

MEETING OF THE 9TH BOARD OF REPRESENTATIVES

51-2

Minutes of September 5, 1967

Stamford, Connecticut

A regular monthly meeting of the 9th Board of Representatives of the City of Stamford was held on Tuesday, September 5, 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 8:20 P.M.

INVOCATION was given by Rabbi Joseph Ehrenkranz, Congregation Agudath Shalom

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

RECESS:

A recess was called at this time in order for the members to caucus.

The recess was declared over at 9:00 P.M. and the members resumed their seats.

ROLL CALL was taken by the Clerk. There were 36 present and 4 absent at the calling of the roll. However, one member resigned and was replaced, resulting in a final roll call of 37 present and 3 absent.

The absent members were:

Vincent Caporizzo (D) 5th District
Patsy Arruzza (D) 9th District
Booth Hemingway (R) 19th District

RESIGNATION AND REPLACEMENT FOR VACANCY IN 11TH DISTRICT:

RESIGNATION - JONATHAN BENNETT (R) 11th District Representative

THE PRESIDENT read the resignation of Jonathan Bennett at this time, who tendered his resignation because he is moving from the 11th District. The President expressed the regret of the Board at losing a member who has contributed so much of his time and effort.

MR. NATHANSON, 11th District Representative, presented the name of H. MICHAEL TRESSER, (R) from the 11th District in nomination as replacement for Mr. Bennett.

There being no further nominations, the President declared Mr. Tresser elected as replacement for Jonathan Bennett in the 11th District. He thereupon administered the oath of office to Mr. Tresser, who assumed his seat as a member of the Board of Representatives.

Concerning Peter Chirimbes, 12th District Representative

MR. KAPLAN spoke in praise of medals for valor in action during World War II recently given to Mr. Chirimbes. He said this Board is proud of the record of Mr. Chirimbes and he wants to congratulate him publicly. (Applause)

PAGES FOR TRANSMITTING MESSAGES:

THE PRESIDENT announced the following Page Boys:

DOUGLAS FORSMAN, Stamford High School
PHILIP COUGHTER, Rippowam High School

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Concerning return of Mrs. Velma Farrell, Administrative Assistant, to her duties after a length illness because of accident

THE PRESIDENT announced Mrs. Farrell's return and said the Board members welcome her back. (applause)

ACCEPTANCE OF MINUTES:

May 1, 1967
May 8, 1967
June 5, 1967
July 10, 1967
August 7, 1967

THE PRESIDENT said he knows all members have received the May 1st Minutes, but he is not sure if everyone has had a chance to look over all of the Minutes at this time; however they are all caught up and have been mailed out. Approval was deferred until the members have a chance to read the Minutes.

COMMITTEE REPORT:

The report of the Steering Committee was presented and entered in the Minutes, as follows, the reading being waived because of the length:

STEERING COMMITTEE REPORT

Meeting held Monday, August 21, 1967

A meeting of the Steering Committee of the Board of Representatives was held on Monday, August 21, 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 7:15 P.M. All members were present, with the exception of the following: Hilda Clarke, Booth Hemingway, Thomas A. Morris, John Fusaro, William Murphy, Howard Kaplan, Robert Durso, and the ex-officio members Jonathan Bennett, Paul Kuczo.

- (1) Additional appropriations (11) approved by the Board of Finance at their meeting held August 12, 1967 were ordered PLACED ON THE AGENDA under the FISCAL COMMITTEE

(Three of the above items were ordered placed on the agenda pending action of the Board of Finance on August 29, 1967)
Items in excess of \$2,000 except pensions were referred to a secondary committee.

- (2) Final adoption of PROPOSED ORDINANCE CONCERNING PAYMENT FOR DAMAGES INCURRED By citizens assisting a police officer or special police officers 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 an opinion on June 5, 1967 (Approved for publication at the August 7, 1967 Board Meeting, published August 12, 1967)

REFERRED TO LEGISLATIVE & RULES COMMITTEE - and ORDERED ON AGENDA

- (3) Adoption 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 C. Kaplan, 11th District Representative)
S.S. (Approved for publication by Board of Representatives 7/10/67)
(Referred back to Legislative & Rules Committee at the August 7, 1967 Board Meeting)

REFERRED TO LEGISLATIVE & RULES COMMITTEE - and ORDERED ON AGENDA

- (4) PROPOSED ORDINANCE FORBIDDING EXCHANGE OF PROPERTY BETWEEN CITY DEPARTMENTS, BOARD OR AGENCIES, without prior approval of Board of Representatives
(Letter dated 3/16/67 from Stephen Kelly, 4th District Representative)
(Reported at 7/10/67 meeting of Board of Representatives and referred back to LEGISLATIVE & RULES COMMITTEE for further study)
(Referred to the Corporation Counsel for an opinion)

REFERRED TO LEGISLATIVE & RULES COMMITTEE and ORDERED ON AGENDA

- (5) ADOPTION OF ORDINANCE AUTHORIZING AN EASEMENT FROM CITY OF STAMFORD TO FRIENDSHIP HOUSE, INC. 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)

REFERRED TO LEGISLATIVE & RULES COMMITTEE and PUBLIC WORKS COMMITTEE

- (6) PROPOSED ORDINANCE ESTABLISHING A CONSERVATION COMMISSION
(Mayor's letter of 7/7/67)

REFERRED TO LEGISLATIVE & RULES COMMITTEE

- (7) RESIGNATION AND REPLACEMENT FOR VACANCY - resignation of JONATHAN BENNETT (R) 11th District Representative (Letter dated August 15, 1967)

ORDERED ON AGENDA - First order of business

- (8) Memorandum dated August 10, 1967 from Stamford Planning Board, Chairman James F. Bingham regarding disposition of City-owned property
Copies mailed to all Board members

REFERRED TO PLANNING & ZONING COMMITTEE and Ordered on Agenda

- (9) Letter dated August 3, 1967 from Thomas C. Mayers, Mayor, concerning Corporation Counsel, W. Patrick Ryan giving his opinion on the status of non-governmental groups using space in municipality-owned offices and has forwarded copy of this opinion. Committees on needs of the aging may be established by municipalities and that approval of the Board of Representatives of the establishment of such a committee would confer enough governmental status to make it eligible to occupy city facilities

ORDERED ON AGENDA - under Communications from the Mayor

- (10) Letter dated July 20, 1967 from Paul Kuczo, Jr. 8th District Representative concerning Mr. William Watrous, 72 Charles Street, Stamford, Conn. his letters described violation of a number of city ordinances by his neighbor at the rear of his property

REFERRED TO HEALTH & PROTECTION COMMITTEE -Not on Agenda

- (11) Letter dated July 20, 1967 from John Strat, Superintendent Building & Grounds, concerning board committees must give reasonable notice of all night meetings to the Public Works Department

Noted and filed - Not on Agenda

- (12) Letter dated July 21, 1967 from Paul Kuczo, Jr., 8th District Representative concerning the findings of the special investigating committee, that investigated Personnel practices and procedures

Noted and filed - Not on Agenda

- (13) Letter dated July 21, 1967 from Andrew M. Thorpe, Public Health Engineer, to William E. Hadden, Chief Springdale Fire Company, Inc. concerning accumulation of trash, rubbish etc, at the rear of 990 Hope Street

REFERRED TO HEALTH & PROTECTION COMMITTEE - Not on Agenda

- (14) Letter dated July 22, 1967 from Warren M. Knapp, President River Bank Association, Inc. concerning solution to the traffic problems, make Bedford and Summer one-way, on going north and the other south from Bulls Head to Broad Street, and do not allow parking at any time, on both Bedford & Summer Streets from Bulls Head to Broad Street

REFERRED TO HEALTH & PROTECTION COMMITTEE - Not on Agenda

- (15) Letter dated July 25, 1967 from W. Patrick Ryan, Corporation Counsel, re proposed Ordinance "Concerning the Adoption of a Code of Ethics and the establishment of a Board of Ethics for the City of Stamford," stating the first sentence of the first paragraph on page 2 should more clearly designate the officer of persons who have the right to request an opinion from the Board of Ethics

REFERRED TO LEGISLATIVE & RULES COMMITTEE - Not on Agenda

- (16) Letter dated July 26, 1967 from W. Patrick Ryan, Corporation Counsel concerning whether or not Mr. Mort Lowenthal was validly approved by the Board of Representatives at the July 1967 Board meeting, in their opinion the answer is that Mr. Lowenthal was validly approved by the Board of Representatives

