

MEETING OF THE 10th BOARD OF REPRESENTATIVES
Minutes of January 6, 1969
Stamford, Connecticut

A regular monthly meeting of the 10th Board of Representatives was held on Monday, January 6, 1969, in the Board's meeting rooms, Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut.

The President called the meeting to order at 9.25 P.M.

INVOCATION - Given by Reverend William A. Nagle, St. Bridget's Rectory

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 38 present and 2 absent. The absent Members were:

Robert M. Wechsler (D) 11th District
Booth Hemingway (R) 19th District

ACCEPTANCE OF MINUTES - Meeting of December 2, 1968
Special Meeting of December 16, 1968

MR. BROMLEY asked for a correction to the Minutes of 12/2/68 on pages 5646-47 by adding a paragraph 3 to the proposed Ordinance, to read as follows:

3. Three copies of this Ordinance have been filed with the Town Clerk of the City of Stamford.

The above Minutes were accepted, with the correction as offered by Mr. Bromley.

PAGES:

THE PRESIDENT announced the presence of two Pages from the Stamford High School Key Club - JOE BRIGNOLO and MIKE CONSIDINE.

COMMITTEE REPORTS:

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

STEERING COMMITTEE REPORT
Meeting held Monday, December 23, 1968

A regular monthly meeting of the Steering Committee was held on Monday, December 23, 1968 in the Board of Representatives' Meeting Rooms, Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut.

Minutes of January 6, 1969

The meeting was called to order by the Chairman and President of the Board, at 8.15 P.M.

All Members were present, with the exception of Messrs. Durso, Theodore Boccuzzi, Wechsler, Russell and Alwanger. Mr. Calder and Mr. Murphy were also present.

(1) Appointments to various Boards and Commissions:

The Mayor's appointments were REFERRED TO THE APPOINTMENTS COMMITTEE and ORDERED ON THE AGENDA.

(2) Additional Appropriations:

Additional appropriations approved by the Board of Finance at their meeting held Monday, December 16, 1968, were REFERRED TO THE FISCAL COMMITTEE and secondary Committees concerned, and ORDERED ON THE AGENDA.

Also, the following two matters held in Committee at the 12/2/68 Board Meeting were ORDERED ON THE AGENDA under FISCAL COMMITTEE:

\$23,500.00 - PUBLIC WORKS DEPARTMENT - For the following overtime:

(See Mayor's letter of 11/14/68)-REDUCED by Board of Finance from \$74,500.00 on 11/14/68 and partially approved by the Board of Representatives on 12/2/68 with the following held in Committee):

Code 602.0103 Overtime, Administration -----	\$2,000.00
Code 606.0103 Overtime, Bureau of Highways and Maintenance, Division of Highways -----	10,000.00
Code 607.0103 Overtime, Bureau of Highways, Division of Equipment Maintenance -----	3,000.00
Code 614.0103 Overtime, Bureau of Highways, Division of Street Cleaning -----	3,000.00
Code 618.0103 Overtime, Maintenance of Sanitary Sewers ---	5,000.00
Code 622.0103 Overtime, Bureau of Sanitation, Pumping Stations -----	500.00
	<u>\$23,500.00</u>

(Above also referred to PERSONNEL COMMITTEE)

\$2,523.43 - PUBLIC WORKS DEPARTMENT - Code 626.0101, Salaries, Bureau of Engineering - Upgrading of Salary of Assistant City Engineer
(Approved by Personnel Commission - See Mayor's letter of 11/15/68) (Held in Committee 12/2/68)

(Above also referred to PERSONNEL COMMITTEE)

(3) All matters held in the Legislative & Rules Committee at the 12/2/68 Board Meeting were ORDERED ON THE AGENDA under LEGISLATIVE & RULES COMMITTEE, with the exception of the following:

(4) Proposed Resolution Concerning Election of Representatives to the Board of TRUSTEES OF MUNICIPAL EMPLOYEES' PENSION FUND - (Letter of 10/15/68 from Municipal Administrators' Association)-(Held in Committee 11/6/68 and again on 12/2/68, pending opinion from Corporation Counsel, which was requested on 11/25/68)

The above matter was ORDERED LEFT OFF THE AGENDA, but still held in the LEGISLATIVE & RULES COMMITTEE.

- (5) Final adoption of Ordinance "CONCERNING EXCHANGE OF PROPERTIES BETWEEN THE CITY OF STAMFORD AND RUSSELL M. BOCCUZZI" - (Widening of Cove Road) - (Mayor's letter of 10/16/68) - (Approved by Board of Finance 10/24/68 and received too late to go on Agenda for November - Adopted for publication 12/2/68; published 12/21/68)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (6) Final adoption of amendment to Stamford BUILDING CODE "CONCERNING ADOPTION BY CITY OF STAMFORD OF STATE BUILDING CODE, IN ACCORDANCE WITH PROVISIONS OF SEC 19-395 OF THE GENERAL STATUTES OF CONNECTICUT, AS AMENDED" - (Requested in letter dated 6/19/68 from James Sotire, Building Inspector) - (Held in Committee 9/3/68; 10/7/68; 11/6/68; approved for publication 12/2/68; published 12/7/68)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (7) Concerning RAISE IN PERMIT FEES ON BUILDING CONSTRUCTION PROJECTS - (Being proposed amendments to BUILDING CODE, requested in letter of 10/8/68 from Commissioner of Public Works)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE - Also REFERRED TO PUBLIC WORKS COMMITTEE

- (8) Proposed Ordinance MAKING IT ILLEGAL TO SELL OR POSSESS INFLAMMABLE LIQUIDS SUCH AS GASOLINE, IN GLASS CONTAINERS - (Proposed in letter of 11/26/68 from Howard Kaplan, 14th District Representative)
(Note: See State Fire Marshal's regulations and regulations of Commissioner of State Police, dated 11/4/68 concerning above matter.)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (9) Request for WAIVER OF BUILDING PERMIT FEE for NEW HOPE CORPORATION, pursuant to Ordinance 80.7 which amends Building Code - (Requested in letter of 12/9/68 from Robert B. Wise, Attorney)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (10) Request for REVISION OF SECTION 102 ("USE GROUP AND CONSTRUCTION CLASSIFICATION") OF BUILDING CODE - (Letter dated 11/16/68 from Booth Hamingway, 19th District Representative)

ORDERED ON AGENDA UNDER LEGISLATIVE & RULES COMMITTEE - Also REFERRED TO PUBLIC WORKS COMMITTEE

- (11) Mayor's letter of 12/17/68 concerning adoption of two new resolutions similar to Resolutions No. 574 and 575, adopted by Board of Representatives on 9/3/68 AUTHORIZING APPLICATION FOR FEDERAL AND STATE GRANTS FOR CONSTRUCTION OF SANITARY SEWERS SOUTH OF PARKWAY, SHIPPAN

Minutes of January 6, 1969

POINT - INTERCEPTOR SEWERS, CONTRACT 1 and CONTRACT 3

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (12) Mayor's letter of 12/17/68 concerning "WORKABLE PROGRAM FOR COMMUNITY IMPROVEMENT - 1968" - Being annual re-certification to Federal Government, as outlined in Mayor's letter with attached document entitled "WORKABLE PROGRAM FOR COMMUNITY IMPROVEMENT"

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (13) Proposed Resolution OPPOSING CONSTRUCTION OF BRIDGE ACROSS LONG ISLAND SOUND
(Letter dated 12/16/68 from Paul D. Plotnick, 16th District Representative)

REFERRED TO HEALTH & PROTECTION COMMITTEE - Not on agenda

- (14) Complaints concerning TRAFFIC TIE-UP BECAUSE OF ONE-WAY TRAFFIC ON KIRKHAM AND UNION STREETS - (One from Glenbrook Fire Dept., dated 12/16/68 and another petition (dated 12/16/68) from Peter Chirimbis, 12th District Representative, signed by 192 residents affected)

Although some members thought this one-way traffic has since been eliminated, it was REFERRED TO THE HEALTH & PROTECTION COMMITTEE, but no on agenda.

- (15) Concerning REVISION OF MODEL HOUSING CODE (Ordinance No. 65, enacted on August 30, 1957) (Being an Ordinance establishing minimum standards for dwellings) - Request from Dr. Gofstein, Director of Health in letter of 12/16/68, enclosing a copy of the State Department of Community Affairs Model Housing Code, and asking that our Ordinance No. 65 be brought up-to-date with State Statutes and Supreme Court decisions.

REFERRED TO HEALTH & PROTECTION COMMITTEE AND ORDERED ON AGENDA

- (16) Carbon copy of letter sent to Chief Kinsella from Howard Kaplan, dated 10/21/68 concerning DEFECTS IN TRAFFIC SYSTEM ON HIGH RIDGE ROAD, resulting in hazardous situation for residents, requesting the Chief of Police to intervene on behalf of residents - (Note: This was referred to the Health & Protection Committee on 10/21/68, but not on agenda as it was a carbon copy addressed to the Chief of Police.)

