

MEETING OF THE 10th BOARD OF REPRESENTATIVESMinutes of July 7, 1969Stamford, Connecticut

A regular monthly meeting of the 10th Board of Representatives was held on Monday, July 7, 1969 in the Board's meeting rooms, Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut.

THE PRESIDENT called the meeting to order at 8.15 P.M.

INVOCATION was given by Rev. Mr. Edward Porada of St. Mary's R. C. Church

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

APPOINTMENT OF TEMPORARY CLERK:

In the absence of Frank Coperine, Clerk, the President appointed Robert L. Fedak as Temporary Clerk.

ROLL CALL was taken by the Temporary Clerk. There were 35 present and 5 absent at the calling of the roll. However, one member arrived shortly thereafter, one resigned and was replaced, changing the roll call to 37 present and 3 absent. The absent members were:

Frank A. Coperine (D) 1st District  
George Connors (D) 8th District  
Jack Palmer (R) 13th District

PAGE:

The President announced the presence of a Page:

Gerry Caporizzo, Rippowam High School

RESIGNATION - GEORGE GEORGOULIS, Democrat, 14th District

THE PRESIDENT read the resignation of George Georgoulis, Democrat from the 14th District.

ELECTION TO REPLACE ABOVE VACANCY: EDWARD C. FINNEY (D) 244 Gold Spring Road

MR. KAPLAN offered the name of EDWARD C. FINNEY in nomination to fill the vacancy in the 14th District.

There being no further nominations, the President declared the nominations closed. Mr. Finney was declared elected unanimously, with the Clerk casting one ballot in favor.

THE PRESIDENT administered the oath of office to Mr. Finney, the newly elected Representative from the 14th District, who thereupon assumed his seat as a Member of the Board of Representatives.

REPLACEMENT OF ASSISTANT MAJORITY LEADER: FREDERICK E. MILLER (D)

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MR. KAPLAN announced the replacement of Mr. Frederick E. Miller as Assistant Majority Leader, replacing Mr. Georgoulis who resigned this evening.

MR. MILLER thanked the Members of the Democratic Caucus for their expression of confidence in him.

MR. KAPLAN MOVED to SUSPEND THE RULES in order to take up appointments, and then to return to the regular order of business. Seconded and CARRIED.

APPOINTMENTS COMMITTEE:

MR. THEODORE BOCCUZZI, Chairman, reported that two meetings of his Committee were held this month - one on June 24th and the second on July 1st and present were the following: George Georgoulis, Jack Rich, William Caporizzo, John Boccuzzi and the Chairman.

The Tellers distributed the ballots with the vote as recorded below:

DESIGN REVIEW BOARD:

Term Ending:

(1) <u>JOSEPH MORABITO</u> (D) 33 Hillandale Ave.	VOTE: 24 yes 11 no	Jan. 1, 1972
(2) <u>MRS. ALICE JAFFE</u> (R) 373 Janes Lane	" 27 yes 7 no	Jan. 1, 1971
(3) <u>ARTHUR F. NELSON</u> (I) Appletree Lane	" 31 yes 4 no	Jan. 1, 1972
(4) <u>ANTHONY PAVIA</u> (R) 1260 Hope Street	" 32 yes 4 no	Jan. 1, 1971
(5) <u>SHELDON FOX</u> (D) Four Brooks Road	" 30 yes 7 no	Jan. 1, 1971

HOUSING SIGHTS DEVELOPMENT AGENCY:

(6) <u>DR. PETER GOLDMARK</u> (I) 1318 Rockrimmon Road (Replacing Edward Glenn)	VOTE: 27 yes 10 no	June 30, 1971
(7) <u>BENJAMIN WHITAKER</u> (R) 26 Orchard Street (Reappointment)	" 22 yes 15 no	June 30, 1972
(8) <u>REV. LEMOYNE F. WHITLOCK</u> (D)* 82 Ralsey Road (Reappointment)	24 yes 13 no	June 30, 1972

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CONSERVATION COMMISSION:

Term Ending:

(9) RICHARD TOBIN (D) VOTE: 32 yes  
1911 Shippan Ave. 4 no  
(Replacing John Stashenko) 1 disqualified

Dec. 1, 1973

STAMFORD GOLF AUTHORITY:

(10) WILLIAM T. CAPORIZZO, JR. (R) " 31 yes  
39 Warwick Lane 6 no  
(Filling out unexpired term  
of William Selsberg)

Jan. 1, 1970

MAYOR'S ANNUAL MESSAGE - 1968-1969 Fiscal Year:

MAYOR BRUNO GIORDANO presented his Annual Message for the 1968-1969 fiscal year to the Board of Representatives, as required by Section 303.1 of the Stamford Charter.

