the "Blue" - that \$118,000 doesn't just pop up that way out of nowhere. He said on May 8th we met to approve the Budget and now we have a letter of June 8th, advising us of a ruling by the Social Security Administration that we are \$118,000 in arrears. He said there surely must have been some inkling one month before this letter was sent, advising us and something should have been set aside in our Budget.

MR. FUSARO MOVED this matter be TABLED to get more information. Seconded.

THE PRESIDENT called for a vote on the motion to TABLE. LOST by a vote of 12 yes and 16 opposed. He said he assumes those that did not vote are abstentions.

MR. KARL said they did include sums for the 1967-68 fiscal year to provide Social Security for both Seasonal and Part-time help. However, the sum of money budgeted for retroactive years was not established at the time the budgets were prepared and it was only recently that we have been able to establish the exact amount that the City is obligated to pay for previous years and that is the reason for the delay.

THE PRESIDENT explained that when we get the Budget, it has gone through a long process of many months in preparation - through the various City Departments, to the Mayor, to the Planning Board, the Board of Finance and by the time this Board gets it, many months have gone by.

MR. FUSARO said, as an example he could mention the Board of Education. We set aside funds to take care of teachers' salaries this year without knowing the exact amount. He said he would like to know why a sum was not set aside to take care of the Social Security, even if the exact amount was not known because they must have known it was coming.

MR. RYBNICK said he asked Mr. McDonald about this and he told him that the Budget had already been prepared when he received this notification and that is why it was not included in this year's Budget.

MR. HEINZER said we are belaboring the question - we owe the money and are going to have to pay it. HE MOVED THE QUESTION. Seconded and CARRIED.

THE PRESIDENT called for a vote on item #10 - the \$118,000 for Social Security back payments. CARRIED.

MR. FUSARO said he is in favor of the appropriation, but not the way in which it was done.

LEGISLATIVE & RULES COMMITTEE:

MR. RICH, Chairman, presented his Committee report. He said the Committee met on Thursday, June 27th, with the following present: Mr. Farnen, Mr. Kaplan, Mr. Bromley and Mr. Rich, Chairman. Also present for discussion were Messrs. David Adams, R. Bello, Theodore Boccuzzi, Attorney Terhune and Carter Dodd. Also present to discuss the Workable Program was Associate Director of Community Renewal, Mr. N. Frederickson.

- (1) Proposed Ordinance - AUTHORIZATION OF AN EASEMENT FROM CITY OF STAMFORD TO FRIENDSHIP HOUSE, INCORPORATED, FOR THE PURPOSE OF PROVIDING A STORM DRAIN TO FRIENDSHIP HOUSE, presently under construction (Mayor's request of 5/24/67 with enclosures and map - Approved by Board of Finance 6/8/67)

MR. RICH said this proposed Ordinance was fully discussed by members of the Committee and representatives of Friendship House, as well as several area residents who will be affected by this easement. He said after considerable discussion in executive session, the Committee approved the request and recommends the adoption of the following Ordinance for publication and he SO MOVED; seconded by Mr. Farnen:

PROPOSED ORDINANCE

AUTHORIZATION OF AN EASEMENT FROM THE CITY OF STAMFORD TO FRIENDSHIP HOUSE, INC. FOR THE PURPOSE OF PROVIDING A STORM DRAIN TO FRIENDSHIP HOUSE, PRESENTLY UNDER CONSTRUCTION

BE IT ORDAINED BY THE CITY OF STAMFORD:

That in conformity with Sec. 488 of the Stamford Charter, notwithstanding any provisions of Chapter 2, Sec. 2-24 to 2-27 inclusive of the Code of General Ordinance of the City of Stamford, the easement, as shown on the map entitled: "Map Showing Easement to be Conveyed to Friendship House, Inc., by the City of Stamford, Stamford, Conn. certified substantially correct. Edward J. Frattaroli & Co., Surveyor, Stamford, Conn., May 17, 1967" which map is to be filed in the Office of the Town and City Clerk of said City of Stamford, is hereby authorized.

The Mayor of the City of Stamford is hereby authorized and empowered to act for the City of Stamford and to execute and deliver all documents necessary to transfer title for such prescribed property to grant the easement aforesaid. This easement to take effect from the date of its enactment.