Again REFERRED TO HEALTH & PROTECTION COMMITTEE - Not on agenda

- (17) Request for adoption of a PROPOSED RESOLUTION TO INITIATE BRINGING WINTER STREET UP TO STANDARDS ACCEPTABLE AS A CITY STREET, under provisions of Chapter 64 of Charter, Section 640 - (Letter to President, dated 12/9/68 from Jack Palmer, 13th District Representative)

Minutes of January 6, 1969

REFERRED TO PLANNING & ZONING COMMITTEE - ORDERED ON AGENDA

Other matters not acted upon by the Planning & Zoning Committee, again ORDERED PLACED ON AGENDA.

- (18) CITY EMPLOYEE CONTRACTS under COLLECTIVE-BARGAINING, if ratified, ORDERED ON AGENDA under PERSONNEL COMMITTEE

- (19) Letter (dated 12/19/68) from Frederick W. Cunningham, 56 Hubbard Avenue, regarding ELECTION OF MEMBERS OF BOARD OF EDUCATION and contradictions of STATE LAW

Noted and filed, with copy given to EDUCATION, WELFARE & GOVERNMENT COMMITTEE

- (20) Letter from Mayor (dated 11/18/68) enclosing proposed Resolution, requesting approval to file application with the State for a STATE GRANT FOR HOUSING SITE DEVELOPMENT AGENCY - (Referred back to Committee on 12/2/68)

ORDERED ON AGENDA under C-DAP COMMITTEE

- (21) Concerning DESIGNATION OF THE TRINITY CORPORATION AS A HOUSING DEVELOPMENT CORPORATION, pursuant to Public Act No. 522, Section 20 - (See Mayor's letter, dated 9/30/68, enclosing proposed Resolution - Also see 12/2/68 Minutes under "Public Housing and General Relocation Committee")

ORDERED ON AGENDA under PUBLIC HOUSING AND GENERAL RELOCATION COMMITTEE

- (22) COMMUNITY HOUSING DEVELOPMENT CORPORATION FOR STAMFORD, UNDER SECTIONS 20 & 21 OF THE COMMUNITY DEVELOPMENT ACT (P. A. No. 522) - (See memorandum to all Board Members, from the Public Housing and General Relocation Committee, dated 11/25/68 - Copies mailed to all Board Members, for action to be taken at 1/6/69 Board Meeting - See Minutes of 12/2/68 under above Committee).

ORDERED ON AGENDA under PUBLIC HOUSING AND GENERAL RELOCATION COMMITTEE

- (23) Letter, dated 11/22/68 from Paul Kuczo, 8th District Democratic Committeeman, requesting the findings of a Special Committee appointed by a previous Board, investigating "Personnel Practices and Procedures" be made public.

Above noted and filed.

- (24) Concerning proposed Resolution, presented at 12/2/68 Board Meeting.

Minutes of January 6, 1969

by Peter Chirimbas, 12th District Representative, regarding
GLENBROOK SCHOOL BELL AND DISPOSITION OF SAME

ON AGENDA under "RESOLUTIONS"

There being no further business to come before the Committee, on motion, duly seconded and CARRIED, the meeting was adjourned at 9.15 P.M.

vf

JOHN C. FUSARO, Chairman,
Steering Committee

It was MOVED, seconded and CARRIED to depart from the regular order of business on the Agenda by taking up the Personnel Committee Report next.

PERSONNEL COMMITTEE:

CITY EMPLOYEE CONTRACTS under COLLECTIVE BARGAINING

- (1) Concerning Collective Bargaining Agreements Covering Two Years ----
From July 1, 1968 to and including June 30, 1970 --- BETWEEN THE
CITY OF STAMFORD & TEAMSTERS LOCAL UNION #145, FOR 3 CONTRACTS:
DEPARTMENT OF PARKS & TREES; THE HUBBARD HEIGHTS GOLF COMMISSION
AND THE PARKING AUTHORITY

MR. RYBNICK MOVED for rejection of the contracts for the Park Department, Hubbard Heights and Parking Authority, due to some technicalities in these contracts. Seconded by Mr. Kelly and Mr. Connors.

MR. RUSSBACH suggested that these be taken one at a time.

MR. CONNORS said he believes we should take the ones that were rejected by the Committee and then take the Public Works Department contract after, because we are tabling these until our next meeting due to technicalities.

THE PRESIDENT corrected the speaker that the word is "rejected" and not "tabling".

MR. RUSSBACH MOVED that the contracts be handled individually. Seconded by Mr. Rich. LOST.

THE PRESIDENT said the above matter is now open for discussion.

MR. HEINZER MOVED that these three contracts be TABLED. Seconded by Mr. Russbach. A voice vote was taken. However, the Chair being in doubt, he called for a division of the House, and a second STANDING VOTE was taken. LOST by a vote of 13 in favor of tabling and 25 opposed.

MR. JOSS MOVED TO REJECT the three contracts. Seconded.

MR. RICH said he thinks this Board is about to take a dangerous step in the collective bargaining process. He said he does not think this Board knows what the issues really are, and nobody spoke for the City. He said

Minutes of January 6, 1969

he feels that we do not really understand what we are doing and by rejecting these contracts we are entering into the bargaining process and we are allowing further debate on contracts which have been agreed upon and signed, which is a mistake.

MR. KAPLAN said he thinks it is only fair to state that just before the meeting we were advised that there are technical errors in the three contracts. He said he does not know what these errors are, but intends to vote against these contracts upon this representation. He said he wishes to service notice publicly and believes the Democratic majority wishes to also serve notice publicly that we are only dealing with technicalities and if there are any changes other than those that were negotiated in the contracts, dealing with monetary figures, we are not going to countenance this at the next meeting and will not tolerate any changes.

There being no further discussion, the PRESIDENT called for a vote on the motion to REJECT THE THREE CONTRACTS. CARRIED, there being 25 votes in favor of rejecting the contracts and 13 votes in opposition.

(2) Concerning Collective Bargaining Agreement Covering Two Years - From July 1, 1968 to and including June 30, 1970 --- BETWEEN THE CITY OF STAMFORD AND TEAMSTERS LOCAL UNION #145, FOR EMPLOYEES IN THE PUBLIC WORKS DEPARTMENT

MR. CONNORS MOVED to take up the above contract. Seconded by Mr. Rybnick and CARRIED.

VOTE taken on the contract for the PUBLIC WORKS EMPLOYEES and CARRIED with one "no" vote.

At this time the Board returned to their regular order of business.

APPOINTMENTS COMMITTEE:

MR. THEODORE BOCCUZZI, Chairman, reported that a meeting of the Appointments Committee was held on Thursday, January 2, 1969 in the Board Rooms and present were the following: John Rich, George Georgoulis and William Caporizzo.

He presented the following appointments for confirmation:

The Tellers distributed the ballots and the results of the voting appear below.

(1) PERSONNEL COMMISSION: ---

TERM ENDING:

WILLIAM NAPOLITANO
(Employees' Representative, and
no political affiliation needed)
73 Whitmore Lane

Dec. 1, 1971
(3 yr. term)

Minutes of January 6, 1969

Term Ending:

VOTE: 31 yes
5 no
2 abstentions

(2) HUMAN RIGHTS COMMISSION: (See Ordinance #110)GERALD LEONARD (R)

6 Pond Road

(Successor to Rev. Donald Campbell)

VOTE: 36 yes

2 no

Dec. 1, 1971

(3 yr. term)

(3) ELDERLY STUDY COMMITTEE: (A 9-member Committee,
under provisions of Ordinance #153,
effective 11/1/68)MISS SARAH F. SMITH (R)

70 Strawberry Hill Ave.

VOTE: 38 yes

Dec. 1, 1969

(1 yr. term)

REV. CYRIL PETERS (R)

15 Rose Park Avenue

VOTE: 34 yes

4 no

Dec. 1, 1969

(1 yr. term)

LEO FOX (D)

700 Summer Street

VOTE: 34 yes

4 no

Dec. 1, 1970

(2 yr. term)

DR. BERNARD FRIEDMAN (R)

1425 Bedford Street

VOTE: 34 yes

4 no

Dec. 1, 1971

(3 yr. term)

MRS. FRIEDA BROWN (D)

Greenbriar Lane

VOTE: 37 yes

1 no

Dec. 1, 1971

(3 yr. term)

(NOTE: Terms on Elderly Study Committee are staggered for 1, 2 and 3 yrs.,
after initial appointment, terms are 3 yrs.)

(4) BOARD OF TAX REVIEW: (Meets Jan. 6, 7, 9 & 11)Term Ending:EVERETT NIEMI (R)

77 Maple Avenue

(Reappointment)

VOTE: 32 yes

6 no

Dec. 1, 1973

(5 yr. term)

MR. MORRIS MOVED for SUSPENSION OF THE RULES at this time for the following
matter. Seconded and CARRIED unanimously:

BOARD OF EDUCATION - VACANCY CREATED BY RESIGNATION OF ELLIS BAKER (R)
(Term: Dec. 1, 1966 to Dec. 1, 1969)

Minutes of January 6, 1969

MR. MORRIS offered the name of MRS. ANNA B. CUNNINGHAM (R) 56 Hubbard Avenue, in nomination, to fill the above vacancy. He said the Republican Town Committee approved Mrs. Cunningham for this vacancy, and he outlined her qualifications to fill this post.