Above letter noted and filed - Not on Agenda

- (17) Letter dated July 26, 1967 from Joseph B. Porter, Superintendent of Schools, re Application for State Aid for Administrative Building, Stamford Public Schools, Capital Project

REFERRED TO FISCAL COMMITTEE - Not on Agenda

- (18) Letter dated July 26, 1967 from Joseph B. Porter, Superintendent of Schools, re Application for State Aid for new High School, 2,500 pupil capacity, Capital Project

REFERRED TO FISCAL COMMITTEE - Not on Agenda

- (19) Letter dated July 26, 1967 from Ronald M. Schwartz, Assistant Corporation Counsel, opinion as to the City's right to grant the Friendship House and easement for storm drain purposes through Hatch Field

REFERRED TO LEGISLATIVE & RULES COMMITTEE - Not on Agenda

- (20) Letter dated July 28, 1967 from Howard C. Kaplan, 14th District Representative suggesting that Stamford be advised to follow the lead of Providence, Rhode Island in granting tax abatement to persons who improve their properties

Above letter noted and filed - Not on Agenda

- (21) Letter dated July 29, 1967 from Edward Rivlin, President North Stamford Democratic Club re: supporting the Code of Ethics for Stamford

Above letter noted and filed - Not on Agenda

- (22) Letter dated July 29, 1967 from Mrs. J. R. Meehan concerning a most deplorable situation on Woolsey Road, Shippan

REFERRED TO PUBLIC WORKS COMMITTEE - Not on Agenda

- (23) Letter dated July 31, 1967 from Frederick Karl & Urwin Kraut, 7th District Representative concerning a traffic control study be made at three intersections where Lenox Avenue, Crescent Street and Maple Tree Avenue connect with Courtland Avenue

REFERRED TO HEALTH & PROTECTION COMMITTEE - Not on Agenda

- (24) Letter (undated) from Public Utilities Commission, George J. Griffin, Executive Secretary concerning Docket No. 10600, Application of the Stamford Water Company to increase its rates and charges to all customers

Above letter noted and filed - Not on Agenda

- (25) Letter dated August 1, 1967 from Stearns E. Woodman requesting the Board to act on the appropriation Stamford's contribution to the South Western Regional Planning Agency

Above letter noted and filed - not on Agenda

- (26) Letter dated August 2, 1967 from the Citizens' Action Council urging the members of the Board of Representatives to take affirmative action regarding Stamford's full participation in the South Western Regional Planning Agency

Above letter noted and filed - Not on Agenda

- (27) Letter dated August 11, 1967 from Mrs. F. Harris, 53 Prospect Street, Stamford, Connecticut re The Stamford Women's Club, Prospect Street, leased the auditorium to teen agers for dances, complaining about noise, brawling, & disturbances etc.

Above noted and filed - Not on Agenda

- (28) Letter dated August 11, 1967 from Paul Kuczo, Jr., 8th District Representative complaint re: Cove Dam recommendations and the Public Works Commissioner, Mr. Ferrara's definance to correct the problem

REFERRED TO THE PUBLIC WORKS COMMITTEE - Not on Agenda

- (29) Letter dated August 15, 1967 from George E. Russell, to Stamford Advocate & Radio Station WSTC reply to Mr. Kuczo's public remarks concerning Mr. George E. Russell

REFERRED TO PUBLIC WORKS COMMITTEE - Not on Agenda

- (30) Undated report from the Stamford Golf Authority, Chairman William Selsberg received August 9, 1967 concerning report of its doings from its creation April 18, 1967 to the date hereof and also the intention of the Authority to request an appropriation for secretarial services etc.

REFERRED TO PARKS & RECREATION COMMITTEE - Not on Agenda

- (31) Monthly report from Department of Public Welfare for June 1967

REFERRED TO EDUCATION WELFARE & GOVERNMENT COMMITTEE -
Noted and filed - Not on Agenda

- (32) Letter dated August 16, 1967 from Louis J. Casale, Jr. re: letter from Mr. Frank J. Cuddy, Sr., 135 Downs Avenue re Ordinance pertaining to self contained toilets in boats inside the Stamford breakwater

REFERRED TO PARKS & RECREATION COMMITTEE - Not on Agenda

- (33) APPEAL from decision of PLANNING BOARD regarding LEO HOULE dated August 16, 1967 - received August 17, 1967 in Board's office
(Stenotypist's record of public hearing and excerpts of minutes of July 20, 1967 and July 27, 1967 have not yet been received)

REFERRED TO PLANNING & ZONING AND PUBLIC WORKS COMMITTEES - Not on Agenda

- (34) Letter dated August 11, 1967 from William D. Sabia, Assistant City Engineer, re Friendship House recommending that Sanitary Sewer be carried along with the storm sewer through Hatch Field

REFERRED TO LEGISLATIVE & RULES COMMITTEE and PUBLIC WORKS COMMITTEE
Not on Agenda

- (35) Letter dated August 18, 1967 from Corporation Counsel, W. Patrick Ryan, re opinion whether a school teacher of the Stamford Public School System is prohibited from serving on the Board of Representatives

Noted and filed - Not on Agenda

- (36) Letter dated August 7, 1967 from Joseph B. Porter, Supt. of Schools re: requesting resolution be placed before the Planning Board for action in conjunction with the request for additional funds relative to the construction of new administrative facilities for the Board of Education

Above letter noted and filed - Not on Agenda

- (37) Letter dated 8/17/67 from Stephen E. Kelly, 4th District Representative and Gerald Rybnick, 4th District Representative re: requesting need of black top on all the following streets, Duffy Street, Givens Avenue, Hobbie Street, and Palmer Avenue

REFERRED TO PUBLIC WORKS COMMITTEE - Not on Agenda

- (38) Letter dated August 18, 1967 from Joseph B. Porter, Supt. of Schools, re: it voted to return to the City of Stamford the unexpended balance in the 1966/1967 Board of Education Operating Budget in the amount of \$129,130.12

Above letter noted and filed - Not on Agenda

There being no further business to come before the Committee, on motion, duly seconded and CARRIED, the meeting was adjourned at 8:00 P.M.

George E. Russell, Chairman
Steering Committee

FISCAL COMMITTEE:

MR. RICH, Vice Chairman, presented the Committee report in the absence of the Chairman, Booth Hemingway, on vacation.

- (1) \$175.00- DEPARTMENT OF PUBLIC WORKS, Code 606.0101, Salaries - Bureau of Highways and Maintenance - Reclassification of Maintenance Tradesworker II to Maintenance Tradesworker, Working Foreman, in the Bureau of Highways and Maintenance, due to competitive examination taken
(Mayor's letter of 7/17/67)

MR. RICH MOVED for approval of the above request. Seconded by Mr. Casale and Mr. Grant. CARRIED.

- (2) \$1,500.00- PARK DEPARTMENT, Code 710.0604, I. D. Cards - (Mayor's letter of 8/3/67) (Reduced by Board of Finance from amount requested of \$2,500.00 on 8/12/67)

MR. RICH MOVED for approval of the above request. Seconded by Mr. Lindstrom and Mr. Mosca.

MR. KAPLAN spoke in opposition to the motion, as he is against the use of photographs being an unnecessary burden on the people to have to get their pictures taken in order to get into one of our City parks.

MR. KUGZO spoke in opposition, not being against some form of identification, but against the photographing which he thinks is ridiculous.

MR. KAPLAN asked what vote is required to approve this motion.

THE PRESIDENT replied a two-thirds vote of those present, or 25, there being 37 present.

MR. CONNORS said as one who lives near this area, he recalls a local motel advertising. "Spend a weekend on the beach" - meaning Cove Island Beach. He said he is in favor of the photographs, because it protects the local citizens who have had parking problems over a period of years. He said if a person comes from out of town, the I. D. card protects the local people from outsiders filling up their beaches, leaving no room for the taxpayers who pay for these beaches.

MR. LINDSTROM spoke in favor of the motion and said although there may be an individual problem, in the over all result, it does protect the local people from outsiders filling up their beaches.

MR. NATHANSON asked Mrs. Farrell if any complaints have been received in the office of the Board, complaining about the taking of photographs for identification purposes.

He was informed there have been no complaints.

MR. MOSCA said he would like to commend the Park Department on a job well done, and with this MOVED THE QUESTION. Seconded by Mr. Bitetto and CARRIED.