Copies of the Mayor's Message were presented to all Members of the Board and a copy given to Mrs. Farrell for the records of the Board, to be kept on file. Because of their length, these remarks are not contained in the Minutes.

RECESS:

MR. KAPLAN MOVED for a recess at 9.45 P.M.

The recess was declared over at 10.00 P.M.

THE PRESIDENT said the Board will now return to the regular order of business as it appears on the Agenda.

COMMITTEE REPORTS:

The reading of the Steering Committee Report was waived and entered in the Minutes and appears below:

STEERING COMMITTEE REPORT

Meeting held Monday, June 23, 1969

A regular Monthly Meeting of the Steering Committee was held on Monday, June 23, 1969 in the Board of Representatives' meeting rooms, Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut.

The meeting was called to order by Majority Leader, Howard G. Kaplan, at 8 P.M. in the absence of the Chairman, who arrived shortly thereafter. The following members were present: Messrs. Morris, Bromley, John Boccuzzi, Kelly, Rich, Hemingway, Calder and Heinzer, Mr. Fusaro arrived at 8.05 P.M.

(1) Appointments to various Boards and Commissions:

The Mayor's appointments received todate were REFERRED TO THE APPOINTMENTS COMMITTEE and ORDERED ON THE AGENDA. This was left open in the event that other appointments may come through in time for the Committee to interview them.



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(2) Additional Appropriations:

All additional appropriations approved at the regular meeting of the Board of Finance held June 12, 1969, were ORDERED ON THE AGENDA under FISCAL COMMITTEE, as well as those that will be approved by the Board of Finance on June 30, 1969. Items in excess of \$2,000 were referred to the secondary Committee having jurisdiction.

- (3) \$300.00 - Resolution amending 1968-1969 Capital Projects Budget by adding Project to be known as "HIGHWAYS - ACQUISITION OF STATE HIGHWAY PROPERTY AT INTERSECTION OF SCOFIELDTOWN AND HIGH RIDGE ROADS" and appropriation therefor -  
(Mayor's letter of 5/2/69) - (Held in Fiscal Committee 6/2/69)

The above matter, having been held in Committee at previous meeting, was ORDERED ON THE AGENDA under FISCAL COMMITTEE.

- (4) All matters not yet acted upon by the Legislative & Rules Committee, were ORDERED ON THE AGENDA under that Committee.

- (5) Resolution of consent re Bill #8597 of General Assembly

REFERRED TO LEGISLATIVE & RULES COMMITTEE - ORDERED ON AGENDA

- (6) Proposed Ordinance ESTABLISHING TAX EXEMPTION FOR PROPERTY ACQUIRED BY FAITH TABERNACLE BAPTIST CHURCH, located at 30 Wallace Street, under Sections 12-81 (14) and 12-81 (b) of Conn. General Statutes, premises to be used as a parish house - Tax exemption to be established as of Oct. 25, 1968, and directing Commissioner of Finance to reimburse the Church for taxes paid on the List of Sept. 1, 1967 - (Requested in letter from Atty. Robert B. Wise, dated 6/12/69)

REFERRED TO LEGISLATIVE & RULES COMMITTEE - ORDERED ON AGENDA

- (7) Letter from Richard G. Grisar, 8th District Representative, dated 6/17/69, concerning amending Ordinance #132 Supplemental as immediate solution to lack of sufficient parking spaces in close proximity to Stamford Railroad Station for use of Stamford commuters

REFERRED TO LEGISLATIVE & RULES COMMITTEE - Not on Agenda

- (8) Letter from Edward K. Scofield, 10th District Representative, dated 6/18/69, concerning resolution to be submitted permitting extension of Washington Avenue through Scalzi Park, pursuant to legislation recently adopted by General Assembly - same to be amended "to require that the City provide park land equal in value and area to that proposed to be taken, within a reasonable walking distance."