MR. RICH nominated CONSTANTINE A. BRANDI (R), 67 Noble Street. He presented Mr. Brandi's qualifications.

There being no further nominations, on motion duly seconded and CARRIED, the nominations were declared closed.

ELECTION OF REPLACEMENT TO FILL VACANCY ON BOARD OF EDUCATION

The Tellers distributed ballots to the Members and the President instructed them to write the name of their choice on the ballot.

There were two votes taken on this replacement. The first vote resulted in a TIE VOTE of 19-19.

A second vote was taken, resulting in the ELECTION OF MRS. ANNA B. CUNNINGHAM there being 20 votes for Mrs. Cunningham and 18 votes for Mr. Brandi.

FISCAL COMMITTEE:

MR. JOHN BOCCUZZI, Chairman, said the Fiscal Committee met and acted on the following items on the agenda:

- (1) \$23,500.00 - PUBLIC WORKS DEPARTMENT - For the following overtime:
(See Mayor's letter of 11/15/68 - (REDUCED by Board of Finance from \$74,500.00 on 11/14/68) - Partially approved by Board of Representatives on 12/2/68 with the following held in Committee):

Code 602.0103 Overtime, Administration -----	\$ 2,000.00
Code 606.0103 Overtime, Bureau of Highways & Maintenance, Division of Highways -----	10,000.00
Code 607.0103 Overtime, Bureau of Highways, Division of Equipment Maintenance -----	3,000.00
Code 614.0103 Overtime, Bureau of Highways, Division of Street Cleaning -----	3,000.00
Code 618.0103 Overtime, Maintenance of Sanitary Sewers---	5,000.00
Code 622.0103 Overtime, Bureau of Sanitation, Pumping Stations -----	500.00
	<u>\$23,500.00</u>

MR. BOCCUZZI reported that Item #1 above was TABLED by the Committee for another month. He said at this time he would like to request Mrs. Farrell, in writing, to request Commissioner of Public Works Loglisci, to go to the Board of Finance and find out if it is possible to transfer monies from the salaries account into the overtime account. He said this seems

Minutes of January 6, 1969

to be the only reason why the Fiscal Committee voted to table this item for another month.

MR. CONNORS said he wonders if this isn't going to work a hardship on some people who have worked overtime, because after all, if they did work, he thinks they are entitled to the money due them. He said even if they could transfer the money, they have to pay for legitimate work that has been done by these people. He asked if anyone can answer the question as to whether this will work a hardship on the people who have already worked this overtime.

MRS. PONT-BRIANT said to answer Mr. Connors - in caucus they showed him the appropriation book which shows that the people who have worked overtime have been paid. She said this is strictly a stipulation that some of the overages in the salaries account be transferred to cover future overtime.

MR. CONNORS said he does not think this answers his question, because we are now getting into the winter season and are going to have a lot of overtime, with snowstorms and the City demands services, so what are we going to do - wait until we get some money to pay these people for doing work that they have been requested to do and are justified in collecting their wages. He said this is hard for him to understand, because we cannot run this business on a shoe string - we have to have the money in the account ready to pay these people, as we have always had in the past.

MR. DEUTSCH said he has here for Mr. Connor to examine, the Trial Balance and Appropriation Register for the past several months, and the Committee finds that the monies are constantly being paid out without regard to whether they are in the Budget or not, and presumably, if this has been done in the past, it will continue. He said he thinks the Commissioner of Public Works could give us the courtesy of making this request of the Board of Finance - he said that he would, and yet the Committee could find no mention any place in the Board of Finance minutes of rejection or approval of this request. He said he thinks that if they would like to turn it down, then, at that time we can take a different action.

MR. BOCCUZZI said at the Fiscal Committee meeting, Mr. Canavan answered the question and he does realize that the Commissioner did not go before the Board of Finance as requested, but believes this was somewhat our fault because we failed to request this in writing. He said Mr. Canavan told them that overage in the salary account can be wiped out as fast as it accumulates and he explained the different reasons why -- that people working at different jobs over their pay scale, with people out sick, and he also mentioned that normally they don't transfer money from the salary account into the overtime account and if there should be any overage in this account, during the last two months of the year, at that time they transfer it so that it is not necessary to

Minutes of January 6, 1969

make an appropriation for the previous fiscal year in another fiscal year. He said as for himself, he is in favor of this appropriation.

MR. HEINZER said he wonders why we are discussing this since there has been no motion to remove this from Committee.

THE PRESIDENT said he thinks that is what Mr. Connors was addressing himself to.

MR. CONNORS said he believes there should be some clarification, because the original vote in the Fiscal Committee was 4 to 3 and was by no means a unanimous vote. He said he thinks we should take this out of Committee and let the members decide for themselves as to whether or not they should approve this request, and SO MOVED.

MR. GRISAR said the ultimate vote of the Committee was 5 to 3.

MR. CONNORS said for his information the Committee originally had a vote of 4 to 3 last Friday night.

THE PRESIDENT called for order.

MR. HEINZER asked if the motion to take this out of Committee was seconded.

MR. GEORGOULIS said he seconded the motion.

VOTE taken to remove this from Committee. LOST. The matter remains in the Fiscal Committee.

(2) \$2,523.43 - PUBLIC WORKS DEPARTMENT - Code 626.0101, Salaries, Bureau of Engineering - Upgrading of Salary of Assistant City Engineer - (Approved by Personnel Commission - (See Mayor's letter of 11/15/68 - Held in Committee 12/2/68)

MR. BOCCUZZI MOVED for approval of the above request. Seconded by Mrs. Pont-Briant and Mr. Dixon and CARRIED.

(3) \$19,537.50 - FIRE DEPARTMENT, covering the following: (See Mayor's letter, undated)

Code 540.0101 Salaries (5 Fire Alarm Operators,	
from 1/1/69 to 7/1/69)-----	\$18,187.50
Code 540.2501 Uniforms -----	1,100.00
Code 540.2201 New Equipment -----	250.00
	<u>\$19,537.50</u>

Minutes of January 6, 1969

MR. BOCCUZZI MOVED for approval of the above request.

MR. JOSS said the Health & Protection Committee also approved this appropriation and seconded the motion. CARRIED.

- (4) \$1,880.00 - FIRE DEPARTMENT - Code 540.2201. New Equipment - Telephone - (To replace one-position switchboard with a two-position Board - See Mayor's letter of 12/17/68)

MR. BOCCUZZI MOVED for approval of the above request. Seconded by Mrs. Pont-Briant and CARRIED.

- (5) \$7,800.00 - DEPARTMENT OF PUBLIC HEALTH - Code 510.0914 Maternal and Child Care - (City to be reimbursed by a STATE GRANT - See Mayor's letter - undated)

MR. BOCCUZZI MOVED for approval of the above request. He said this check has been received by the City from the State, but the Health Department can't use it until we appropriate the money. Seconded by Mr. Joss who said the Health & Protection Committee concurs in approval. CARRIED.

- (6) \$105,118.00 - DEPARTMENT OF PUBLIC HEALTH - Code 511.0101. Salaries for Code Enforcement Task Force - (To be received as a STATE GRANT - Employees not to be Civil Service - Mayor's letter of 12/18/68)

MR. BOCCUZZI MOVED for approval of the above request. He explained that this money will be received by the City from the State and therefore will have no effect on the mill rate. He said the primary function of this "Task Force" will be to enforce Ordinance #65 and not only to instruct landlords to keep their buildings in good repair, but also to get the tenants to respect the landlords' property.

MR. JOSS seconded the motion and said the Health & Protection Committee concurs in approval.

MRS. PONT-BRIANT said she also seconds the motion, but with the stipulation that this grant is given the City by the State, because they do not know this has been granted as yet.

MR. CHIRIMBES asked a question, through the Chair. He said he notices the employees are not to be Civil Service and wanted to know if these employees will be brought into Civil Service when this Grant has been expended. He asked why isn't this Civil Service, or is it because it is a State Grant?

MR. BOCCUZZI said it is his understanding from Dr. Gofstein that these people are not to be under Civil Service and will be employed only as long as the State Grant lasts, which is the reason for them not being Civil Service.

Minutes of January 6, 1969

MR. CHIRIMBES said therefore this means that when the funds from this particular Grant are expended, it will eliminate this department.

VOTE taken on Item #6 above. CARRIED.

- (7) \$190,915.00 - BOARD OF EDUCATION - For continuance of program - Disadvantaged Children Project 135-1 "Educational Services for Disadvantaged Pupils" under Public Act 35 - (Submitted under terms of Resolution No. 546 approved by Board of Representatives 1/8/68, which concerns Federal and State GRANT FUNDS) - (See letter dated 10/9/68 from Dr. Joseph B. Porter, Supt. of Schools)

MR. BOCCUZZI MOVED for approval of the above request. He explained this is a continuation from last year and represents the amount that the State will give the City for this Project and has no effect on the mill rate. Seconded by Mr. Rich who said his Committee - the Education, Welfare & Government - concurs in approval. CARRIED.