VOTE taken on item #2 in the amount of \$1,500.00. CARRIED with several "No" votes.

(3) \$478.00- PARK DEPARTMENT, Code 710.0802, Car Allowances - (Mayor's letter
(Reduced by Board of Finance on 8/12/67 of 8/14/67)
from \$720.00 requested)

MR. RICH MOVED for approval of the above request. Seconded by Mr. Lindstrom and CARRIED.

(4) \$16,771.00 - Resolution No. 534 amending the 1967-1968 Capital Projects Budget
PUBLIC FACILITIES BUILDING AND COMFORT STATION, CUMMINGS PARK
and appropriation of \$16,771.00 therefor - (Mayor's letter of
8/7/67)

MR. RICH MOVED for approval of the following resolution. Seconded by Mr. Rybnick and Mr. Lindstrom, who said the Parks and Recreation Committee concur in approval. CARRIED.

RESOLUTION NO. 534

AMENDING THE 1967-1968 CAPITAL PROJECTS BUDGET BY
ADDING ITEM TO BE KNOWN AS "PUBLIC FACILITIES
BUILDING AND COMFORT STATION, CUMMINGS PARK"

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford, to amend the 1967-1968 Capital Projects Budget to include an item to be known as "Public Facilities Building and Comfort Station, Cummings Park" in accordance with the provisions of Section 611.5 of the Stamford Charter, by adding thereto the sum of \$16,771.000 and the appropriation of the aforesaid sum for said Project.

- (5) \$7,500.00 - BOARD OF EDUCATION - Project #ABE-135, Adult Basic Education, for fiscal year 1967-1968 - (Submitted under terms of Resolution No. 489, approved by Board of Representatives 4/1/66, concerning Federal and State Grant Funds) -- (See letter of 7/26/67 from Joseph B. Porter, Supt. of Schools)

MR. RICH MOVED for approval of the above request. He explained that this is one of the programs where the costs are fully refunded by State and Federal funds. Seconded by Mr. Murphy, who said the Education, Welfare & Government Committee concurs in approval. CARRIED.

- (6) \$115,475.00- COLLECTIVE BARGAINING AGREEMENTS, salary increases, Park Department, Hubbard Heights Municipal Golf Course, and Municipal Employees' Association - (Mayor's letter of 8/8/67)

MR. RICH said this is the amount which the Collective Bargaining contracts call for and the salary increases are retroactive to July 1st, 1967 (beginning of new fiscal year). He said this Board has approved the agreements and now we must appropriate the money. HE MOVED for approval of the above appropriation. Seconded by Mr. Kelly and Mr. Rybnick, who said his Committee - the Personnel Committee, concurs in this approval. CARRIED.

- (7) \$690,124.00- BOARD OF EDUCATION - To cover fringe benefits and salaries for Board of Education employees, in accordance with the contract negotiated with the Stamford Education Association (See letter of 6/16/67 from Joseph B. Porter, Supt. of Schools)

MR. RICH said this is a contract which was negotiated by the Board of Education and we must appropriate the money to cover the benefits and salary increases retroactive to July 1st (beginning of new fiscal year). HE MOVED for approval of the above appropriation. Seconded by Mr. Mitchell, Mr. Kelly and Mr. Mosca. Mr. Rybnick said the Personnel Committee also concurs in approval.

MR. HEINZER said he would like the record to show that he is abstaining from any discussion or vote on this item.

MR. THEODORE BOCCUZZI said he would also like the record to show that he abstains from any discussion or vote on this matter.

VOTE taken on the above appropriation. CARRIED with the two abstentions mentioned above.

- (8) \$7,612.00 - PUBLIC WORKS DEPARTMENT - Code 606.0101, Salaries - Bureau of Highways and Maintenance, Division of Highways, to reinstate position of a Supervisor of Highways and Maintenance (Mayor's letter of 6/19/67) (Reduced by Board of Finance from original request of \$10,150.00 on 8/29/67)

MR. RICH said this is for the job of Supervisor of Highways, which this Board deleted from the Budget presented to us in May, so that the Board's Committees could assist the Public Works Department in drawing up a good specification for the requirements needed to fill this job, which has been done and the various committees involved have approved the specifications and the Board of Finance has approved the salary, reducing the amount originally requested because of the time left in the present fiscal year. HE MOVED for approval of the request. Seconded by Mr. Bitetto and Mr. Rybnick, who said the Personnel Committee concurs.

MR. KELLY said he did not concur on this item and he is opposed to it.

MR. CONNORS MOVED for a recess at this time - 9:35 P.M. Seconded and CARRIED.

The recess was over at 9:45 P.M. and the meeting reconvened.

THE PRESIDENT said the question now before the Board is Mr. Rich's motion to approve item #8 (see above).

MR. BUCHANAN asked if this is a pro-rata reduction or is it a cut in the salary.

MR. RICH said it was a pro-rata reduction.

MR. NATHANSON spoke against the motion, for the reason he believed this is a Budget matter and should be brought up at the time the Budget is approved and he pointed out that this Board took this out of the Budget in May and since it is so close to the end of the year, he believes it properly belongs in the Budget when the entire Budget can be studied in regard to personnel needs.

MR. MOSCA said because it is so close to the winter months and we are in dire need of this type of personnel, he endorses the fact that we do act on this tonight.

MR. CONNORS said he wonders what is meant by "dire need" when this job has not been filled in four years and as far as the City is concerned, they have quite enough personnel to handle this work without appointing any other individual. He said to be quite frank, he does not believe we need this job at the present time. He said he remembers the man who originally held this position and he did a terrific job, but if they have managed to get along without him for the last three or four years, there must be something lacking somewhere, if we suddenly have to appoint another individual to fill this position which has not been filled for such a long time. He said he goes along with Mr. Nathanson - that this properly belongs in the Budget for the next fiscal year and that is the time for making the decision as to whether or not this job is necessary.

MR. BITETTO said we were asked to approve this item back in May of this year when the Budget was presented. He said with the fall coming on, we are taking away general foremen who should be assuming their own duties throughout the City, away from their regular duties. He said he also wishes to point out that these same foremen are working overtime and getting paid time and one-half for doing this work, when we could be paying a man a straight salary for doing a more adequate job.

MR. CONNORS said, through the Chair, he would like to ask Mr. Bitetto just how many foremen of the City of Stamford we have at the present time. He said at one time we had one Supervisor on garbage and at the present time, he believes we have three or four - Supervisors and Foremen. He asked if we are going to create some more work at the taxpayers' expense? He said for the people who pick up the garbage, they pick it up regardless. He said he wants to know from Mr. Bitetto just how many Foremen we have in the City at the present time.

MR. FUSARO said he thinks the discussion is irrelevant and MOVED THE QUESTION. Seconded and CARRIED.

THE PRESIDENT called for a vote on the question - #8 on the agenda. Not being sure of the voice vote, he called for a show of hands and said a two-thirds vote is necessary to carry. LOST - the President said we do not have a two-third vote.

- (9) \$500,000.00- Proposed amendment to the 1967-1968 Capital Projects Budget by the addition of the sum of \$500,000.00 to the Project known as "ADMINISTRATION BUILDING PROJECT" -
(letter of 7/26/67 from Joseph B. Porter, Supt. of Schools)

No action was taken on the above matter, for the reason that the Board of Finance has not yet taken any action, so it cannot be considered tonight.

- (10) \$18,425.00 - Salary increases for Non-contract employees, but not including Key Administrative Department Heads - (See Mayor's letter of August 8, 1967) (Approved by Board of Finance 8/12/67)

MR. RICH said item #10 is divided into two parts and the above is the first part, which covers a number of Supervisors and confidential employees who are not covered by the Collective Bargaining contracts, but who are also not considered Department Heads - they are in the Classified Service in categories similar to those presented by Unions, but their salaries are not under the jurisdiction of the Collective Bargaining contracts. He said this is for the same amount of money for salary increases for these employees as for those covered under the Union and other contracts. HE MOVED for approval of the above request. Seconded by Mr. Mosca, and Mr. Grant.

MR. KELLY said he would like to ask a question of Mr. Rich, through the Chair. He asked if there are some assistants, not under contract, who would benefit by this - such as Assistant Department Heads?

MR. RICH said it is his understanding that this is exactly the group of people that this appropriation is intended to cover - they fall between the two groups - the ones who are known as "Key Administrative Department Heads" and those who are covered by Collective Bargaining contracts.

MR. KELLY said he is in favor of this and wishes to second the motion.