MR. RICH said the Committee takes note of and agrees with the conditions attached to the passage of this easement by the Board of Finance, and these conditions are: That the City insure its ability to build over the land affected by the easement and that the Zoning Board be required to study its regulations and incorporate in them for the future, a safeguard that on site shall be considered prior to the issuance of a building permit. In respect to the first condition, he said he would merely add that the Attorney for Friendship House has agreed to propose suitable language to amend the Ordinance. He said he has a rough idea of what the wording of this will be and is an amendment that can be made at the time of final adoption of the Ordinance. He said it doesn't substantially affect the easement, but merely conditions it.

MR. BITETTO said this was also referred to the Public Works Committee and his Committee concurs with one reservation -that the actual work shall not take place until after September 1st.

MR. BROMLEY said he wishes the record to show that as his law firm represents Friendship House, he took no part in the discussion by the Legislative and Rules Committee on this matter - that he disqualified himself and wishes to go on record as abstaining from voting on it.

MR. BOCCUZZI said he has been very close to this situation for quite some time and would like to ask some questions which he thinks are important. He objected to the granting of this easement for reasons which he cited at this time. He read the following letter into the record:

Mr. T. Carter Dodd
Stamford-Darien Council of Churches

Dear Mr. Dodd:

With reference to your letter of June 24, 1966, regarding the easement across City property for a storm drain to be constructed by the Stamford-Darien Council of Churches, please be advised that an easement map, showing meets and bounds, must be approved by the City Engineer and adopted by the Board of Representatives before any construction begins.

The enclosed detailed sheet for sidewalk and street repair should be made a part of the construction plan. If there is any additional information you need, feel free to call upon this department.

Very truly yours,

(Signed) George Ferrara
Commissioner of Public Works

MR. BOCCUZZI said this letter was written a year ago and now the building is nearly completed and we are now being asked to approve this easement. He said he would also like to question whether we have the right to convey property designated for park purposes only. He requested that we obtain the Corporation Counsel's opinion as to whether the City has this right. He said this playground is already badly overcrowded and we will add to it the burden of providing for the children who will be living in the 120 unit apartment, who will also be using Hatch Field.

A great deal of debate ensued at this point.

MR. FUSARO MOVED that this be referred back to Committee so that they may receive a ruling from the Corporation Counsel. Seconded by Mr. Boccuzzi, LOST.

THE PRESIDENT said we are now on the original motion - to approve for publication.

MR. RICH said the date is now determined to be August 31st. Seconded.

THE PRESIDENT said it has been MOVED and seconded for the date of enactment of this Ordinance to be August 31st. He said the vote is now on publication, with the date of enactment of the Ordinance as August 31st. CARRIED.

- (2) Proposed Ordinance Concerning PAYMENTS FOR DAMAGES INCURRED BY CITIZENS ASSISTING A PEACE OFFICER, OR OFFICER APPREHENDING A CRIMINAL OR CRIMINALS, OR TO PRESERVE THE PUBLIC PEACE OR TO PREVENT PUBLIC DISTURBANCE - (Brought in by William Murphy, 6th District Representative at Steering Committee meeting held 5/22/67) (Referred to Corporation Counsel for opinion on 6/5/67)

(3) WORKABLE PROGRAM FOR COMMUNITY IMPROVEMENT:

MR. RICH MOVED for SUSPENSION OF THE RULES to bring this on the floor. He said there had been a misunderstanding as to when the next meeting of the Steering Committee would be and unfortunately it was brought in two days afterward. Seconded by Mr. Bromley and LOST. (Requires a two-thirds vote)

- (4) Proposed Ordinance CONCERNING THE ADOPTION OF A CODE OF ETHICS AND THE ESTABLISHMENT OF A BOARD OF ETHICS FOR THE CITY OF STAMFORD - (Brought in by Howard Kaplan, 14th District Representative) - (Letter dated 5/4/67 - Referred to L & R Committee on 5/22/67 by Steering Committee - See item #21, Steering Committee Report, Minutes of 6/5/67)

MR. RICH said this matter is in his Committee, which he would now like to report out. He said it is a proposal to provide a "Code of Ethics" and a "Board of Ethics" to administer such a Code. He said he will read the proposed Ordinance which the Committee has worked on at considerable length. He said he thinks it should then be presented for an open meeting of the Legislative & Rules Committee. HE MOVED for publication of the following proposed Ordinance. Seconded and CARRIED:

CONCERNING THE ADOPTION OF A CODE OF ETHICS AND ESTABLISHMENT OF A BOARD OF ETHICS FOR THE CITY OF STAMFORD

BE IT ORDAINED BY THE CITY OF STAMFORD:

That no elected or appointed officer, nor employee or persons otherwise receiving a salary or compensation from municipal funds and no private agent, servant of either of such office of persons shall knowingly:

- (1) Accept any valuable gift, whether in the form of service, loan, thing, promise or other form from any person, firm or corporation which, to his knowledge, is interested directly, or indirectly, in business dealings with the City.
- (2) Vote, act or participate in official discussion or give official opinions on any matter in which he has a direct or indirect, financial or other private interest, unless he shall first make full and public disclosure of said interests contained therein; shall authorize such officer to vote, act or participate in official discussions or give official opinions when otherwise prohibited by law.
- (3) Disclose confidential information concerning the property or affairs of the City or shall use such information to advance the financial or other private interests of himself or others.

- (4) Otherwise engage in any business transactions or employment of professional activity or private dealings which is in direct or indirect conflict with the discharge of his official duties. The Board of Ethics is hereby created, which shall consist of the Corporation Counsel and two members serving without compensation and appointed by the Mayor. All members shall be resident electors of the municipality. Two appointed members shall not be registered members of the same political party and said two appointed members shall serve overlapping five-year terms, one set of original appointments to expire June 30, 1970, the other June 30, 1972. The Board of Ethics shall render advisory opinions to the elected and appointed officers and employees with respect to the Code of Ethics and Sec. 708 of the Charter, upon request from the officer or employee concerned. The Board shall publish or make public its advisory opinions with such deletions as may be necessary to disclose the identity of the officer or employee involved. The Board of Ethics shall have power to hold hearings concerning the application of the Code of Ethics and violations thereof, which hearing shall be fair and public. No hearing shall be held concerning charges made against any officer or employee, unless he shall receive written specifications of charges against him and receive an opportunity to be represented by counsel, confront his accusers and present evidence in his defense. The Board of Ethics may submit findings and recommendations to the Mayor, Corporation Counsel, Board of Representatives, or other public office or agency as it deems appropriate. The Board may subpoena witnesses to testify and may compel production of documents and other effects as evidence, and failure to obey such subpoena shall constitute a misdemeanor. The Chairman may administer oath and affirmation.

- (5) Proposed Ordinance FORBIDDING EXCHANGE OF PROPERTY BETWEEN CITY DEPARTMENTS, BOARDS OR AGENCIES, WITHOUT PRIOR APPROVAL OF BOARD OF REPRESENTATIVES -
(Presented by Stephen Kelly, 4th District Representative (letter of 3/16/67) Referred to L & R Committee 3/20/67 - see Minutes of 4/3/67, page 5027, item #21 - Held in Committee 5/1/67)

MR. RICH said the above proposal has been in his Committee for some time now, and he feels we owe the proposer and other interested people an explanation, as the Committee voted not to report it out. He said the reason for this is that they have been advised by the Corporation Counsel and they feel they must be guided by his opinions. He said there is a Charter provision - Sec. 523 which applies to such situations which makes the proposed Ordinance unnecessary, as it would conflict with the Charter. Also, in addition, the Corporation Counsel suggests that Section 523 covers this type of situation proposed by the Ordinance; therefore, the Committee prefers to take no action on the proposal.

After considerable discussion as to the merits of Mr. Rich's report that this will not be reported out of Committee, it was REFERRED BACK TO THE LEGISLATIVE AND RULES COMMITTEE.

PUBLIC WORKS COMMITTEE:

MR. BITETTO, Chairman, said his Committee met on Wednesday, July 5, 1967 in the Office of the Commissioner of Public Works. Present were: Messrs. Bitetto, Chairman, Buchanan, Casale, Heinzer, Longo and Dombroski; Mr. Kelly being excused because of illness. Also present: Commissioner Ferrara, Mr. Morris and Mr. Mosca, and representatives of the Press.

- (1) Letter (dated 5/22/67) from Paul Kuczo, 8th District Representative, concerning eleven questions he would like to have answered about SNOW REMOVAL JOB
(See item #8 Steering Committee report)

MR. BITETTO said the Committee submitted the above letter to the Commissioner of Public Works for reply.