- (8) \$2,924.94 - PENSION, POLICE DEPARTMENT - For Patrolman William Duda, effective 12/13/68, based on annual pension of \$5,291.28 or 60% of his annual salary of \$8,818.80 - (Mayor's letter of 11/27/68)

MR. BOCCUZZI MOVED for approval of the above pension. Seconded and CARRIED.

- (9) \$3,056.32 - PENSION, POLICE DEPARTMENT - For Sergeant Bernard J. Hagan effective 1/4/69, based on annual pension of \$6,183.33 or two-thirds of his annual salary of \$9,275.00 - (Mayor's letter of 11/27/68)

MR. BOCCUZZI MOVED for approval of the above pension. Seconded and CARRIED.

- (10) \$225.00 - HUMAN RIGHTS COMMISSION - Code 192.0101. Salaries - For reclassification of Secretary, Grade 9 to Executive Secretary, Grade 10 - (Approved by Personnel Commission - (See Mayor's letter of 11/8/68)

MR. BOCCUZZI MOVED for approval of the above request. He said although his Committee approved this item, they felt it was bad timing to put in for an upgrading of a Secretary due to the fact that the contracts are coming out. However, he said they talked to Mr. Brown who told them that the paper work on this had been started back in late September and early November and it just took it this long to get to the Board of Representatives. He explained that the girl in this position has had 12

years service with the City. He said the Committee made it clear that just because this position is up-graded will not leave an opening in that Department for a Secretary and Mr. Brown assured them there will not be an opening and no new personnel added.

The above motion was seconded and CARRIED.

LEGISLATIVE & RULES COMMITTEE:

- (1) CONCERNING ORDINANCE #156 - PUBLIC DISCLOSURE OF CONTRACTS WITH CITY OF STAMFORD, CONNECTICUT (Given final approval 12/2/68, with effective date 12/26/68)

MR. BROMLEY relinquished the floor to Mr. Kaplan, the author of the above Ordinance, at this time.

MR. KAPLAN said during the previous week he, Mr. Morris and Mr. Fusaro have met at great length with City officials concerning the above Ordinance. He said it was their unanimous opinion that the purposes served by this Ordinance are well served by it. However, he said, there has been differences as to the details of putting it into effect and one of these problems has been the question as to how often people would have to file who have repeated contracts with the City, such as oil delivery, which might even be on a weekly basis. He said they decided that they can accomplish the same goals desired by this Ordinance by having periodic filing by contractors with the City placing a complete list at the end of each year on record in the Town Clerk's Office as to exactly who is doing business with the City and of course, the stockholders, the partners and the trustees, of each corporation doing business with the City.

He said they felt this could be done in a more expeditious manner and need a little more time in which to put this into effect. He said he has prepared an amendment to this Ordinance which he would ask the Board to pass under SUSPENSION OF THE RULES and SO MOVED. Seconded and CARRIED to suspend the rules.

MR. KAPLAN explained that this will change the date the Ordinance takes effect to February 4, 1969 which will be the day after our next meeting and he would hope by our next meeting we can have certain details straightened out in the Ordinance. He said he wants to emphasize that this is not a weakening of the Ordinance, despite some comments which appeared in the paper today. He said there will be no exemptions of any corporations which are not now covered - the same people covered will remain covered and the Ordinance will be strengthened so that non-filing will be made a penalty punishable by fines and jail, which was not the case under the present Ordinance.

He said on behalf of both himself and the Legislative & Rules Committee he would like to state something for the record. He said this Board

Minutes of January 6, 1969

publishes Ordinances with a meaning and the reason it is published before it is passed is so that people who have comments to make can bring it to the attention of the Board. He said a hearing was held on this Ordinance and the reason this is done is so that anyone who has something to say can attend the hearing. In this case, he said they found that no one objected to one word in the Ordinance and did nothing until the Mayor had signed it. At that time suggestions were made by qualified City personnel that technical matters could be done differently in the Ordinance. He said if an Ordinance is to have any meaning at all, it has to have the enthusiastic backing of the people who are going to enforce it and it is for this reason we are making modifications in principle to the Ordinance which will be entirely satisfactory to the Municipal officials who deal with contracting on behalf of the City. He said the public can rest assured that the amendments that will be forthcoming at the February meeting will not weaken our attempts, that of the administration of the City or of the Board of Representatives to place the public use of tax funds clearly upon the public record and beyond reproach and beyond question.

MR. KAPLAN MOVED for adoption of the following Ordinance, waiving pre-publication. Seconded and CARRIED, unanimously.

ORDINANCE NO. 157 SUPPLEMENTAL

CHANGING EFFECTIVE DATE OF ORDINANCE NO. 156 SUPPLEMENTAL

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

The effective date of Ordinance No. 156 Supplemental, entitled:

"CONCERNING PUBLIC DISCLOSURE OF CONTRACTS WITH THE CITY
OF STAMFORD, CONNECTICUT"

shall be changed from December 26, 1968 to February 4, 1969.

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

MR. BROMLEY presented his Committee report at this time. He said his Committee met twice - once on December 29, 1968 and once on January 5, 1969. Present at both meetings were Messrs. Bromley and Plotnick. He said the next meeting of his Committee will be held on Monday, January 27, 1969 at the Municipal Office Building.

- (2) Concerning CREATION OF A DESIGN REVIEW BOARD - (Mayor's letter of 3/11/68 requesting adoption of an Ordinance creating this Board, to review architectural drawings, etc. - Held in Committee 6/3/68, 7/1/68, 8/5/68 and 9/3/68 - Approved for publication 10/7/68; published 10/10/68; hearing held 10/29/68; held in Committee 11/6/68 and 12/2/68)

Minutes of January 6, 1969

MR. BROMLEY said after a long history of this matter, the Committee has finally succeeded in getting comments from those who are going to be most affected by it - namely, the architects and some of the builders. He said many objections were raised and the Committee has gone over these objections and has tried to meet, principally, the objections of the architects, because they will be the ones most affected by it. He said there were two chief objections which they dealt with - one was an objection having to do with the timing of submitting an application to the Design Review Board and under the Ordinance, as published, the timing was geared to the obtaining of a Building Permit. He said a great deal of money can be spent on plans before you ever get to the Building Permit stage. He said the Zoning Board now, in order to get an effective design review in a designed commercial district and other designed districts it is sufficient simply to submit your first set of plans without having to submit a final set as you would in order to get a Building Permit.

He said the Committee has tried to change this to suit the architects. The other question that the architects raised, which he feels was not really covered, was the question that here we're creating a Design Review Board which principally affects the architects; therefore the architects on that Board should have the say when plans are disapproved. He said they tried to meet this objection by saying that no disapproval shall be made to plans unless two of the five architects on the Design Review Board concur in this. Therefore, the effect of this would be that laymen would not be rejecting architect's plans.

He said there are other technical changes made by the Committee and what he is now proposing, since they have really re-done the entire Ordinance and made some additions and several modifications, is to re-publish the Ordinance and he SO MOVED. Seconded.

MR. RUSSBACH spoke against the creation of this Board.

THE PRESIDENT declared the speaker out of order.

MR. RUSSBACH asked why he is out of order.

THE PRESIDENT said the motion is for publication and not adoption of the Ordinance.

MR. RUSSBACH said he is speaking against publication, because he does not like the way it is created and thinks it is unnecessary.

THE PRESIDENT informed the speaker that will be brought up at next month's meeting when the Ordinance is before the Board for adoption, at which time the merits of the Design Review Board will be before the Board for discussion.

MR. KAPLAN spoke in favor of publication. He said the committee has done a tremendous job in drafting and re-drafting this Ordinance and he, for one, would like to see the Ordinance in it's new form as turned out by

Minutes of January 6, 1969

the Committee and the only way to do this is to publish it. He said in the Democratic caucus a question was raised as to the possibility of an amendment being made so that only projects over a certain monetary value would be subject to the Architectural Review Board, so that minute improvements would not be subject to this particular form of review and would not be delayed. He said he wishes to serve notice that he will propose such an amendment at the next Board Meeting, but right now what is before the Board is a motion to publish the proposed Ordinance and he thinks we should do it.

After some further discussion, a VOTE was taken on the publication of the following proposed Ordinance and CARRIED with one "no" vote:

PROPOSED AMENDED ORDINANCE

REGARDING CREATION OF A DESIGN REVIEW BOARD.

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

The Building Code of the City of Stamford be amended so as to add the following as Section 6 (d) thereof:

6 (d)

1. There shall be a Design Review Board consisting of nine Stamford Electors, eight of whom shall be appointed by the Mayor, subject to confirmation by the Board of Representatives. Original appointments shall be one year for three members, two years for three members and three years for three members. Appointments thereafter shall be for terms of three years. Membership of the Board shall at all times include no less than five professional architects. The City's Building Department shall have one membership on the Board, to be designated by the Building Inspector. No more than five members of said Board shall be members of the same political party. The Design Review Board shall be administered by the Building Department of the City of Stamford.
2. No permit shall be issued for any structure, sign or building to be erected, or to be altered on the exterior, other than one, two and three family residences and buildings appurtenant thereto, until the provisions of this Section 6 (d) are complied with. Nothing contained in this Section 6 (d) shall prevent the Building Inspector from issuing a permit six (6) months after an unfavorable opinion has been rendered by the Design Review Board. Provided, however, that if the permit concerns a sign that is appurtenant to any existing structure or building, the time set forth above, shall be two (2) months after an unfavorable opinion of said sign has been rendered by the Design Review Board.
3. Each applicant for a Building Permit within the purview of this Section 6 (d) shall, simultaneously with the filing of an application for said Building Permit, or prior thereto, file with the Design Review Board such plans, specifications, or other material as will be sufficient to describe and show the architectural style, design, material quality,

intended use, site location, exterior lighting, landscaping and the esthetic suitability in relation to the surrounding area of the building, sign or structure to be erected.