VOTE taken on the above appropriation. CARRIED.

- (10) Second part of above request - \$46,180.00 - Salary Increases for "KEY ADMINISTRATIVE DEPARTMENT HEADS"
(Mayor's letter of 8/8/67)

MR. RICH explained that the Board of Finance added to the above an amount of \$1,458.33 which puts the Mayor's salary on the above list - which salary adjustment is to become effective on December 1, 1967. However, he said the other request for \$46,180.00 for the "Key Administrative Department Heads" is to be effective retroactively to July 1st, the beginning of the present fiscal year. He said this would bring these people into proper perspective with the employees who have already received raises under Collective Bargaining contracts. He said what we are actually voting on is \$47,638.33 being the total item.

MR. FUSARD rose on a POINT OF ORDER. He asked if we would need to vote on SUSPENSION OF THE RULES to add this \$1,458.33 to the above \$46,180.00 which appears on the agenda.

THE PRESIDENT ruled it would be necessary to bring this up under suspension of the rules for the reason that it does not appear on the agenda.

MR. RICH said if this is preferred, he will agree that the item now before the Board is the request for approval of \$46,180.00 for salary increases for "Key Administrative Department Heads" which is the total of the increases listed on page 3 of the attachment to the Mayor's letter of August 8, 1967. HE MOVED for approval of this request. Seconded by Mr. Mosca.

MR. RICH explained that it happens that all the present incumbents have reached the maximum salary, but anyone new coming into the job would start at the minimum and would not come in at the recommended new rate column appearing on page 3 of the Mayor's letter. He said these salary changes are intended to keep these so-called "Administrative Department Heads" in line with not only the people that they are supervising - in other words, in proper salary relationship to those people - but also takes cognizance of the salaries paid to other people with similar responsibilities in other towns and cities and in private industry. He said another point to be considered here is that, although some of these may look like large raises, they take into consideration the fact that for a number of years everybody in City government got flat raises which caused those in the lower salary brackets to receive a greater raise in proportion to their salaries than the higher salaried personnel, so that as this went on over the years, there was an ever increasing closing in the gap between the lower salaried people and those in charge of the departments - the Department Heads, so that the proportion between the two levels grew increasingly smaller and inappropriately so. He said the Mayor in recommending these increases is merely inappropriately so. He said the Mayor in recommending these increases is merely trying to bring the Department Heads into better proportion salary-wise with the people they supervise.

MR. MORRIS said in looking over these salary increases, some of these people in a year will get something like a \$3,5000 raise. HE MOVED that a study committee be formed to find out the relationship between the salaries Stamford is paying in comparison with surrounding area towns and cities to find out whether we are under paying these people. He said this is quite a bit of money and perhaps next year someone will propose to jack it up again. He said he is not questioning whether or not these raises are deserved, but he believes we should study it.

There was considerable discussion as to whether Mr. Morris' motion was proper, because a motion is already on the floor to approve the appropriation.

MR. MORRIS said he would then MOVE TO TABLE. Seconded by Mr. Connors.

THE PRESIDENT said no debate is allowed on a motion to table until the motion is voted on. He called on the vote to TABLE as presented by Mr. Morris.

Someone called for a division. The President requested a show of hands. The vote was 18 in favor and 17 opposed.

MR. FUSARO questioned the vote and asked for a recount. He said he is not asking for a consideration of the question - he is merely questioning the vote, and asked for a ruling from the Parliamentarian.

THE PRESIDENT said if anyone is going to ask the Parliamentarian, he will do it.

MR. NATHANSON said the Parliamentarian can make a ruling, but he thought this was up to the Chair, if he wishes to ask for advice.

MR. KAPLAN said he is not ruling, but merely advising the President, and it is his feeling that Mr. Fusaro's motion is in order - that he has the right to

ask for another vote, because a show of hands is difficult to count, because hands go up and down before they have a chance to count - a standing vote is much easier to count. He said what Mr. Fusaro is calling for is a division.

THE PRESIDENT said the vote can be taken either way - by a show of hands or by a standing vote.

MR. NATHANSON rose on a point of order. He asked if the Chair has been requested to support the position taken by Mr. Fusaro.

MR. FUSARO said the Chair has requested the advice of the Parliamentarian and it was given and he believes it was accepted by the Chair.

MR. NATHANSON said the decision of the Chair has not been challenged.

THE PRESIDENT said the Parliamentarian did not give him a firm opinion, but merely said he thought it was right.

MR. MOSCA said he believes the President has missed the vote - either someone did not put his hand up high enough so that it could be counted and he agrees with Mr. Fusaro.

THE PRESIDENT said he wishes to correct the misunderstanding - if a member does not wish to vote, he does not have to do so. He said every time an issue comes up we have not had 100% of those present voting, and he wished to correct Mr. Mosca if he thinks the President missed the count, because he didn't.

MR. LINDSTROM asked the Chairman if he has made a ruling.

THE PRESIDENT said he has ruled that he felt Mr. Fusaro was not on the prevailing side and could not request another vote on a matter which has already been considered and voted upon. He said as far as he is concerned his count stands with 18 in favor and 17 opposed.

MR. CONNORS asked that the Board go on to the next order of business.

MR. FUSARO asked the Chair if he is to understand then that a vote cannot be questioned and will NEVER be questioned on this floor?

THE PRESIDENT said the vote was questioned and we had a show of hands.

MR. FUSARO said he cannot imagine the prevailing side asking for a recount on a vote and that is what he is asking for right now.

MR. RICH said it appears that Mr. Fusaro is questioning the ruling of the Chair - and since the ruling has been challenged, then it must be put up for a vote of the house.

MR. NATHANSON said he did not challenge the Chair.

MR. FUSARO said he says he does challenge the ruling of the Chair. Mr. Mosca said he seconds that.

MR. LINDSTROM asked what the count will be to carry the challenge of the ruling of the Chair - two-thirds?

He was told a majority vote is needed to carry.

After considerable further debate, Mr. Kaplan read from Robert's Rules of Order and the President read from the Board's own rules on page 6 under "VOTING" as follows:

1. In all cases when a vote is taken without a division, the President shall determine whether it is or is not a vote; and 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 rising from their seats and standing until counted, and afterwards those in the negative. After the President has then declared the vote, it shall not be taken again, unless by a regular motion for reconsideration, made by a member who voted on the prevailing side.

THE PRESIDENT requested the members to stand for another vote on Mr. Morris' motion to TABLE. THE VOTE was 18 in favor and 18 opposed.

THE PRESIDENT then voted in favor of TABLING, thus breaking the tie, resulting in a vote of 19 in favor of tabling and 18 opposed. TABLED.

MR. GRANT MOVED that the President appoint a Committee of five members to include both the Majority and Minority Leaders, to study and bring back a report by next month. Seconded.

MR. MORRIS MOVED to amend that the one month deadline be stricken. Seconded.

VOTE taken on the amendment presented by Mr. Morris. LOST.

VOTE taken on the motion made . . . for the President to appoint a five member committee to report by the October Board meeting. CARRIED.

(11) Agreement with two employee groups - Welfare Department Caseworkers and School Dental Hygienists - (Mayor's letter of 8/18/67)

MR. RICH noted that the Nurses contract is not before the Board, although it does appear on the agenda, for the reason that there is a question of the correct language in the contract, so therefore it is not before the Board for approval at this time.

MR. RICH MOVED for approval of two collective bargaining contracts - namely the Welfare Department Caseworkers and the School Dental Hygienists. Seconded by Mr. Kelly and CARRIED. (A separate vote was taken on each contract.)

(12) Resolution No. 535 - Concerning application for State Aid for new high school, 2,500 pupil capacity, Capital Project - Requested in letter of July 26, 1967 from Joseph B. Porter, Supt. of Schools (Received too late to appear on agenda)

MR. RICH MOVED for SUSPENSION OF THE RULES in order to bring the above matter before the Board for a vote. Seconded and CARRIED.

MR. RICH presented the following resolution and MOVED for approval. Seconded and CARRIED:

RESOLUTION NO. 535AUTHORIZATION OF PRELIMINARY APPLICATION FOR STATE AID GRANT
FOR NEW HIGH SCHOOL, 2,500 PUPIL CAPACITY, CAPITAL PROJECT

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford, pursuant to and within the limitations of Section 10-283, Chapter 173 "Application for Funds" of the 1958 Revision of the Connecticut General Statutes, that the Mayor of the City of Stamford is hereby authorized and directed to apply for State Aid on behalf of the Board of Education, for the new high school Capital Project, and is further authorized to accept or reject State Aid Grant in the name of the City of Stamford for said Project.