- (2) Letter (dated 6/19/67) from Benjamin Nathanson, 11th District Representative, questioning by what authority did the City fence the end of HOBSON STREET
(See item #22 under Report of Steering Committee)

MR. BITETTO said the above question was answered by Commissioner Ferrara, stating that it was City property and a peninsular of rock deemed to be hazardous to the public. He said the Police were notified and the property was posted to protect the public and the fence was erected over a year ago. This was done, he said, to protect the City from lawsuit for injury.

MR. LINDSTROM said the area posted is at the end of a street which goes out into the water. He said a petition was forwarded to the Public Works Commissioner and the proper City officials stating they did not want this fence erected.

MR. BITETTO said the fence was put up a year ago - why is the question coming up now?

MR. LINDSTROM said this action was an action dating from last year and this is the second fence - you could see through the first one.

MR. CONNORS said he can't understand why this property is supposed to be so dangerous, because people have fished and bathed down there for many years and to his knowledge he has never even heard of an accident there. He said the fence should be torn down - the fishermen are up in arms over it, because they have been fishing there for many years.

MR. NATHANSON MOVED that the above matter be REFERRED TO THE HEALTH & PROTECTION COMMITTEE and perhaps they can come back with the answers. He said if this was done for safety - why a barbed wire fence, which certainly is not the safest thing in the world. Seconded and CARRIED with one "No" vote.

- (3) Letter (dated 6/19/67) from Walter Berges, President of SASCA, requesting permission from the Board to remain in their present quarters in the OLD TOWN HALL (See item #24 under Steering Committee report)

MR. BITETTO said his Committee held an open hearing on the above matter and present at said meeting were people from Mr. Zita's office, from the Stamford Community Council, Committee on the Elderly and Judge Robert Levister. He said also present were Mr. Berges, Mr. Fox, Mr. Giordano and Captain Stephen Vitka. The press was also represented.

He said a second meeting was held - an Executive meeting - on July 5th. At another meeting held July 28th Mr. Kuczo was present. He said the Committee decided to request the Corporation Counsel for an opinion concerning the legal status of the Community Council Joint Committee on Aging; also the Mayor's Committee and SASCA. He said a report will be presented at the next Board meeting after the Corporation Counsel's opinion has been received.

HEALTH & PROTECTION COMMITTEE:

MR. KAPLAN, Chairman, presented his Committee report. He said the Committee met on June 29th and again on July 6th. Those present at the first meeting were: The Chairman, Vice Chairman Chirimbis, Caporizzo and Grant. At the July meeting the Chairman and the Vice Chairman were the only ones present.

(1) Complaint Concerning ROXBURY STABLES - Unsanitary and obnoxious conditions
(Presented by Charles Heinzer, 13th District Representative)

MR. KAPLAN said this complaint was presented by Mr. Heinzer some six months ago. He said the Committee has been in touch with the Health Department and are in receipt of a letter dated July 7th from Andrew Thorpe, Public Health Engineer, indicating that the Prosecutor's Office has signed a warrant and an arrest warrant has been turned over to the Police Department for action.

(2) Complaint concerning the loud playing of music by certain record stores on exterior loud speakers

MR. KAPLAN said his Committee has looked into the above matter and finds this is in direct violation of Sec. 20-1 and Sec. 20-2 of the Code of General Ordinances. He said the Police Department first asked them to lower the volume of the speakers and finally, when this was not complied with, told them to shut them off and remove the speakers. He said the Committee will watch this to see that the public is not offended any further.

(3) Concerning request to the Chief of Police by the Health & Protection Committee for a Campaign to control motorcycle noise

MR. KAPLAN said that pursuant to Sec. 20-2F of the Code of General Ordinances and existing State Laws, the Chief of Police has indicated that he will institute a lengthy and detailed campaign to make sure the motorcycles are held to a legal noise limit.

(4) Concerning Pollution of RIPPOWAM RIVER

MR. KAPLAN said his Committee has engaged in the study of the pollution of the Rippowam River. He said they found what they believed to be detergents. He said they took some of these detergents and found that in a few days they had completely disappeared.

He said the Committee also studied the possibility that certain storm drains from Summer Street are draining gasoline products into the river and an initial study by the Health Department seemed not to bear out pollution of this sort. He said they got together with Mr. Thorpe from the Health Department and he intends to make a house-to-house study of what is causing the pollution of the river.