4. Before issuing a permit, the Building Inspector shall obtain an opinion from the Design Review Board as to all structures, signs, buildings and exterior alterations except one, two and three family residences and buildings appurtenant thereto, which opinion shall be rendered publicly within the time as set forth in paragraph 5 below. Any opinion not rendered within said period shall be deemed a favorable opinion. A favorable opinion shall mean that the Building Inspector may then forthwith issue a permit, subject however, to the other provisions or requirements of the Building Code. An unfavorable opinion rendered by the Design Review Board shall mean that the Building Inspector shall not issue a permit until six (6) months after the rendering of such unfavorable opinion, or compliance by the applicant with the opinion of the Design Review Board, whichever occurs first.

5. If the Design Review Board approves the application of any applicant, it shall, within fifteen (15) days of the receipt of said application, file a written opinion to that effect with the Building Inspector and sent a copy of said opinion to the applicant. In the event the Board disapproves of said application or reasonably requires further material from said applicant, the Design Review Board shall, within fifteen (15) days from the submission of the application, schedule a meeting with the applicant, which meeting shall be held within said fifteen (15) day period. Thereafter, the Design Review Board shall, within fifteen (15) days of said meeting, or with the consent of the applicant, such later period as is agreed to, issue to the applicant and the Building Inspector a written opinion, setting forth its approval or disapproval of the application. In the event the Design Review Board disapproves of any application, it shall set forth with particularity the reasons for its disapproval. No unfavorable opinion shall be rendered without the concurrence of at least two of the architects then serving on the Board. Failure of the Design Review Board to comply with any provisions of this paragraph shall be deemed to be the rendering of a favorable opinion by the Design Review Board with reference to the application and the provisions of this Section 6 (d) shall not prevent the issuance of a Building Permit.

6. The Design Review Board shall render public and written opinions as to all applications hereunder within the time limits set forth above. All approved exterior plans, site plans and exterior structural materials approved by the Design Review Board shall constitute parts of the plans referred to in Section 7 of the Building Code. In the event an opinion is rendered subject to written agreement of the applicant as to changes to be made to exterior plans, site plans and/or exterior structural materials, said agreement shall also constitute a part of the approved plans referred to in Section 7 of the Building Code. In the event that the applicant and the Board do not reach agreement regarding changes to

Minutes of January 6, 1969

be made, the areas of disagreement may be publicized.

7. The Design Review Board shall consider in its deliberations, considerations of architectural style, design, material quality, intended use, site location, exterior lighting, landscaping and the esthetic suitability in relationship to the surrounding area of the building, sign or structure to be erected. In addition, the Design Review Board shall consider whether the applicant's proposed structure interferes with any public service or facility.

8. The Design Review Board shall receive and consider such inquiries and requests for assistance in matters involving esthetics and design, as may, from time to time, be submitted by any official Department, Board or Commission of the City of Stamford.

9. The Design Review Board shall not have the power to review the design of movie marquees and signs having an over all size of fifty (50) square feet or less. Nor shall it have the power to review the design of outdoor advertising signs, subject to the provisions of Sec 13a-123 of the Connecticut General Statutes (1958 Supp. 1967 Revision) and Public Law 89 - 760, 89th Congress, which said Statutes are implemented by a certain agreement between the United States of America, represented by the Secretary of Transportation and the State of Connecticut, represented by the State Highway Commissioner.

10. Nothing herein contained shall apply to applications for Building Permits in any Designed District, as defined under the Zoning Regulations of the City of Stamford. The Design Review Board is hereby authorized to act on any referral from the Planning Board, Zoning Board or Zoning Board of Appeals and to advise said Board in writing of its opinion, using the standards hereinabove set forth.

11. Any application for a Building Permit filed prior to the date of the enactment of this Ordinance shall not be affected by this Ordinance.

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

3. Final adoption of Ordinance #158 "CONCERNING EXCHANGE OF PROPERTIES BETWEEN THE CITY OF STAMFORD AND RUSSELL M. BOCCUZZI" - (Widening of Cove Road) - (Mayor's letter of 10/16/68) - (Approved by Board of Finance 10/24/68 and received too late to go on November Agenda - Adopted for publication 12/2/68; published 12/7/68)

MR. BROMLEY MOVED for final adoption of the following Ordinance. Seconded by Mr. Kelly and CARRIED unanimously:

ORDINANCE NO. 158 SUPPLEMENTAL

CONCERNING EXCHANGE OF PROPERTIES BETWEEN THE CITY OF STAMFORD AND RUSSELL M. BOCCUZZI

Minutes of January 6, 1969

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 Russell M. Boccuzzi of the following properties is hereby approved, vizi:

Property to be deeded to the City of Stamford by Russell M. Boccuzzi:

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 75.58 ft. by land of the City of Stamford,
Easterly 25.55 ft. by land of the City of Stamford,
Southerly 80.89 ft. by land of Russell M. Boccuzzi, and
Westerly 4.28 ft. by Van Buskirk Avenue

Being known and designated as Parcel "A" as shown and delineated on a certain map entitled, "Map showing Property to be Acquired by the City of Stamford for Highway Purposes", Parsons, Bromfield & Redniss, Surveyors, January 22, 1968, which map is on file in the office of the Town Clerk of the City of Stamford.

Property to be deeded by the City of Stamford to Russell M. Boccuzzi:

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 73.33 ft. by land of the City of Stamford,
Easterly 20.74 ft. by land of the City of Stamford,
Southerly 58.95 ft. by land of the City of Stamford and land of John A. Kilian, et al, each in part, and
Westerly 64.04 ft. by land of Russell M. Boccuzzi.

Being known and designated as Parcel "G" and Parcel "H" as shown and delineated on a certain map entitled, "Map showing Property to be Acquired by The City of Stamford for Highway Purposes", Parsons, Bromfield & Redniss, Surveyors, January 22, 1968, which map is on file in the office of the Town Clerk of the City of Stamford, and is hereby authorized.

Minutes of January 6, 1969

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 on the date of its enactment.

4. Final adoption of amendment to Stamford BUILDING CODE - ORDINANCE NO. 80.15 "CONCERNING ADOPTION BY CITY OF STAMFORD OF STATE BUILDING CODE, IN ACCORDANCE WITH PROVISIONS OF SEC. 19-395 OF THE GENERAL STATUTES OF CONNECTICUT, AS AMENDED" - (Requested in letter dated 6/19/68 from James Sotire, Building Inspector) (Held in Committee 9/3/68; 10/7/68; 11/6/68; approved for publication 12/2/68; published 12/7/68)

MR. BROMLEY MOVED for approval for final adoption of the following Ordinance. Seconded by Mr. Heinzer who said the Public Works Committee concurs on this.

MR. KAPLAN said he understands from professional engineers and architects that both the old and the new Building Code are products of the 19th Century and have no business in the City of Stamford. He said these Codes tell you how you are supposed to do the building and judge a building by the technical way in which it is put together, rather than by the results. As a result the progress we have gotten by automation is absolutely not used and if we had to build an automobile the way we build buildings, they would all cost Rolls Royce prices. He said he understands that at an expense of around a million dollars the City of New York has recently adopted a Building Code which is the first 20th Century Building Code in the United States and if it were adopted in similar form in the City of Stamford, might have the effect of bringing down the cost of building and improving the quality of building. As a result, he said, while we should vote for this amendment, he believes we should bear in mind it is not the final amendment and it would be possible for the City of Stamford to have a substantive change in its Building Code which might radically bring down the cost of building in our City which is going sky-high.

VOTE taken on the following Ordinance #80.15 and CARRIED unanimously:

ORDINANCE NO. 80.15 SUPPLEMENTAL

AMENDING BUILDING CODE OF CITY OF STAMFORD BY ADOPTION OF STATE OF CONNECTICUT BASIC BUILDING CODE, IN ACCORDANCE WITH PROVISIONS OF SECTION 19-395 OF THE GENERAL STATUTES OF CONNECTICUT, AS AMENDED

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

The Building Code of The City of Stamford is hereby amended as follows:

Minutes of January 6, 1969

1. Section 100, sub-paragraph 2 is hereby repealed.
2. Section 100, sub-paragraph ¹ is re-enacted as follows:

2. CONFORMANCE WITH CODE

- a. The provisions of this Code shall govern the design, construction, alteration, demolition and moving of all buildings. They shall apply to existing and proposed buildings as herein provided except as such matters may be otherwise prescribed in the statutes of the State of Connecticut or in the municipal charter or other local ordinance of the City of Stamford.
- b. The State of Connecticut Basic Building Code is hereby adopted and made a part of the City of Stamford Building Code, in accordance with the provisions of Section 19-395 of the General Statutes of Connecticut, as amended.
- c. If in any specific case there is an apparent difference in the materials, methods of construction or other requirements specified in this Code, the State of Connecticut Basic Building Code, or between the requirements of these Codes and of any applicable law or ordinance, the more restrictive shall govern.
- d. The repeal provided for in paragraph 1 above shall not affect any offense or act committed or done or any penalty incurred prior to the effective date of this amendatory Ordinance, nor shall it affect any prosecution suit or other proceedings pending or any judgment rendered prior to said effective date.