- (13) Resolution No. 536 - Concerning application for State Aid grant for Administrative Building, Stamford Public Schools, Capital Project -
(Requested in letter of July 26, 1967 from Joseph B. Porter, Supt. of Schools - Received too late to appear on agenda)

MR. RICH MOVED for SUSPENSION OF THE RULES in order to bring the above matter before the Board for a vote. Seconded and CARRIED.

MR. RICH presented the following resolution and MOVED for approval. Seconded and CARRIED:

RESOLUTION NO. 536AUTHORIZATION OF PRELIMINARY APPLICATION FOR STATE AID
GRANT FOR ADMINISTRATIVE BUILDING, STAMFORD PUBLIC
SCHOOLS, CAPITAL PROJECT

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford, pursuant to and within the limitations of Section 10-283, Chapter 173 "Application for Funds" of the 1958 Revision of the Connecticut General Statutes, that the Mayor of the City of Stamford is hereby authorized and directed to apply for State Aid on behalf of the Board of Education, for Administrative Building, Stamford Public Schools, Capital Project, and is further authorized to accept or reject State Aid Grant in the name of the City of Stamford for said Project.

LEGISLATIVE & RULES COMMITTEE

MR. RICH, Chairman, presented his Committee report. He said they met in the Caucus room, August 28th at 7:30 P.M. with the following members present: Messrs. Bromley, Farman, Le Beau, Murphy and Rich. Also present for discussion of several items on the agenda were Acting City Engineer William Sabia, David Adams and Mrs. William Marts.

- (1) Final adoption of PROPOSED ORDINANCE CONCERNING PAYMENT FOR DAMAGES INCURRED BY CITIZENS ASSISTING A POLICE OFFICER OR SPECIAL POLICE OFFICERS 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 - Approved for publication 8/7/67 and published 8/12/67)

MR. RICH said this Ordinance was approved by the Committee as published and there was no comment from the public or from the Board about it which the committee interprets as meaning support for the Ordinance.

MR. RICH MOVED for final adoption of the following Ordinance. Seconded by Mr. Chirimbes and CARRIED:

ORDINANCE NO. 138 SUPPLEMENTAL

CONCERNING PAYMENT FOR DAMAGES INCURRED BY CITIZENS ASSISTING A POLICE OFFICER OR SPECIAL POLICE OFFICERS APPREHENDING A CRIMINAL OR CRIMINALS, OR TO PRESERVE THE PUBLIC PEACE OR TO PREVENT PUBLIC DISTURBANCE

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Chapter 25 of the Code of General Ordinances of the City of Stamford is hereby amended by the addition thereto, following the end of Section 25-6 thereof, of the following:

Section 25-7: Payment of the claims for damages suffered in the prevention of crimes or apprehension of criminals while aiding a police officer or special police officers.

Any person who, while aiding a police officer or special police officer in the performance of his official duty, incurs damage as a result thereof, may sign a written claim with the "Board of Public Safety" for reimbursement of the expenses incurred as a result of injuries so sustained, including medical and hospital expenses, loss of earnings, funeral expenses, and other out-of-pocket costs actually sustained, and for resultant property damage. Said claim shall be filed within six months after the occurrence and shall specify the date, time, place and nature of the occurrence, as well as the names and addresses of the persons, if known, who caused the damage or injuries. Said claim shall be accompanied by the appropriate medical bills, estimates, reports, and other relevant data sustaining the loss as may be requested by the Board of Public Safety.

Section 25-8: Award recommended by the Board of Public Safety

The Board of Public Safety may recommend an award for the payment of such claims. Such awards shall be recommended in the discretion of the Board of Public Safety and not as a matter of right. In the case of the death of such persons, the award may be recommended for the estate of such persons. Any such recommendation by the Board of Public Safety shall be made to the Mayor, who may, in his discretion, request an appropriation therefor in the manner prescribed by law.

Section 25-9: Assignment to City of reimbursement.

Before any payment is made, the claimant shall execute and deliver an assignment to the City of Stamford in such form as approved by the Corporation Counsel, agreeing to reimburse the amount of the payment to the City of Stamford of any sum of money obtained by the claimant arising out of the occurrence entitling the claimant to said payment, whether by judgment, settlement, or otherwise, against anyone legally responsible for the damage, or arising out of any insurance or other source, other than life insurance.

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

(2) Adoption of 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 C. Kaplan, 14th District Representative)

(Approved for publication on 7/10/67 - Referred back to the Legislative and Rules Committee on 8/7/67) (See page 5113-5114, Minutes of 7/10/67)

MR. RICH said the Committee reviewed the provisions of this proposed Ordinance which deals with the creation of the Board of Ethics, and it was decided to make several changes in that paragraph which specifies the make-up and appointment of the Board. The paragraph now reads as follows and with this change in the Ordinance, the Committee recommends its final adoption by the Board:

A Board of Ethics is hereby created which shall consist of three members, serving without compensation, to be appointed by the Mayor and approved by vote of two-thirds of the members of the Board of Representatives. The members shall be resident electors of the municipality, and shall not all be registered members of the same political party. They shall serve for overlapping five-year terms, one of said original appointments to expire on June 30, 1970, the second to expire June 30, 1971, and the third to expire June 30, 1972.

MR. KAPLAN proposed an amendment to the Ordinance as offered by the Legislative & Rules Committee, and objected to the two-thirds vote of the full Board membership, which would be 27 people, and particularly on a secret ballot, it might prove very difficult to even get 27 votes for the most qualified person when you only have perhaps 32 or 33 members present and voting. He said his amendment would therefore be: after the words "Board of Representatives" to add the words "present and voting" so that the approval of any member of this Ethics Board would be by two-thirds of the members of the Board of Representatives present and

voting. The amendment was seconded by Mr. Chirimbes, Mr. Mosca and Mr. Lockhart. CARRIED.

MR. HEINZER proposed a second amendment to read after the words: "present and voting" to add the following: "provided that no name shall be submitted more than once." This amendment was accepted by Mr. Kaplan, the mover of the first amendment, seconded by Mr. Chirimbes, Mr. Mosca and Mr. Lockhart.

MR. FUSARO questioned the wisdom of the second amendment and said therefore it would seem that in every appointive job set up by this Board, we may determine the number of times that the Mayor may submit that appointment to this Board.

THE PRESIDENT said "yes" if it is a Board created by Ordinance of this Board, but does not apply to other appointments spelled out in the Charter.

VOTE taken on Mr. Heinzer's amendment. CARRIED.

MR. NATHANSON said he was a little disappointed that an open meeting of the Legislative & Rules Committee was not held so that this matter could have been discussed. He said he believes that a Board of Ethics with a Code of Ethics to back them up is a good thing and certainly needed in a community. He said as long as we are adopting this, it might be well if this new Board might be charged with looking into some of the things that are going on right at the present time. He said he is curious as to why - at least during the four years he has been on this Board - that he has never seen the Finance Commissioner exercise the power given to him in his office to take action against anyone violating the Charter or a Code of this type. He said he does not feel that a Code of Ethics is particularly needed at this time for the reason that nothing is being done now with the legislation that is already on our books, which in his opinion is far stronger than anything that has been said here tonight. He said he believes this Board of Ethics is armed solely with the right of publication and the only way that they can really do anything is by making a wrong public, or by smearing someone's name in the press and he does not think this is a proper way to go about it. He said he believes the way it is set up in the Charter is the proper way and if the need for this (Code of Ethics) is so great, then the way to do it would be to "beef up" the Charter and make what we have in there now along the same lines, instead of coming up with a powerless Board that can really do nothing other than make something public in the press.

MR. KUCZO spoke against the proposed Ordinance, saying we already have an existing agency which is provided in the Charter adequately.

MR. FARMEN said he believes that Mr. Nathanson and perhaps others have missed a point here. He said it is perfectly possible that a City employee could come up with a question and ask whether what he is doing is right or

wrong and as it now stands there is no real place to go for this information and with the Board of Ethics he will have a confidential place where he can go and raise the question and find out ahead of time and might cut out a lot of things before they happen.

MR. BROMLEY said, for the record, that he is in favor of this Ordinance and in favor of setting up this Board of Ethics. He said the Charter does not cover the sort of thing that can be gotten at by establishing this Code of Ethics.