REFERRED TO LEGISLATIVE AND RULES COMMITTEE - Not on Agenda - Copy also sent to Health & Protection Committee.

- (9) Re: STREET LIGHTS NOT OPERATING IN CERTAIN AREAS OF CITY - (Letter from Peter Chirimbes, 12th District Representative, recommending that Health and Protection Committee meet with Safety Boards and departments concerned in order to set up a program.)

REFERRED TO HEALTH & PROTECTION COMMITTEE - ORDERED ON AGENDA



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- (10) Letter from Ronald M. Schwartz, Assistant Corporation Counsel (dated 6/19/69) requesting resolution be adopted regarding OPEN SPACE LAND PROGRAM, BENEMSON PROPERTY, and application for Grant from State of Connecticut)

REFERRED TO LEGISLATIVE & RULES COMMITTEE and also to PARKS & RECREATION COMMITTEE - ORDERED ON AGENDA

- (11) Proposed Ordinance Concerning CIVIL DEFENSE SHELTER MANAGERS - (Requested in Mayor's letter dated 6/18/69)

REFERRED TO LEGISLATIVE & RULES COMMITTEE - ORDERED ON AGENDA

- (12) Proposed amendment to Ordinance No. 110 which establishes a Commission on Human Rights, giving that Commission power to investigate all complaints re public accommodations and also injunctive and subpoena powers and to initiate prosecution against housing violators - (Requested in letter dated 6/23/69 from Mrs. Gertrude Marshall, Chairman, Housing Committee, Mayor's Conference on Human Rights and Opportunities)

REFERRED TO LEGISLATIVE & RULES COMMITTEE - ORDERED ON AGENDA

- (13) Letter from Armen Guroian, 7th District Representative, dated 6/21/69, concerning P.A. 269, Sec. 7-191, page 5905 of Minutes of May 26, 1969, and Legal Notice published in ADVOCATE on June 3, 1969 in reference to Proposal No. 12 of Charter Revision Commission

Not on Agenda, but referred to Corporation Counsel for an opinion.

- (14) Concerning Ordinance No. 167 Supplemental, vetoed by Mayor, due to wrong wording - Same to read: "CONCERNING ESTABLISHMENT OF NEW STREET LINE ON EASTERLY SIDE OF SOUTH STREET" - REFERRED TO PLANNING & ZONING COMMITTEE and ORDERED ON AGENDA.

- (15) Petition, signed by tenants at 22 Glenbrook Road concerning rental increase and enclosed in letter from Donald M. Lewis of the Lomas & Nettleton Co., dated 6/9/69 - (Presented by Mr. Calder, 12th District Representative)

REFERRED TO HEALTH & PROTECTION COMMITTEE - Not on Agenda

- (16) Final adoption of Ordinance AMENDING PREVIOUS ORDINANCE NO. 132 SUPPLEMENTAL, enacted 11/28/66 PERTAINING TO RESTRICTION OF PARKING VEHICLES ON PUBLIC STREETS AND TOWING AWAY OF SAME - (Adopted for publication 6/2/69; published on 6/6/69)

ON AGENDA UNDER LEGISLATIVE & RULES COMMITTEE

- (17) Proposed Resolution TRANSFERRING CERTAIN HIGHWAYS IN CITY OF STAMFORD TO STATE OF CONNECTICUT - (Under provisions of P.A. 603, enacted in 1961) (Mayor's letter of 3/21/69, and letter of 5/20/69 from Corporation Counsel) - (Held in Committee 4/7/69, 5/5/69 and 6/2/69)

REFERRED TO LEGISLATIVE & RULES COMMITTEE; also to PUBLIC WORKS COMMITTEE ORDERED ON AGENDA.