This Ordinance shall take effect under the provisions of Section 204.1a of the Charter.

THE PRESIDENT called attention to the fact that the vote on the previous three items, there were more than 21 present. (Note: The roll call showed 38 present and 2 absent)

5. Proposed Resolution REDESIGNATING COMMITTEE ON TRAINING & EMPLOYMENT, INC., AT THE OFFICIAL CAP AGENCY OF THE CITY OF STAMFORD -
(Mayor's letter of 8/20/68; public hearing held 7/1/68 -
Held in Committee 10/7/68; 11/6/68 and 12/2/68)

The above matter was held in Committee. Mr. Bromley said he has been in touch with Mr. Glen at CTE and he was getting together his information and said he would attend the next meeting of the Legislative & Rules Committee.

Minutes of January 6, 1969

6. Concerning RAISE IN PERMIT FEES ON BUILDING CONSTRUCTION PROJECTS
(Being proposed amendments to BUILDING CODE, requested in letter of 10/8/68 from Commissioner of Public Works)

MR. BROMLEY said they are working on this Ordinance and it is being held in Committee this month.

7. Proposed Ordinance MAKING IT ILLEGAL TO SELL OR POSSESS INFLAMMABLE LIQUIDS SUCH AS GASOLINE, IN GLASS CONTAINERS - (Proposed in letter of 11/26/68 from Howard Kaplan, 14th District Representative) - (Note: See State Fire Marshal's regulations and regulations of Commissioner of State Police, dated 11/4/68 concerning above matter)

The above matter was held in Committee.

8. Request for WAIVER OF BUILDING PERMIT FEE for NEW HOPE CORPORATION, pursuant to Ordinance 80.7 which amends Building Code - (Requested in letter of 12/9/68 from Robert B. Wise, Attorney)

MR. BROMLEY MOVED for approval of the waiver of this Building Permit Fee. Seconded.

MR. HEINZER said he would like to ask a question. He asked if it is possible when this Board waives fees of this kind that we could in some way guarantee that the benefits fall to the Institutions concerned rather than to the building contractor. He asked if it would be possible to waive these fees, subject to the stipulation that the benefits go to benefit, in this case, the New Hope Corporation.

THE PRESIDENT informed the speaker that these are all charges against the job and if the charge is not there, it cannot be reflected in the charges to the corporation.

MR. HEINZER said once the contract is signed, it specifies the charges, and the specified sum, then when this Board waives the fees for the Building Permit, it benefits only the contractor.

THE PRESIDENT said this is not necessarily true.

MR. HEINZER wanted to know if there isn't some way in which this Board can guarantee it benefits the corporation rather than the contractor.

THE PRESIDENT said "no". He said the guarantee lies with the corporation and he is sure that their attorney has this in mind when he asks for a waiver of the fee, and he is doing it for his client rather than for the contractor.

MR. KAPLAN said in this sort of situation he feels they all anticipate getting the waiver and whether or not this particular vote goes to the

Minutes of January 6, 1969

corporation or the builder, the fact that they "envision" getting this type of approval from us reduces the price to the charitable corporation. He said he thinks it ends up on the right side in the long run.

MR. HEINZER said that is what we hope will happen, but in the future could not this Board do something about rebating these fees to the charitable corporation rather than to the contractor? In this way we would be sure that the benefit is where it belongs.

THE PRESIDENT said not under our present Ordinance governing this, as we have a right to waive the fee, but not the right to rebate fees paid.

VOTE taken on Item #8 above. CARRIED unanimously.

9. Request for REVISION OF SECTION 102 of BUILDING CODE ("USE GROUP AND CONSTRUCTION") - (Letter dated 11/16/68 from Booth Hemingway, 19th District Representative, for CITIZENS FOR CONSERVATION, INC).

The above matter was held in Committee.

10. Mayor's letter (dated 12/17/68) - Concerning adoption of two new resolutions (Nos. 596 and 597) similar to Resolutions No. 574 and 575, adopted by Board of Representatives on 9/3/68 AUTHORIZING APPLICATION FOR FEDERAL AND STATE GRANTS FOR CONSTRUCTION OF SANITARY SEWERS SOUTH OF PARKWAY, SHIPPAN POINT - INTERCEPTOR SEWERS, CONTRACT 1 and CONTRACT 3

MR. BROMLEY MOVED for approval of the following Resolution No. 596. He explained that what we are being asked to do is to simply add on to this the inclusion of "Contract 3" which becomes, in effect, two new resolutions, taking the place of the previous ones (No. 596 and 597)

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

RESOLUTION NO. 596
AUTHORIZATION TO FILE APPLICATION WITH FEDERAL GOVERNMENT FOR GRANT IN CONFORMITY WITH 33 U.S.C. 466a TO AID IN DEFRAYING COST OF CONSTRUCTION OF SEWERAGE TREATMENT DESCRIBED AS "EXTENSION OF SANITARY SEWERS SOUTH OF PARKWAY, SHIPPAN POINT - INTERCEPTOR SEWERS, CONTRACT 1 and CONTRACT 3"

WHEREAS, the City of Stamford, Connecticut, herein called the "Applicant", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that the construction of certain works, required for the treatment of sewerage, generally described as "Extension of Sanitary Sewers South of Parkway, Shippan Point - Inter-

Minutes of January 6, 1969

ceptor Sewees, Contract 1 and Contract 3", herein called the "Project", is desirable and in the public interest, and to that end it is necessary that action preliminary to the construction of said Project be taken immediately; and

WHEREAS, under Section 466e, Title 33 of the UNITED STATES CODE, the United States of America, has authorized the making of grants to aid in financing the cost of construction of necessary treatment works to prevent the discharge of untreated or inadequately treated, sewage or other waste, into any waters and for the purpose of reports, plans and specifications in connection therewith; and

WHEREAS the Applicant has examined and duly considered said section of the UNITED STATES CODE, and related sections, and the Applicant deems it to be in the public interest and to the public benefit to file an application under said section of the UNITED STATES CODE and to authorize other action in connection therewith;

NOW, THEREFORE, BE IT RESOLVED by the Board of Representatives of the City of Stamford, Connecticut, the governing body of said Applicant, as follows:

1. That the construction of said Project is essential to and is in the best interests of the Applicant, and to the end that said Project may be constructed as promptly as practicable, it is desirable, that action preliminary to the construction thereof be undertaken immediately;
2. That the Mayor be hereby authorized to file in behalf of the Applicant an application (in the form required by the United States and in conformity with 33 U.S.C. 466a) for a grant to be made by the United States to the Applicant to aid in defraying the cost of construction of the sewerage treatment works as described above;
3. That if such grant be made, the Applicant agrees to pay all the remaining costs of the approved Project, over and above the amount of the grant;
4. That if such grant be made, the Applicant agrees to make provisions satisfactory to the Commissioner of the Federal Water Pollution Control Administration for assuring proper and efficient operation and maintenance of the treatment works after completion of the construction thereof;
5. That the said Mayor is hereby authorized to furnish such information and to take such other action as may be necessary to enable the Applicant to qualify for the grant;
6. That the said Mayor is hereby designated as the authorized representative of the Applicant for the purpose of furnishing to the United States such information, data and documents pertaining to the application for a grant as may be required; and otherwise to act as the authorized representative of the Applicant in connection with this application;

Minutes of January 6, 1969

7. That certified copies of this resolution be included as part of the application to be submitted to the United States for a grant.

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

RESOLUTION NO. 597

AUTHORIZATION TO FILE APPLICATION WITH STATE WATER RE-
SOURCES COMMISSION FOR GRANT UNDER PROVISIONS OF PUBLIC
ACT NO. 57 FOR CONSTRUCTION OF "EXTENSION OF SANITARY
SEWERS SOUTH OF PARKWAY, SHIPPAN POINT - INTERCEPTOR
SEWERS, CONTRACT 1 and CONTRACT 3"

BE AN IT IS HEREBY RESOLVED by the Board of Representatives
of the City of Stamford, Connecticut:

That the Mayor is hereby authorized to execute and file applications and agreements on behalf of the City of Stamford, Connecticut, with the Water Resources Commission for State Grants and/or advances, pursuant to the provisions of Public Act No. 57 and to execute on behalf of the City of Stamford, Connecticut, all the applications, instruments and documents and accept payments and do all other things that may be necessary for State and/or advances for the construction of Extension of Sanitary Sewers South of Parkway, Shippan Point - Interceptor Sewers, Contract 1 and Contract 3.