(5) Concerning USE OF INSECTICIDES BY PARK DEPARTMENT

MR. GRANT, upon request of the Chairman of the Committee, reported on the above matter. He said it has become obvious that the use of all sorts of pesticides and insecticides are becoming a problem. He said the Park Department is now using DDT which has a killing power of about ten days, but expect to phase out the use of this because of its residual effect. He said he has written to several chemical companies and also the State Department of Health with the idea of trying to improve the use of insecticides in this area. He said it has become apparent that fish and game are being killed by the use of these chemicals and it is imperative that something be done.

MR. LINDSTROM said this is the last year that the Park Department will use this type of insecticide, as the State has stepped in and made a strong recommendation to all cities as to what type of chemicals they can use for pest control.

(6) Complaint concerning serious drainage problems from the NEWFIELD AVENUE SHOPPING CENTER (From Thomas Morris, 15th District Representative)

MR. CHIRIMBES, upon request of the Chairman of the Committee because he had to disqualify himself due to a client being involved, presented the report on the above matter. He said he investigated the original complaint and did take care of quite a few things, but now there appears to be others, which are hazardous to health and safety. He said Mr. Morris, Mr. Bitetto and himself looked it over Sunday and found the natural drainage has been cut off due to construction and a swamp is building up with water coming down the hillside. He said they are going to go further into the matter and have asked the Chairman of the Public Works Committee to also check into it.

(7) Concerning SOUTHFIELD VILLAGE

MR. CHIRIMBES also reported on the above matter. He said he submitted a letter to this Board on April 17th requesting that the Health & Protection Committee follow up on complaints regarding Southfield Village. Then, they held a meeting with the Housing Authority, at which time Mr. Kaplan was present, Mr. Chirimbes, Patsy Arrusza, Gerry Rybnick and the Board President. Also present: Mr. Demms, Mr. Moruk and Rev. Hemsley. At that time the Committee asked for three things: (1) More Housing Police for the area, (2) Mercury lighting and (3) cleaning up the littering and beer drinking on the premises. He said he notified one person on the Housing Commission and as yet has not had any communication as to the request of the Committee. He said it seems that the Housing Authority is ignoring the Committee's request by not replying.

(8) Concerning replacement of HEALTH DIRECTOR who wishes to retire

MR. MORRIS said he would like to ask a question of the Health & Protection Committee. He said as everyone knows, Dr. Costanzo would like to be relieved of his duties and about three months ago he presented the names of two doctors - a Dr. Hart and Dr. Kezel, both of whom are willing to take the Public Health course at Yale in order to qualify for this position. He said he would like to know if he can report on why they have not been able to find a Health Director, as apparently there are plenty of doctors ready and willing to take the job.

MR. KAPLAN said it is his understanding that they are actively continuing to look for a Health Director. He said the Charter is very specific about this, and it is not just a matter of taking a course - it happens to be a matter of a graduate degree and actual experience in the field - one year in Public Health. He said it is not something that this Board of Representatives can waive, or of doctors doing this in their spare time.

MR. MORRIS said he concedes this is right, but would like to bring out the fact that Dr. Costanzo did not have a degree in Public Health and that through the State they are allowing medical doctors with the approval of the State Department of Health, to take a special course - Yale is one school and Columbia is another. He said if Mr. Kaplan will check with the City of Norwalk he will find this is what they have done and it is also being done in other cities throughout the State.

MR. KAPLAN said he is sure that Charter provisions must be complied with.

MR. RYBNICK informed the members that if an appropriation has been made, the Health Director may appoint an Assistant Director, who shall perform the duties that are delegated to him by the Director. Then, the Assistant Director will possess all the powers and perform the duties of the Director during the absence or disability of the Director of Health, or, in the event of a vacancy in that office, the Assistant shall be a physician eligible to practice medicine in Connecticut and can carry on from there.

THE PRESIDENT said he believes that the information Mr. Rybnick has just furnished this Board should be brought to the attention of the Health Commission.