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- (18) Proposed Ordinance for publication concerning ANTI-LITTER - (Proposed by Howard Kaplan, 14th District Representative - Held in Committee 4/7/69, 5/5/69 and 6/2/69)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (19) Proposed Resolution to give Sewer Commission authority over CITY SEWER SYSTEM - (Proposed by Thomas Morris, 15th District Representative at Steering Committee Meeting held 5/19/69 and referred to LEGISLATIVE & RULES COMMITTEE and the PUBLIC WORKS COMMITTEE) - (On 6/2/69 agenda under "Resolutions" but no action taken - deferred for one month)

REFERRED TO LEGISLATIVE & RULES COMMITTEE - ORDERED ON AGENDA

- (20) Concerning REVISION OF MODEL HOUSING CODE - See Sec. 18-1 to 18-36 of Code of General Ordinances concerning "Minimum Housing Standards" and formerly known as "Ordinance No. 65", enacted 8/20/57) - (Held in Committee 2/3/69, 3/3/69, 4/7/69, 5/5/69 and 6/2/69)

REFERRED TO LEGISLATIVE & RULES COMMITTEE, PUBLIC WORKS COMMITTEE and HEALTH & PROTECTION COMMITTEE - ON AGENDA UNDER HEALTH & PROTECTION COMMITTEE, the main Committee.

- (21) Concerning DETERIORATION OF SOUTHFIELD PARK - (Brought up by Tony Truglia, 5th District Representative at 6/2/69 Board Meeting under "New Business", and requesting that this be referred to a Committee to see what can be done to alleviate deplorable conditions at this Park - See 6/2/69 Minutes for details)

REFERRED TO PARKS & RECREATION COMMITTEE - Not on Agenda.

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

JOHN C. FUSARO, Chairman  
Steering Committee

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ACCEPTANCE OF MINUTES - May 12, 1969  
May 26, 1969  
June 2, 1969

MR. GUROIAN said he wished to amend the Minutes of May 26, 1969 in reference to Proposal No. 12.

MR. KAPLAN said the question before the Board is merely the acceptance or the rejection of the Minutes and if Mr. Guroian disagrees with the President's ruling which he stated at the meeting, he had recourse to challenge the President and appeal to the floor of the Board of Representatives which he failed to do and now seeks to do so at this time which is not a proper time. He said the only thing the Board now has before it is what actually took place at the meeting and he does not believe the previous speaker has claimed that the Minutes do not accurately set forth what took place at that meeting so his discussion is out of order.



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MR. GUROIAN rose on a point of PERSONAL PRIVILEGE, saying he wishes his objection to be specifically recorded in the Minutes.

MR. RUSSBACH said he believes we cannot approve something which is illegal and cannot be done. He said Mr. Guroian's point is a valid one and because (Proposal No. 12) was neither accepted or rejected by this Board, no action was taken, and according to the Home Rule Act, this should go on the ballot in November as Proposal No. 12.

THE PRESIDENT asked the speaker to cite the portion of the Home Rule Act he is referring to.

MR. RUSSBACH said he would point out for previous reference that on April 14th the President ruled directly the opposite on the same question and at that time the Chair ruled that the vote did constitute action, so since action was taken and according to the Home Rule Act, 21 votes is required for acceptance or rejection and the vote was 16-17 and was therefore neither accepted or rejected, and as previous items have come before this Board, since no action was taken, it therefore goes on the ballot.

THE PRESIDENT informed the speaker that the State Statute over-rules what this Board does.

MR. RUSSBACH said he did not say that - it was stated by Mr. Guroian, and he is speaking for himself. He said he again wished to state at the meeting of April 14th the Chair ruled -----

THE PRESIDENT said what he refers to is that the speaker stated that in accordance with the Home Rule Act - 7-191 of the General Statutes that this goes on the ballot in November because of no action. He asked the speaker again to please cite that section of the Home Rule Act which states that.

MR. RUSSBACH said he is citing the previous ruling of the Chair.

THE PRESIDENT said he is requesting the speaker to please cite that section of the Home Rule Act to which he refers and which gives enforcement to his argument.

MR. RUSSBACH said he would cite previous action taken by this Board.