- (11) "WORKABLE PROGRAM FOR COMMUNITY IMPROVEMENT - 1968" - (See Mayor's letter dated 12/17/68 concerning annual re-certification to Federal Government, as outlined in letter, with attached document entitled: "WORKABLE PROGRAM FOR COMMUNITY IMPROVEMENT")

MR. BROMLEY said Mr. Wachter presented this program to the Legislative & Rules Committee and explained to the Committee that this year, instead of an outside agency, undertaking this report, it was assigned to him and is a logical assignment, since the information is at his fingertips in the Planning Board files. He said this benefits the City to have this under a City agency for future reference, rather than an independent agency.

He said it was the feeling of the Committee that Mr. Wachter should be commended for the fine job he did, which he accomplished almost single-handedly and spent many weekends and evenings of his personal time getting this report into shape. He said it is a progress report as it says in the title, to apprise the Federal Government of the progress being made by Stamford under its various programs and the Committee approves this and MR. BROMLEY SO MOVED. Seconded by Mr. Murphy and CARRIED unanimously.

PUBLIC WORKS COMMITTEE:

Concerning TOPICS STUDY PROGRAM

MR. DURSO said the Public Works Committee held an open meeting in December to discuss the above program with members representing the Federal, State and local government and a fair number of the general public were in attendance. He said Mr. Heinzer will give a report on the January meeting of the Public Works Committee.

Concerning proposed resolution on disposition of the Bell at the Glenbrook School

MR. HEINZER said the above matter is held in Committee.

HEALTH & PROTECTION COMMITTEE:

CONCERNING REVISION OF MODEL HOUSING CODE (Ordinance No. 65, enacted on August 30, 1957) --- (Being an Ordinance establishing minimum standards for dwellings) --- (Request from Dr. Gofstein, Director of Health, in letter of 12/16/68, enclosing a copy of the State Department of Community Affairs Model Housing Code, and asking that our Ordinance No. 65 be brought up-to-date with State Statutes and Supreme Court decisions.)

MR. JOSS said it is the Committee's desire to hold a public hearing on the above matter and in the meantime, it is being held in Committee.

PLANNING & ZONING COMMITTEE:

- (1) PROPOSED RESOLUTION (NO. 598) TO INITIATE BRINGING WINTER STREET UP TO STANDARDS ACCEPTABLE AS A CITY STREET, under the provisions of Chapter 64 of the Charter, Section 640 - (Letter to President, dated 12/9/68 from Jack Palmer, 13th District Representative)

MR. RUSSELL, Chairman, presented the following resolution and MOVED for its approval. Seconded and CARRIED:

RESOLUTION NO. 598

CONCERNING IMPROVEMENT OF WINTER STREET FOR ACCEPTANCE AS A CITY STREET PER SECTION 29.50 OF CODE OF GENERAL ORDINANCES OF STAMFORD AND SECTION 640 OF THE STAMFORD CHARTER

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

That it is the opinion of the Board of Representatives that the public health, safety, welfare, convenience and necessity require the construction and layout of the highway known as Winter Street in conformity with the specifications set forth in Ordinance No. 79 Supplemental of the Code of General Ordinances of the City of Stamford; and

Minutes of January 6, 1969

It is further resolved that it is the intention of the Board of Representatives, with the approval of the Mayor, to construct and layout said highway together with any curbing, drainage or other incidental installations required to carry out said project pursuant to the powers granted it under Section 640 of the Charter of the City of Stamford; and

It is hereby further resolved that the Mayor be and is hereby requested to direct the department of public works to do the preliminary engineering work, including preparation of surveys, plans, profiles, specifications, and estimates of the total cost of the improvement and to submit a report thereon to the Commissioner of Finance who shall make estimates of the value of any land proposed to be taken and of the amounts of the benefits or damages which should be assessed against or in favor of each piece of property affected; and

It is further resolved that the Mayor be requested to submit a report thereon to the Board of Representatives; and

It is further resolved that all of the cost of the work and improvements as aforesaid shall be assessed against the properties benefited thereby; and

It is further resolved that all necessary and requisite steps be taken toward the construction and layout of said highway, curbing, drainage and incidental installations in accordance with the provisions of Chapter 64 of the Charter of the City of Stamford.

- (2) List of recommendations from Planning Board for DISPOSITION OF CITY-OWNED PROPERTY under Section 2-24 (c) of Code of General Ordinances - (Received Oct. 23, 1968; copies sent to all Board members - Held in Committee 12/2/68)

The above matter was held in Committee.

- (3) Acceptance of Roads as City Streets:

MR. RUSSELL MOVED for acceptance of the following roads as City Streets. He explained that they have been certified for acceptance by the City Engineer in his letter of 1/6/69 as required by Ordinance No. 92 and the Maps are on file in the City and Town Clerk's Office:

DONATA LANE - Extending easterly from High Ridge Road to Vine Place. Length, approximately 625 ft. Map No. 8580.

VINE PLACE -- Extending from a dead end, which is 105 ft. north of Donata Lane Southerly. Length, approximately 260 ft. Map No. 8580.

Seconded and CARRIED

Minutes of January 6, 1969

URBAN RENEWAL COMMITTEE (A Special Committee):

MR. CALDER, Chairman, reported that his Committee met on December 30th, but due to the fact that it was new Year's eve, the only member present was the Chairman. He said he met with Mr. Hibben, the Executive Director of the URC.

MR. CALDER explained about the Court proceedings with the United Oil vs. the URC and said they (United Oil) have 30 days in which to file an appeal.

He said on December 17th the closing took place on the St. John's Towers, with a mortgage issued through the FHA for \$8,200,000.00 - the largest mortgage in Stamford's history. He said the URC received a check for \$158,400.00 from the St. John's Development Corporation in full payment for the land, in accordance with the land disposition contract. He said construction is proceeding and within the next few months a superstructure will begin to rise.

He said another point they discussed was the model for the new YMCA building adjacent to the Bell Street Parking lot, which is a change from the original one approved by this Board and will eventually have to come to us for further action. He said he is sure that he can have the model on hand for the February meeting for the members' examination.

C-DAP COMMITTEE (A Special Committee):

MR. MURPHY reported that his Committee met on December 19, 1968 with the following attending: Messrs. Murphy, Rybnick, Palmer, Rich and also members of the Special Housing Committee - Messrs. John Boccuzzi and Morris. Also attending were Mayor Giordano, C-DAP Director Cabana and members of the Housing Site Development Agency.

Letter from Mayor (dated 11/18/68) enclosing proposed Resolution No. 599, requesting approval to file application with the State for a STATE GRANT FOR THE HOUSING SITE DEVELOPMENT AGENCY - (Referred back to Committee on 12/2/68)

MR. MURPHY said their discussion of the proposed budget for the Housing Site Development Agency was long and detailed and, following the meeting, in executive session, the Committee voted to REDUCE the proposed Budget by 15% and therefore, the amount in the resolution as submitted in the Mayor's letter of 11/18/68 requesting approval to file application for State assistance is therefore reduced to \$51,510.00, and the local share (in kind) would be \$17,170.00 making a total budget of \$68,680.00.

MR. MURPHY MOVE for approval of the following resolution. Seconded by Mr. Scofield.

MR. RUSSBACH spoke against the motion, saying he feels it is a total waste of our tax money, because we are now faced with a State deficit of over \$120,000,000.00 and yet we in Stamford continue to jump at every opportunity to receive more of our tax money for useless projects and when we do, we have to pay increased State taxes to bail us out of the hole we're in. He said he would also like to point out that "aid in-kind" from Stamford is also money, no matter what we call it. He said he feels we should "wise up"

Minutes of January 6, 1969

because State and Federal funds are our money and there is no Santa Claus and we should stop deluding ourselves.

MR. CONNORS said he would like to inform his colleague that out of this deficit of \$120,000,000.00 a considerable part of it is due to relief - \$80,000,000.00 and regardless of your political affiliation, you are "stuck" with this Eighty Million Dollars for relief.

MR. MURPHY said he would just like to remind the members that any way you look at it, this is our money which we have paid out to the State in taxes and now it is coming back to us.

MRS. PONT BRIANT said she concurs with Mr. Russbach and said she wants to point out to Mr. Connors that the State of Connecticut operates on a basis of 100% and you can't put a deficit on any one thing- the whole operation results in a deficit in the State of Connecticut.