MR. CONNORS spoke against the proposed Ordinance.

MR. CHIRIMBES MOVED THE QUESTION. Seconded and CARRIED with two "no" votes.

THE PRESIDENT said the question now before the Board is the approval of the Ordinance, as amended.

MR. RICH MOVED for final adoption of the following Ordinance, as amended. Seconded by Mr. Bromley and CARRIED with several "no" votes:

ORDINANCE NO. 139 SUPPLEMENTAL

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. A Board of Ethics is hereby created which shall consist of three members, serving without compensation, to be appointed by the Mayor and approved by

vote of two-thirds of the members of the Board of Representatives present and voting. The members shall be resident electors of the municipality, and shall not all be registered members of the same political party. They shall serve for overlapping five-year terms, one of said original appointments to expire on June 30, 1970, the second to expire June 30, 1971, and the third to expire 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 Section 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 as not 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.

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

- (3) PROPOSED ORDINANCE FORBIDDING EXCHANGE OF PROPERTY BETWEEN CITY DEPARTMENTS, BOARD OR AGENCIES, WITHOUT PRIOR APPROVAL OF BOARD OF REPRESENTATIVES
 (Letter dated 3/16/67 from Stephen Kelly, 4th District Representative)
 (Reported at 7/10/67 meeting of Board and referred back to the Legislative and Rules Committee for further study - Referred to the Corporation Counsel for an opinion)

The above matter was held in Committee in order to study the Corporation Counsel's opinion. Mr. Rich said he intends to report this out at the October 2, 1967 Board meeting.

- (4) CONCERNING ORDINANCE AUTHORIZING AN EASEMENT FROM CITY OF STAMFORD TO FRIENDSHIP HOUSE, INCORPORATED FOR THE PURPOSE OF PROVIDING A STORM DRAIN AND SANITARY SEWER FROM FRIENDSHIP HOUSE, PRESENTLY UNDER CONSTRUCTION
 (See Mayor's letter of 5/24/67 with enclosures and map)

MR. RICH said considerable discussion was held on this matter with Acting City Engineer William Sabia and Mr. David Adams, Engineer for the Friendship House project. He said due to a set of facts which just came to the attention of the Committee, it is now advisable to make the proposed easement include provision for the addition of the sanitary sewer in the ground covered by the easement.

Therefore, he said the Committee recommends approval, and for final adoption a new Ordinance which will now include provision for a sanitary sewer, as well as a storm drain.

MR. HEINZER MOVED to waive publication of this new Ordinance for the reason that this Ordinance was published sometime ago in its old form. Seconded.

THE PRESIDENT said it is alright to waive publication, but the new Ordinance will have to be read in full.

VOTE taken on waiving publication. CARRIED with two "no" votes.

MR. RICH MOVED for ^{final} adoption of the following Ordinance. Seconded.

MR. BROMLEY said he wished to abstain from voting and wants the record to show this.

The Ordinance as read by Mr. Rich, follows:

ORDINANCE NO. 140 SUPPLEMENTAL

AUTHORIZATION OF AN EASEMENT FROM CITY OF STAMFORD TO FRIENDSHIP HOUSE, INCORPORATED FOR THE PURPOSE OF PROVIDING A STORM DRAIN AND SANITARY SEWER FROM FRIENDSHIP HOUSE, PRESENTLY UNDER CONSTRUCTION

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

In conformity with Section 488 of the Stamford Charter and notwithstanding any provisions of Chapter 2, Sections 2-24 to 2-27 inclusive, of the Code of General Ordinances of the City of Stamford, the easement as shown on a map entitled: "Map Showing Easement to be Conveyed to Friendship House, Incorporated by the City of Stamford, Stamford, Conn.", Certified "Substantially Correct", Edward J. Frattaroli and Company, Surveyors, 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 for storm drain and sanitary sewer purposes. Nothing contained herein shall prevent the city from erecting any suitable structure relating to recreational use on the land affected by such easement. The cost of installation of the storm drain and sanitary sewer and any maintenance or repairs thereto shall be at the expense of Friendship House, Incorporated, and if said City shall incur any expense for such maintenance or repairs, Friendship House, Incorporated will reimburse said City for such expenses.

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 grant the easement aforesaid.

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

MR. NATHANSON said he voted against an Ordinance similar to this one last month, and the reason he voted against it was because the information that was available at that time was scanty and he did not feel he wanted to vote away the rights of the City without proper information and he now has information that removes his previous objections to the Ordinance as it now reads.

MR. BUCHANAN said he would like to state that there were some technical questions raised last month relative to the easement and he has been assured by people he contacted before this meeting and during the caucus held prior to the meeting that all technicalities have been considered and that there is no impairment to the City's rights to use this land after the easement has been granted. He said, however, he would like to state that he thinks it is in error for the owners or sponsors of this project to have come this far in their program without having ascertained what was needed in the way of sanitary facilities and storm drainage. He said it seems ridiculous to allow a building to be built without knowing whether or not these things are adequate and he hopes in the future that construction permits will not be issued until these items have first been clarified completely. He said for the reason that we are in dire need of additional low cost housing, he will support this new Ordinance.

MR. KUCZO said he is in favor of this type of housing, but for a 12 story apartment, he feels the city has been very lax in the way it was handled and we should have known long before this about the Taylor Street sewer line being inadequate and should have been better informed about the parking and the recreational needs.

MR. THEODORE BOCCUZZI said he believes certain points should be raised prior to adoption of the proposed ordinance. He asked for a ruling as to whether or not this matter is properly before this Board, since it was rejected by this very same Board one month ago. He said the agenda is void of any statement concerning this being presented again. He said he can't see where any issue can be binding if we are allowed month after month to change our votes on any particular matter. He said if there are new facts, then this ENTIRE Board has the right to know what they are long ago and not the way it is being handled, since we are dealing with a request dated May 24, 1967. He said these new facts now being presented, were, in fact, hidden from this Board prior to our last meeting. He said it is his understanding that the Building Department cannot allow a building permit to be issued unless they are first satisfied that proper sewer facilities are planned for the structure in question. He said in this particular case a building permit was issued in March of 1966 and here we now are in September of 1967 - almost 18 months later and are now told that sewerage problems do exist.

MR. KAPLAN spoke in favor of the Ordinance and said we should be grateful for

the building that the local council of Churches has made possible, and indeed it may be true that these clergymen are not as expert as a builder might be in dotting all the i's and crossing all the t's but we should be grateful for the public service they are rendering in making this building possible.

THE PRESIDENT said this is an entirely new Ordinance and we are not re-considering the one voted down before.

MR. FUSARO asked who is initiating this Ordinance?

THE PRESIDENT said this was put in Committee and the Committee came up with the Ordinance.

MR. RICH said this was assigned to the Legislative & Rules Committee by the Steering Committee.

Mr. FUSARO said what he wants to know is who presented this to the Steering Committee.

MR. RICH said a member of the Steering Committee raised the issue in that Committee and it was voted to refer it to the Legislative & Rules Committee

THE PRESIDENT said it was brought about by correspondence from the Engineering Department and was referred to the Steering Committee, who in turn referred it to Mr. Rich's Committee to look into and it was also referred to Mr. Bitetto's Committee.

MR. MORRIS said he wants to clear up a few things - one, no one can blame the clergy for any engineering problems that have been created. Second, it appears that the whole engineering of this was wrong and someone tried to blame the Building Department. He said the Building Department was given to understand that the builder was going to tap on to Richmond Hill and third, we would be better off as a Legislative body if we were given the true facts rather than at the last moment come through to us as an emergency. He said he thinks people should let it be known what their problem is and not wait until the building has been erected, this Board would have less suspicion of what is going on.

MR. LINDSTROM MOVED THE QUESTION. Seconded by Mr. Casale and CARRIED.

MR. BOCCUZZI MOVED FOR A ROLL CALL VOTE. His motion FAILED for the reason that a roll call vote can be taken if one-fifth of the members request it. The President said it needed 8 and only 6 requested the roll call vote.

THE PRESIDENT called for a vote on Ordinance No. 140 Supplemental. CARRIED, with several "no" votes.