THE PRESIDENT said that is not the Home Rule Act and in accordance with that Act, as the speaker has stated, that if no action is taken, it then is supposed to go on the ballot at the next general or special election, and that since no action was taken it is supposed to be on the ballot. He again asked the speaker to please cite that section of the Home Rule Act that states that.

MR. RUSSBACH said he will cite exactly what he has said before - that previous actions have come up the same way -----



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THE PRESIDENT said he is to understand then that the speaker has no citation from the Home Rule Act to enforce his argument. He said our action taken at previous meetings is not the Home Rule Act and cannot be cited as applying in this case.

MR. RUSSBACH asked the President for his rulings on whether or not the minutes are to be corrected regarding this change.

THE PRESIDENT stated that the minutes contain what occurred that evening and that is his ruling.

He read the following opinion from the Corporation Counsel into the record:

July 1, 1969

John C. Fusaro, Esq., President  
Board of Representatives  
Municipal Office Building  
Stamford, Connecticut

Dear Mr. Fusaro:

In reply to your letter of June 24, 1969 concerning Section 7-191 as amended, of the General Statutes of the State of Connecticut, concerning the voting by the "appointing authority" i.e., the Board of Representatives, we wish to advise you as follows:

The pertinent provisions of Section 7-191 states:

"Within fifteen days---the appointing authority by a majority vote of its entire membership, shall either approve the proposed charter, amendment or amendments or home rule ordinance or amendment or repeal of a home rule ordinance or reject the same or separate provisions thereof."

A majority vote of the entire membership of the Board is required, in this instance, either (a) to approve the proposal or (b) reject the proposal. The Board of Representatives consisting of 40 members, requires 21 votes to meet the mandatory statutory provisions in either case.

The language of the statute clearly designates the vote required. It does not provide that a failure to muster 21 votes constitutes a rejection. In fact, it specifically states that 21 votes is necessary for rejection.

Therefore, in this situation, a failure to approve or reject by a majority of the entire membership of the Board requires our conclusion that no action was taken on the proposal, and if no action was taken, the petition for referendum would be of no force or effect.

Very truly yours,  
Paul D. Shapero  
Corporation Counsel  
By: (S) Ronald M. Schwartz  
Asst. Corporation Counsel



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MR. RUSSBACH rose on a POINT OF INFORMATION. He asked what petition for referendum is the letter referring to.

THE PRESIDENT replied Proposal No. 12 - the Proposal for a Referendum.

MR. BROMLEY asked a question. He wanted to know if it is required that the Board approve the minutes that refer to Charter amendments, because it was his understanding this is not necessary - that they are merely a record of what took place.

THE PRESIDENT said what is now before the Board are Minutes of Special Meetings of this Board and what Mr. Bromley is referring to is the Public Hearing which was held on April 1, 1969 which does not require Board approval but is merely a record of what was said.

THE PRESIDENT called for a vote on the approval of the Minutes of May 12 and May 26. CARRIED.

It was MOVED and seconded that the Minutes of June 2, 1969 be approved.

MR. SCOFIELD called attention to Page 5945 - Resolution No. 616. He said this resolution was not on the Agenda and was not in the report of Commissioner Norman Gluss (Commissioner of Finance) and was not mentioned on the floor, was not voted upon and therefore should not be in the Minutes of the meeting.

THE PRESIDENT said on April 22, 1969 the Board received a report from the Commissioner of Finance, Norman Gluss, in regard to Washington Avenue and the following week, a resolution regarding the acceptance. He said this matter, including the resolution (which became a part of the report) went to the Planning & Zoning Committee and at the last Board Meeting the Planning & Zoning Committee moved for acceptance of the Commissioner's report, in which there was contained the resolution which appears in the Minutes of the June 2, 1969 Board Meeting.

MR. SCOFIELD said he does not find this resolution in his copy of the report.

THE PRESIDENT asked the Chairman of the Planning & Zoning Committee, George Russell, if he has this report handy.

MR. RUSSELL said he does not have it with him this evening.