There being no further discussion, the PRESIDENT CALLED FOR A VOTE on the following resolution as presented by Mr. Murphy. CARRIED, with two "no" votes:

RESOLUTION NO. 599

AUTHORIZING FILING OF APPLICATION FOR STATE ASSISTANCE
WITH THE COMMISSIONER OF COMMUNITY AFFAIRS IN ORDER TO
UNDERTAKE A PROGRAM OF STUDY AND PLANNING FOR HOUSING

WHEREAS, pursuant to Public Acts 522, 760 and 768, 1967 Regular Session, the Commissioner of Community Affairs is authorized to extend financial assistance to local housing authorities, municipalities, human resource development agencies and non-profit corporations; and

WHEREAS, Sec. 4-114a of the General Statutes, as amended, provides that any party contracting with the State of Connecticut shall agree not to discriminate nor permit discrimination, in the performance of such contract, against any person or group of persons on the grounds of race, color religion or national origin in any manner prohibited by the laws of the State of Connecticut, or of the United States, and that such party shall agree to provide the Commission of Human Rights and Opportunities with such information requested by the Commission concerning the employment practices and procedures of such party as relate to said section; and

WHEREAS, it is desirable and in the public interest that the City of Stamford make application to the State for \$51,510.00 in order to undertake a program of Study and Planning for housing, and, if the State, acting by the Commissioner of Community Affairs, by letter offers to the City of Stamford an agreement for financial assistance for said program, the City of Stamford will accept said offer;

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

Minutes of January 6, 1969

1. That it is cognizant of the conditions and prerequisites for State assistance imposed by Public Acts 522, 760 and 768, 1967 Regular Session, especially the requirement of a Community Development Action Plan in Section 9(b) of Public Act 522.
2. That it recognizes the responsibility for the provision of local grants-in-aid to the extent that they are necessary and required for said program.
3. That the filing of an application by the City of Stamford in an amount not to exceed \$51,510.00 is hereby approved, and that the Mayor of the City of Stamford is hereby authorized and directed to execute and file such application with the Commissioner of Community Affairs, to provide such additional information, to execute such other documents as may be required by the Commissioner, to execute an Assistance Agreement with the State of Connecticut for State financial assistance, if such an agreement is offered, and to act as the authorized representative of the City of Stamford.

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

- (1) Concerning DESIGNATION OF THE TRINITY CORPORATION AS A HOUSING DEVELOPMENT CORPORATION, pursuant to Public Act No. 522, Section 20 - (See Mayor's letter, dated 9/30/68, enclosing proposed Resolution - Also see 12/2/68 Minutes under "Public Housing and General Relocation Committee")

No action taken on above, because of action taken on next item, creating an "Umbrella Agency".

- (2) COMMUNITY HOUSING DEVELOPMENT CORPORATION FOR STAMFORD, UNDER SECTION 20 AND SECTION 21 OF THE COMMUNITY DEVELOPMENT ACT (P. A. NO. 522) - (See memorandum to all Board members, from the Public Housing and General Relocation Committee, dated 11/25/68 - Copies mailed to all Board members, for action - Also see Minutes of 12/2/68 under above Committee)

MR. JOHN BOCCUZZI, Chairman, referred to the above memorandum which was sent to all Board members, saying it was very lengthy and he would not read it. He said the gist of the memorandum was that we are looking for an organization to accept the responsibilities of being the "umbrella organization" for all the community housing development non-profit organizations. He said they were very fortunate, after meeting with the Stamford Development Corporation, that they agreed to accept this responsibility. He said they did NOT seek this responsibility, but we asked them to take it. He explained that they are a non-political group and no member on this Committee is appointed by the Mayor of this administration or by any administration and their members consist of people all over Stamford and the Committee felt that with their knowledge that they could assist the City and also the Housing Committee of the Board, in getting housing for the City of Stamford. He asked if there is

Minutes of January 6, 1969

any member of the Board who has a question, to bring it up and if he can't answer their question, Mr. Morris can, as he has done more than his share of work in getting this memorandum put together and talking to the S.D.C. to get them to accept the "Umbrella" conception that we have.

MR. RICH said it seems to him that the Board is taking a very important step tonight in changing the activities of the Housing Development. He wanted to know what specific motion we are being asked to approve.

MR. BOCCUZZI MOVED to designate the STAMFORD DEVELOPMENT CORPORATION as the exclusive Community Housing Development Corporation for the City of Stamford. He explained they will be the ONE agency to go through to seek State Aid. Seconded by Mr. Morris.

MR. RICH MOVED TO AMEND Mr. Boccuzzi's motion that Better Housing, Inc., and New Neighborhoods, Inc., are exempted from the provisions of this proposal until they have completed the projects they now have under way. Seconded by Mr. Kaplan and Mr. Morris.

MR. BOCCUZZI accepted the amendment to his motion and requested Mr. Morris to read the "Proposal" at this time in order to further explain his motion.

MR. MORRIS read the following "Proposal":

In order to effect some degree of coordination of effort and to avoid a continuous proliferation of designers, all possessing the authority of contracting individually and directly with the State of Connecticut, this Committee is proposing that the previous designation of the three groups be rescinded and, in their place, a single COMMUNITY HOUSING DEVELOPMENT CORPORATION be designated. All existing and proposed non-profit housing sponsors would deal with the State THROUGH this single Community Housing Development Corporation. However, under the proposed organization, the non-profit sponsors would at all times have recourse to the Board of Representatives.

MR. RICH said what he is proposing is NOT to rescind the Stamford Development Corporation and the other two corporations, being the three named in this proposal.

VOTE taken on Mr. Rich's amendment. CARRIED with one "no" vote.

THE PRESIDENT said what is now before the Board is the main motion, as offered by Mr. Boccuzzi and amended by Mr. Rich.

MR. GUROIAN spoke in opposition to the "Umbrella Agency". He said North Stamford will not be affected one iota by the machinations of this Agency, but his District will be affected.

Minutes of January 6, 1969

MR. MORRIS explained what we are doing is that each application to CDAP for "seed" money went through the Housing Committee to the Board of Representatives. He said the Committee felt that they weren't really qualified to know if a non-profit organization which is applying to the Board of Representatives were aware of the different technical and legal aspects of this and how to go about it. He said the Committee was not aware of whether or not each organization had financial backing, etc. He said they felt if they got one agency, such as the Stamford Development Corporation to act as the "Umbrella Agency" all they would do is guide these people in processing their applications and to tell the Housing Committee where they thought these people would qualify under CDAP. He said this has nothing to do with "scattered sites" housing or north of the Parkway or south of the Parkway - all it is, is to give the Board of Representatives their opinion as to whether or not this particular organization is allowed to apply to CDAP. He said if it were not for this designation, then the members of the Housing Committee would have to make this decision. He said they also felt that perhaps in the future, there could be as many as maybe 30 of these organizations, with separate staffs, being all paid for by the State and they could be wandering all over the lot and possibly accomplishing nothing and the Committee felt that by designating ONE agency to control all of this and process it for us, that it would eliminate duplication of effort and simplify the entire procedure.

MR. JOSS, through the Chair, asked a question of Mr. Boccuzzi. He asked what jurisdiction will the Board, through its Housing Committee now have over the "Umbrella Agency".

MR. BOCCUZZI explained that the "Umbrella Agency" can only recommend to us what corporations they feel are capable, sound and have the experience to go ahead, once they have received their money, and produce a housing unit. We, in turn, will then bring it before the Board of Representatives and this Board WILL vote on every agency and this "Umbrella Agency" is strictly an advisory board to us and they will be doing the Housing Committee a big favor by taking all the details over.

MR. JOSS asked if after we approve the site, then after that, is as far as we go, then the Housing Agency takes over - right?

MR. BOCCUZZI said what Mr. Joss is doing is jumping to something else - what we are doing is merely approving the agency - we are not approving sites, because that will also have to come before the Board through the Housing Site Development Agency. He said this has nothing to do with the site but is merely the agency and this Board will still have to vote on it and make the final judgment and say where it's going to go.

Minutes of January 6, 1969

MR. MORRIS explained that all the agency does is to O.K. an application to CDAP for "seed" money and has nothing to do with land or sites.

MR. RUSSBACH said he understands the anxiety behind what Mr. Guroian is saying,, because it seems that when any housing is proposed, the neighborhood and the areas with heavy traffic where they have received a tremendous amount of apartment houses and now have portable classrooms also seem to be the areas where they want to build additional housing. He said when the areas where this housing is to go comes before the Board, a great deal of consideration should be given as to where they are to be placed. He said he also is afraid that when the sites are proposed that they will go into the areas that already have the heaviest concentration of housing and overcrowding.

MR. GUROIAN said since there seems to be some doubt as to what this is all about, HE MOVED that it be REFERRED BACK TO COMMITTEE. Seconded by Mr. Joss. LOST.

VOTE taken on the main motion as amended by Mr. Rich - that the STAMFORD DEVELOPMENT CORPORATION be designated as the exclusive Community Housing Development Corporation for the City of Stamford and that Better Housing, Inc., and New Neighborhoods, Inc. are exempted from the provisions of this proposal until they have completed the projects they now have under way. CARRIED, with two "no" votes.

OLD BUSINESS:

Concerning last appointment to BOARD OF ETHICS

MR. SCOFIELD said it has been twelve months since this Board adopted a Code of Ethics and establish a Board of Ethics and for some reason the Mayor has not appointed the third and final member of this Board. He said if the Board of Representatives felt that it was a necessary Board, he wishes that the Mayor would try to act on this matter as soon as possible.

THE PRESIDENT said a name will be proposed at our next Board meeting.

ADJOURNMENT:

There being no further business to come before the meeting, on

Minutes of January 6, 1969

5696

motion, duly seconded and CARRIED, the meeting was adjourned at
12.10 A.M.

Velma Farrell

Velma Farrell
Administrative Assistant
(Recording Secretary)

vf

APPROVED:

John C. Fusaro

John C. Fusaro, President
10th Board of Representatives

Note: The above meeting was broad-
cast over Radio Station WSTC
until 11 P.M.

VF