(5) PROPOSED ORDINANCE ESTABLISHING A CONSERVATION COMMISSION (Letter dated 7/7/67 from Mayor Thomas C. Mayers, recommending creation of a

Conservation Commission, in accordance with State Act and enclosing a copy of the Statute and proposed Ordinance, as suggested by Stamford Citizens for Conservation, Inc.)
(See Item #31 in Minutes of 8/7/67 under report of Steering Committee)

MR. RICH MOVED for approval for publication of the following proposed Ordinance.
Seconded by Mr. Mosca and CARRIED:

PROPOSED ORDINANCE

CONCERNING THE ESTABLISHMENT OF A CONSERVATION COMMISSION

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

SECTION 1. Pursuant to Sections 7-131a of the Connecticut General Statutes, the City of Stamford hereby establishes a Conservation Commission for the development and conservation of natural resources, including water resources, within the territorial limits.

SECTION 2. Said Commission shall consist of five (5) members, not more than three of whom shall be members of any one political party, who shall be appointed by the Mayor, subject to approval of the Board of Representatives.

SECTION 3. Initially the Mayor shall appoint one member for a term of five (5) years; one member for a term of four (4) years; one member for a term of three (3) years; one member for a term of two (2) years; and one member for a term of one (1) year and thereafter, each new member shall be appointed by the Mayor for a term of five (5) years and until their successors shall have been appointed and shall have qualified.

SECTION 4. The Mayor may remove any member for cause and any vacancy occurring in such Commission shall be filled for the unexpired portion of the term by the Mayor.

SECTION 5. Said Commission shall have all of the powers, possess all of the rights and perform and be subject to all of the duties enumerated in said Section 7-131a of the Connecticut General Statutes and any future amendments thereto.

This Ordinance shall become effective immediately upon ^{the} date of its enactment.

MR. RICH said an open hearing will be held later this month on the above proposed Ordinance.

(6) PROPOSED ORDINANCES CONCERNING EXCHANGE OF PROPERTIES BETWEEN THE CITY OF STAMFORD AND SEVERAL PROPERTY OWNERS ON COVE ROAD TO ALLOW THE WIDENING AND STRAIGHTENING OF COVE ROAD.

MR. RICH MOVED for SUSPENSION OF THE RULES in order to bring these two proposed Ordinances on the floor for a vote. Seconded and CARRIED.

MR. RICH MOVED for adoption, for publication, of the following proposed Ordinance. He explained that it will first have to be approved by the Planning Board and the Board of Finance before final adoption by this Board. Seconded and CARRIED:

PROPOSED ORDINANCE

CONCERNING EXCHANGE OF PROPERTIES BETWEEN THE
CITY OF STAMFORD AND CLAIROL, INC.

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

In conformity with Section 488 of the Stamford Charter, and notwithstanding the provisions of Chapter 2, Sections 2-24 and 2-27 inclusive, of the Code of General Ordinances of the City of Stamford, the exchange of properties between the City of Stamford and Clairol, Inc. of Stamford, of the following properties, is hereby approved, viz:

Property to be deeded to the City of Stamford by Clairol, Inc.:

ALL that certain piece, parcel or tract of land situated in the City of Stamford, County of Fairfield and State of Connecticut, bounded and described as follows:

Commencing at a point in the Northerly line of Cove Road where the same is intersected by the division line between land of Clairol, Incorporated and land now or formerly of Samuel Lotstein Realty Co., thence proceeding along said Northerly line of Cove Road North 89° 07' 36" West 446.58 feet and North 89° 01' 16" West 94.00 feet; thence continuing along said Northerly line of Cove Road on a curve to the right having a radius of 79.640 feet for a distance of 56.90 feet; thence proceeding along the Northeasterly line of Cove Road North 25° 05' 46" West 92.870 feet; North 24° 29' 36" West 65.040 feet, North 27° 26' 16" West 56.00 feet and North 27° 47' 56" West 50.39 feet, thence continuing along said Northeasterly line of Cove Road on a curve to the left having a radius of 86.140 feet for a distance of 36.936 feet, thence proceeding along land of Clairol, Incorporated, in a general Southeasterly direction on a curve to the right having a radius of 270.0 feet for a distance of 124.025 feet; thence continuing along land of Clairol, Incorporated, South 37° 04' 00" East 37.37 feet; thence continuing along land of Clairol, Incorporated on a curve to the left having a radius of 400.00 feet for a distance of 282.162 feet; thence continuing along land of Clairol, Incorporated on a curve to the left having a radius of 519.710 feet for a distance of 105.613 feet; thence continuing along land of Clairol, Incorporated South 89° 07' 36" East 276.935 feet to land now or formerly of Samuel Lotstein Realty Co.; thence proceeding along

land now or formerly of Samuel Lotstein Realty Co. South 1° 26' 51" East 20.016 feet to the point or place of beginning.

Said parcel is more particularly shown and delineated on a certain map entitled "Map Showing Property To Be Acquired By The City of Stamford for Highway Purposes from Clairol, Inc." prepared by Parsons, Bromfield & Redniss and dated August 2, 1967.

Property to be deeded to Clairol, Inc. by the City of Stamford:

ALL that certain piece, parcel or tract of land situated in the City of Stamford, County of Fairfield and State of Connecticut, bounded and described as follows:

NORTHERLY 823 feet by land now or formerly of Mary K. Conron, land now or formerly of Louise T. Kokaska, land now or formerly of Louise Boldrighini, et al, land now or formerly of Helene P. Carpenter, land now or formerly of Marie P. Mehan, land now or formerly of Alexander J. Tocsko, et al, by the southerly end of Maher Road, land now or formerly of Joseph G. Leonard, and by land now or formerly of The Daycroft School, Incorporated and Blachley Road.

WESTERLY 100.76 feet, by the center line of Blachley Road.

NORTHERLY 538.26 feet by land of The Daycroft Apartments, Inc. and land of Sebastian T. Romano, et al.

EASTERLY 1107.33 feet by land of Sylvan Knoll Corporation and land of Sylvan Knoll Apartments, Incorporated.

SOUTHERLY 663.78 feet by land now or formerly of Charles W. Coleman, et al, land now or formerly of Stuart C. Blair, et al, land now or formerly of Homer C. Dunn, et al, land now or formerly of Charles C. Bruno, et al, land now or formerly of Edward H. Johnson, et al, land of The Slovak Evangelic Lutheran Holy Trinity Church, land now or formerly of Albert R. Celotto, et al, and land now or formerly of Wayne A. Randall, et al.

EASTERLY by land now or formerly of Wayne A. Randall, et al, land now or formerly of John DePreta, et al, land now or formerly of William J. Hynan, et al, land now or formerly of Peter J. Koczanski, et al, and land now or formerly of the B. T. Harris Corporation.

SOUTHERLY and SOUTHWESTERLY by the NORTHERLY and NORTHEASTERLY line of a certain parcel of land conveyed by Clairol, Incorporated to the City of Stamford by deed to be recorded of even date herewith, being land shown and delineated on a certain map entitled "Map Showing Property To Be Acquired By The City of Stamford for Highway Purposes from Clairol,

Inc." Prepared by Parsons, Bromfield & Redniss and dated August 2, 1967; and then WESTERLY by land of the Housing Authority of the City of Stamford.

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

MR. RICH MOVED for adoption, for publication, of the following proposed Ordinance. He explained that this one also, will first have to be approved by the Planning Board and the Board of Finance before final adoption by this Board. Seconded and CARRIED:

PROPOSED ORDINANCE

CONCERNING EXCHANGE OF PROPERTIES BETWEEN THE CITY
OF STAMFORD AND SEVERINO SCIARRETTA AND SEBASTIAN
CARDILLO

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

In conformity with Section 488 of the Stamford Charter and notwithstanding the provisions of Chapter 2, Sections 2-24 and 2-27 inclusive, of the Code of General Ordinances of the City of Stamford, the exchange of properties between the City of Stamford and Severino Sciarretta and Sebastian Cardillo of the following properties is hereby approved, viz:

Property to be deeded to the City of Stamford by Severino Sciarretta and Sebastian Cardillo:

ALL that certain piece, parcel or tract of land situated in^o the City of Stamford, County of Fairfield and State of Connecticut consisting of a strip of land 14 feet in width running along the westerly boundary of land now or formerly of Frieda H. Bartram, et al to be acquired by the City of Stamford, as more particularly shown and described and delineated on a certain map entitled, "Map Showing Property To Be Acquired By The City of Stamford for Highway Purposes from Frieda H. Bartram, et al".