THE PRESIDENT said it was received on May 5th and is entitled "Re: Washington Avenue - Resolution regarding report of Commissioner of Finance." He said it is the same resolution which appears in the minutes of June 2, 1969.

MR. HEINZER said in his copy of the report there is no resolution and there is no resolution mentioned and when he voted to accept the report he did not know it contained a resolution.

THE PRESIDENT reminded the speaker that he had voted to reject the report.



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MR. HEINZER said this is true, but when he voted on it, he had never heard of a resolution.

THE PRESIDENT said it was before the Board and had been referred to the Planning & Zoning Committee as of May 5th - one month prior to the Board's approval of this matter. He said it was in the hands of the Planning & Zoning Committee and Mr. Russell, the Chairman, reported it out favorably before this Board and the Board approved it.

MRS. PONT-BRIANT said when she received the Commissioner's report of April 21st there was no resolution attached and when it was brought out on the floor at the June meeting she did not recall Mr. Russell mentioning a resolution and that he only referred to the report of the Commissioner of Finance. She said if there was a resolution attached, mention should have been made of it or it should have been read, which it was not.

MR. HEINZER suggested that the Board re-adopt the resolution that was adopted at the June meeting.

THE PRESIDENT said it is not necessary, but the Board can reaffirm the intent and the purpose of action taken at the last meeting.

MR. SCOFIELD said the only resolution he is able to find is Resolution No. 469 which was adopted August 2, 1965.

THE PRESIDENT said that appears in the preamble, which the Board approved last month. He asked Mr. Russell if he received the resolution he refers to.

MR. RUSSELL said he has a copy of the report that came from the Commissioner which contains the original resolution - No. 469.

THE PRESIDENT handed Mr. Russell a copy of the resolution which is contained in the June Minutes and which was received by other Board Members as part of the Finance Commissioner's report.

MR. RUSSBACH said as a Member of the Planning & Zoning Committee he does not recall ever voting on a resolution in Committee and knows that he did not vote for a resolution at the meeting under discussion. He said he does not recall such a resolution and the Minutes do not reflect it.

THE PRESIDENT suggested that the speaker check and see if Mr. Russbach was in attendance at that meeting.

MR. SCOFIELD MOVED to TABLE the acceptance of the Minutes of the June 2 meeting. Seconded by Mr. Russbach.

THE PRESIDENT asked Mr. Scofield if he is moving to table the acceptance of the entire Minutes or just the page that contains the resolution in question.

MR. SCOFIELD asked if it is possible to table just the acceptance of the part of the Minutes that contain the resolution.



THE PRESIDENT said he has already ruled that this item was before the Board last June 2nd, was approved by the Board and it was the intent of the Board, the purpose and in fact the resolution was approved by the Board at that time. He said that is the RULING OF THE CHAIR and if the speaker wishes to challenge the ruling of the Chair, he has that right.

MR. SCOFIELD challenged the ruling of the Chair on the basis of the wording of Sec. 643 which says that if the Board approves, then they will take up the adoption of a resolution to proceed. He said it isn't one and the same thing. HE MOVED TO CHALLENGE THE RULING OF THE CHAIR. Seconded by Mr. Russbach.

MR. HEINZER said he wants to point out that according to Chapter 64, having accepted the report, we then adopt the resolution and only one vote was taken last month.

THE PRESIDENT called for a VOTE on the challenge of the ruling of the Chair. He said if the challenge is upheld an affirmative vote approves ...

MR. MORRIS requested a RECESS and MOVED it be granted. (At 10.30 P.M.) Seconded and CARRIED.

THE RECESS was declared over at 10.48 P.M.

THE PRESIDENT said there is now a motion before the floor to appeal the ruling of the Chair in regard to the Minutes of June 2nd concerning Washington Avenue. He said the Chair has ruled that the resolution (No. 616) contained in those Minutes that it was the intent of this Board in accepting the report of the Commissioner of Finance, to accept the resolution as contained in the aforementioned report, and that Mr. Scofield feels differently and has challenged the ruling of the Chair.

He explained that an affirmative vote upholds Mr. Scofield and a negative vote upholds the Chair.

VOICE VOTE TAKEN - LOST. Mr. Kaplan abstained.