PLANNING & ZONING COMMITTEE:

Acceptance of roads as City streets

THE FOLLOWING ROADS were accepted as City streets, having been certified for acceptance by the City Engineer in his letter of July 10, 1967 and as required by Ordinance No. 92 Supplemental. All maps are on file in the office of the Town and City Clerk:

BLACHLEY ROAD - Extending from Main Street southerly. Length, approximately 1,084 ft. Map No. 1431

LEON PLACE - Extending from West Avenue easterly. Length, approximately 295 ft. Map No. 663

ROCK RIMMON LANE - Extending from Rock Rimmon Road westerly and southerly to a temporary turnaround. Length, approximately 668 ft. Map No. 8099

PARKS & RECREATION COMMITTEE:

MR. LINDSTROM, Chairman, said he has no report to present. However, he said he would like to make a couple of comments. He said the sale of the beach stickers this year totalled 498 for May and June and \$20,310.00 was turned over to the General Fund. He said a lot of the members inquired about the photographs last month and commented about the problems they had, so the Park Commission held evening sessions and had pictures taken through the lunch hour, and so far there has been approximately \$6,001.50 collected, with probably another two thousand

given to the Senior Citizens. He said they are still open one night a week from 7 to 9 P.M. on Fridays at Cove Island and on Saturday mornings from 9 to 12 noon.

MR. CHIRIMBES said he would like to know when the next fountain is going to be installed by the "No Report Committee".

MR. LINDSTROM said that will be done when they get the funds.

THE PRESIDENT announced that there are now 29 members present - we have lost three.

PERSONNEL COMMITTEE:

MR. RYBNICK said because of the lateness of the hour, he will omit reading his report.

URBAN RENEWAL COMMITTEE:

MR. FARMEN said the question was asked at the June meeting by Mr. Nathanson if the sale and installation of car batteries, tires, seat covers, etc. would be permitted in the new buildings in the Urban Renewal area, and the basic answer is "Yes". He said this matter was discussed with the Chairman and the Director of URC on June 7th, which meeting was attended by Fred Karl and Lou Casale, Mr. Murphy being excused. He said there are two or three gas stations in the Quadrant area now and are defined as "legal non-conforming, uses" and can remain in business. However, if they should go out of business, no new station can replace them. He said under the Zoning definition for the new Central City Districts, gasoline pumps are only permitted in public garages which accommodate more than 500 cars. He said the definition is very strict - for any one public garage there can only be three pumps on a single island - beyond this the regulation for the two Central City Districts passed by the Zoning Board include provisions for public service garages which will be permitted to offer the usual services except the sale of gas.

He said as things now look, the Renewal Area will include about 850 units of housing, both public and private. The new public garages will accommodate 6,000 cars and there will be from 600,000 to 800,000 sq. ft. of retail and office space, which pinpoint the fact that emergency car service must be made available in the Quadrant area.

He said the URC is very well aware that such service stations will present some architectural problems and the Commission will cover this point in depth before approving the site plan for an applicant who wants to establish a service station. He said the URC contract will require all repair garages and facilities to be in an enclosed building.

He said in regard to the new building for the Board of Education on Hillandale Avenue - they are still shooting to get out of the building on Broad Street by the target date of April 1st of 1968.

MR. NATHANSON said what Mr. Farmen has just stated bears up one point - the definite need for someone to look into the zoning restrictions in the URC area. He said it seems as if individual action will have to be taken on everyone who wants to locate there. He suggested the Planning and Zoning Board could hold hearings on this particular matter to find out what is wanted in the area to see if what we are striving for in urban renewal is to have garages.

He said this might create a problem with the architectural appearance and now is the time to do something about it. He said he would request the President of this Board to take the necessary steps to ask the Planning and Zoning Boards to look into this matter and perhaps hold open hearings on it.

MR. BITETTO said he would also like to include the people who are in the business of selling liquor - package liquor stores - because many of them are practically starving as there are few people left living in the Quadrant. He said these business men have a definite stake there because there is great value in their licenses. He said he believes we should amend the portion about liquor stores, also.

PUBLIC HOUSING AND GENERAL RELOCATION COMMITTEE (A Special Committee):

MR. CHIRIMBE' spoke in the absence of Mr. Bennett, the Chairman, who was absent.

He said he and Mr. Morris held an informal meeting with a private builder, who presented some suggestions on private enterprises for housing and expect to bring this man before the whole Committee and go into it further.

He said they also had a meeting with Rev. Taylor and Mr. Hibbin, and Mr. Buchanan will report on that.

MR. BUCHANAN said the Committee met on June 27th with Mr. Chirimbe, Buchanan, Fusaro, Morris and also Rev. Taylor and Mr. Hibbin of the URC. He said it was disclosed that the required data had been turned over to the New Hope Corporation which had squared off the angular site within the URC area, making it 2.2 acres which would support 200 units of 221.B-3 housing. He said at this point the preliminary concepts have to be drawn up by the architect for the New Hope Corporation and then presented by them to the FHA in Hartford. The Committee suggested that when these plans are ready to go they should contact us to see if there is some way we could expedite putting these through the Hartford FHA office.