Property to be deeded to Severino Sciarretta and Sebastian Cardillo:

ALL that certain piece, parcel or tract of land situated in the City of Stamford, County of Fairfield and State of Connecticut, consisting of a triangular piece of land of 0.0041 acres as more particularly shown, described and delineated on a certain map entitled, "Map Showing Property To Be Acquired By The City of Stamford for Highway Purposes from Severino Sciarretta, et al".

and 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 to the hereinabove described premises presently owned by the said City of Stamford.

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

PLANNING & ZONING COMMITTEE:

- (1) Memorandum dated August 10, 1967 from Stamford Planning Board REGARDING DISPOSITION OF CITY-OWNED PROPERTY (Recommendations from Planning Board made at their meeting of July 27, 1967, pursuant to request from Commissioner of Finance, dated June 26, 1967)

MR. MOSCA said everyone on the Board has received copies of the above lists. He said as the members will remember, about 8 months ago we went through this and held this back for certain reasons. He said he asked that each member of the Board write him or 'phone him on their feelings on this.

MR. LINDSTROM said he does not believe this requires any action of this Board - that it is between Mr. Mosca and the Planning Board only.

THE PRESIDENT said he wishes to correct this impression - that it means it is between the Board of Representatives and the Planning Board, with Mr. Mosca acting as liaison for this Board. He said the Charter requires that it be submitted to the Board of Representatives, but does not say this Board has to take any particular action.

- (2) CONCERNING ABANDONMENT OF PORTION OF HILLDALE AVENUE AS PUBLIC THOROUGH-FARE

(Requested in letter of August 28, 1967 from Milton Ellerin, President of Board of Education)

MR. MOSCA MOVED for SUSPENSION OF THE RULES to take up the above matter. Seconded and CARRIED. (Requires a two-thirds vote)

MR. MOSCA MOVED for abandonment of that portion of Hilldale Avenue, starting at a point approximately 308 feet north of its intersection with Wenzel Terrace to the southerly line of Holcomb Avenue extending a distance of approximately 502 feet. Seconded by Mr. Fusaro and CARRIED. (unanimous vote)

THE PRESIDENT said it should be noted that by the action just taken, the Board is not abandoning an official city road - that this road was never accepted as an official city road.

Mrs. Lilliendahl was excused at 11:00 P.M.

Mr. Bitetto was excused at 11:40 P.M.

PARKS & RECREATION COMMITTEE:

Concerning Petition from Knights of Pythias for Parade Saturday, October 21, 1967 (See Minutes of 7/10/67 page 5104, Item #9)

MR. KELLY said he has a question he would like to ask on the above request.

MR. LINDSTROM said this has all been taken care of.

MR. KELLY said he would like to know how it was taken care of.

MR. LINDSTROM said it was handled by the President of the Board, the Majority Leader and the Minority Leader.

MR. KELLY objected, saying this is dead wrong - that it is only handled by the Board officers when an emergency exists and is going to conflict with the next Board meeting when there would not be time enough for the Board to act - then it is approved, subject to confirmation by the entire Board at their next meeting.

THE PRESIDENT explained that the Board officers gave the O.K. to the Knights of Pythias because they were rained out - that they came in about a week ago and it has been past procedure that if they need approval and it would be too late for a Board meeting, that approval is given in advance by the Board officers. He said in this case he got together with Mr. Durso (because Mr. Fusaro was out of town) and with Mr. Morris and they agreed that the change of date was all right with them, because they had asked that the original date be changed to September 1st which came before the Board meeting, because they were rained out the week before.

MR. KELLY said this has never been done this way in the past, to his knowledge, and it was only done this way in an emergency.

THE PRESIDENT said they considered it an emergency because they had already made their plans.

Mr. Mosca was excused at this time - 11:50 P.M.

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

MR. CHIRIMBES, the new Chairman of the above Committee, presented the following Committee report:

A meeting was held Monday, August 28, 1967 at 8.30 P.M. with the following present: Messrs. Chirimbis, Chairman; Buchanan, Vice Chairman; Connors, Russell, Board President and Farnen. The following invited guests were also present: URC Director Hibben, Attorney Friedman, Assistant Attorney Simpson, Rev. Taylor, Mr. Jennings (Consultant for New Hope, Inc.) Advocate representative and Statinn WSTC representative.

A discussion was held with Mr. Hibben concerning the status of the New Hope area of 2.2 acres plus. Mr. Hibben presented a plot plan of the area which indicated the houses and business locations remaining to be vacated. We were advised that two businesses have yet to be relocated. Coca Cola Distributing Plant and Healy Buick (parcels 31-1 and 34-2-3). He indicated that third appraisals are now being obtained and could be expected shortly and that approximately 30-45 days after receipt of the third appraisal the properties will be acquired. He indicated that there are sixteen families remaining on the site, including 32 adults and 36 children, that they are currently relocating approximately 12 families per month, and that the average family move takes about six months to accomplish.

In discussion with Reverend Taylor, we inquired about the apparent passage of 6 to 8 weeks without any notable progress. Reverend Taylor indicated that they had some internal matters to tie together and that they had lost some time due to vacations; also, in order to speed up the process they had engaged Mr. Jennings, of Albany, as their consultant to facilitate the presentation to the FHA. Mr. Jennings indicated that they would have their presentation in Hartford within the next 2 to 3 weeks for preliminary approval, which includes their site utilization plans, and that we should be hearing from them, hopefully, before the end of September as to their progress.

Further discussion was held concerning other business relocations, specifically concerning the American Linen Company, which employs over 200 people, and their need for relocation space. It was pointed out by Mr. Hibben that the URC cannot do anything for business relocation before acquisition unless the Owner comes to the URC for assistance, in which case they are happy to extend their services.

The meeting was adjourned at 10:00 P.M.

William E. Buchanan
Vice Chairman
Public Housing & General
Relocation Committee

ZONING BOARD OF APPEALS INVESTIGATION COMMITTEE (A Special Committee):

MR. MORRIS, Chairman, said the Committee has one more person to interview and will come up with a report next month. He asked for an extension of time for one more month. HE SO MOVED. Seconded and CARRIED.

RESOLUTIONS:

Concerning request from The Stamford Veteran's Council (dated 9/5/67)
to Reopen the Veterans' Service Center

MR. MORRIS read the above letter at this time and MOVED for adoption of the following resolution. Seconded and CARRIED by unanimous vote:

RESOLUTION NO. 537

WHEREAS, it has been a serious inconvenience to many veterans of Stamford who seek veterans' services and advice; and

WHEREAS, the veterans list is growing considerably; and

THEREFORE, BE IT RESOLVED that the Board of Representatives requests the Mayor to initiate funds to cover the reopening of the Veterans' Service Center.

MR. KAPLAN called attention to a similar resolution which he introduced several months ago, which was adopted by unanimous vote. He said he hopes this service will be reinstated as it is badly needed.

OLD BUSINESS:

Concerning retirement of present Director of Health & Replacement

MR. RYBNICK said he wants to call attention to the imminent retirement of the present Health Director who plans to retire on October 1st, leaving the City without a Health Director. He said this decision leaves the City open to most anything but a healthful situation. He pointed out that he has previously pointed out Section 422 of our Charter and hopes that our Health Commission will act according to our Charter and get an Assistant Health Director. He said he hopes that the Health Commission will act upon the two applications that we now have in Stamford.

Concerning Rate Increase by Water Company

THE PRESIDENT called attention to the fact that there will be a meeting of the PUC here in Stamford in the Board's meeting room at 10.30 A.M. on Thursday, September 21st.

Concerning Picture of 9th Board

MR. CHIRIMBES called attention to a picture taken sometime ago of this Board by an Advocate photographer and asked that the President and Mrs. Farrell see what can be done about having this obtained and framed to hang on the wall of the meeting room.

NEW BUSINESS:

Minutes of September 5, 1967

5173

Concerning posting of signs in various places throughout city

MR. NATHANSON said there has been a great deal of talk around town about the signs that are going up and he thinks that the need for legislation regulating these signs is obvious and with urban renewal coming along, this might be the time for introducing this type of legislation. He presented a document from the Urban Redevelopment Commission entitled "Sign Control Bulletin No. 1" in regard to this matter and asked that it be referred to the Steering Committee for referral to the Legislative and Rules Committee and the Urban Renewal Committee to look into. He said it contains a suggested Ordinance regulating the size, etc. of signs.

ADJOURNMENT:

On motion, duly seconded and CARRIED, the meeting was adjourned at 12:15 A.M.

Velma Farrell

Velma Farrell
Administrative Assistant and
Recording Secretary

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