He said, according to Mr. Hibbin, it takes up to two months to process the preliminary report for economic feasibility, which is all due to governmental red tape. He said they discussed the problem on communications whereby we receive information via the Press after New Hope or somebody else in URC makes statements to the Press instead of directly to our Committee. He said they were assured that there would be better cooperation in the future by both parties contacting the Committee before public releases are made.

He said they requested statics from Mr. Hibbin - specifically the number of family units to be relocated, the number of business units to be relocated, in the area where New Hope is going to build, the number of properties already acquired and the properties to be acquired, none of which is forthcoming as yet.

COMMUNICATIONS FROM OTHER BOARD AND INDIVIDUALS:

- (1) INVITATION from National League of Cities, from Mr. Harold Tollefson, President, re: 44th Annual Congress of Cities, between July 29th and August 2nd, to be held in Boston, Mass.

THE PRESIDENT said if anyone happens to be in Boston around this time, they might be interested in attending this Conference.

(2) PUC Public Hearing on Request for Raise in Water Rates by the Stamford Water Company - To be held July 11th at 10:30 A.M. in Hartford

THE PRESIDENT said the members will be interested in the following as it is going to affect the City in many ways:

"By letter received on July 5, 1967, the Stamford Water Company requests authority to amend it's present schedule of rates for all classes of customers, which would increase the Company's revenue by \$337,011.00 per year over the present level of operating revenues. The company requests that the revised rates become effective through all service bills to customers on and after July 1, 1967."

MR. MORRIS MOVED that we urge the Mayor to have ample representatives present at this hearing in order to fight this raise. He said this is the second time within a year that they have come in for a raise in water rates. Seconded by several.

After considerable further discussion, the following resolution was presented and CARRIED by unanimous vote:

RESOLUTION NO. 532

CONCERNING PROTEST TO PUC ON INCREASED WATER RATES
FOR CITY OF STAMFORD - (Application of Stamford
Water Company, Docket No. 10570 pending
before PUC)

WHEREAS, the Stamford Water Company has applied to the Public Utilities Commission for a sharp increase in water rates, again for the second consecutive year, and was granted a substantial increase during the past year.

WHEREAS, such an increase would confront the City and every water user with an additional substantial new water cost; and

WHEREAS, the Stamford Water Company has already considerably increased most of their installation costs, such as hydrants, etc.,

NOW, THEREFORE, BE IT RESOLVED that the Board of Representatives of the City of Stamford hereby finds that the proposed rise in water rates are unjustified at this time. We urge the Public Utilities Commission to reject it in its entirety.

OLD BUSINESS:

MR. KUCZO said the Special Cove Dam and Noroton River Committee gave their final report last month and asked for immediate action. He said there has been no evidence of any action being taken.

THE PRESIDENT informed Mr. Kuczo that since he is the Chairman of that Committee, he would appreciate it if we would request the Board Office to send a letter to the appropriate Board.

MR. KUCZO said he would do that.

Concerning Lack of Action on Replies to Communications Sent to Various Committees

MR. CHIRIMBES said he wished to request that the President, the Majority Leader and the Minority Leader, act as a Committee of three to acquire answers to unanswered letters and complaints that have been referred to the various Committees of this Board. He said many department heads have not had the courtesy to acknowledge the requests of the Chairmen of these Committees.

MR. KUCZO said he thinks this request is out of order.

THE PRESIDENT said he had mentioned that if any Chairman thought he was not getting replies in an orderly manner, to notify the Clerk of the Board and she will see that he gets a reply.

MR. MORRIS said he feels we should look into many of the letters that come to this Board. He said he thinks we should stick to the agenda and only speak on matters that appear on the agenda.

ADJOURNMENT:

There being no further business to come before the Board, on motion, duly seconded and CARRIED, the meeting was adjourned at 11:55 P.M.

Velma Farrell

Velma Farrell
Administrative Assistant

vf

APPROVED:

George E. Russell

George E. Russell, President
9th Board of Representatives

NOTE: The above meeting was
broadcast over Radio
Station WSTC until
11:00 P.M.

VF