MR. SCOFIELD requested a roll call vote. Not a sufficient number requesting it, one was not taken.

THE PRESIDENT said the motion is defeated and the Minutes stand as written.

MR. RYBNICK asked if this means the resolution has been accepted as it reads in the Minutes.

THE PRESIDENT said he does not know how many times this has to be accepted - it was adopted last month and this month the action taken at the previous meeting has been reaffirmed.

Concerning Item #21 under Steering Committee Report - Deterioration of Southfield Park - (Brought up by Anthony Truglia, 5th District Representative, on 6/2/69 under "New Business" with request that this be



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referred to a Committee to see what could be done to alleviate deplorable conditions at this Park - See 6/2/69 Minutes for details - Referred to Parks and Recreation Committee, Health & Protection - Not on Agenda).

MR. TRUGLIA asked why the above matter does not appear on the Agenda for tonight.

THE PRESIDENT explained that it will be placed on the Agenda when the Health & Protection Committee is ready to report on it.

MR. TRUGLIA said we only have one more month of summer and asked if it is possible to have this report soon.

THE PRESIDENT said they are investigating this complaint and will report back to Mr. Truglia and his constituents as to action taken by the Parks & Recreation Committee and the Health & Protection Committee as to what they have accomplished.

MR. JOHN BOCCUZZI said since this Park is in his district, he wonders if this is the time for him to state what he has been trying to do in regard to this Park and what action has been taken up to now. He asked if they want to wait until the Committee gives their report as to their findings.

THE PRESIDENT said it would appear to be in order to wait until the Committees are ready to report. He suggested that Mr. Truglia request a progress report from the Committees. Mr. Truglia said he would do that.

Concerning Item #7 on Steering Committee Report - Letter from Richard G. Grisar, dated 6/17/69, regarding amending Ordinance No. 132 Supplemental as immediate solution to lack of sufficient parking spaces in close proximity to Stamford Railroad Station for use of Stamford commuters - (Referred to Legislative & Rules Committee - Not on Agenda)

MR. GRISAR asked what happened to the above letter.

THE PRESIDENT informed the speaker that it is in the Legislative & Rules Committee, and that all these matters can be found in the Steering Committee report, which is always made a part of the Minutes.

#### FISCAL COMMITTEE:

MR. JOHN BOCCUZZI reported that his Committee held two meetings - one on July 3rd and another on July 7th to act on the following additional appropriations.



- (1) \$300.00 Resolution No. 617 amending 1968-1969 Capital Projects Budget by adding Project to be known as "HIGHWAYS - ACQUISITION OF STATE HIGHWAY PROPERTY AT INTERSECTION OF SCOFIELDTOWN AND HIGH RIDGE ROADS" and appropriation therefor - (Mayor's letter of 5/2/69)- (Held in Committee 6/2/69)

MR. BOCCUZZI MOVED for approval of the following resolution, saying the Fiscal Committee approved this with one abstention and with the recommendation that this property be turned over to the Park Department. Seconded and CARRIED unanimously:

RESOLUTION NO. 617

AMENDING 1968-1969 CAPITAL PROJECTS BUDGET BY  
ADDING PROJECT TO BE KNOWN AS "HIGHWAYS -  
ACQUISITION OF STATE HIGHWAY PROPERTY AT INTER-  
SECTION OF SCOFIELDTOWN AND HIGH RIDGE ROADS"  
AND APPROPRIATION OF \$300.00 THEREFOR

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford, to amend the 1968-1969 Capital Projects Budget by adding Project to be known as "HIGHWAYS - ACQUISITION OF STATE HIGHWAY PROPERTY AT INTERSECTION OF SCOFIELDTOWN AND HIGH RIDGE ROADS" in accordance with the provisions of Section 611.5 of the Stamford Charter, and appropriation of \$300.00 therefor.

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- (2) \$460.00 - POLICE DEPARTMENT, Code 530.0910 Prisoner's Meals - (Mayor's letter of 6/2/69)

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

- (3) \$50.00 - DEPARTMENT OF PUBLIC HEALTH - Code 510.0905, Medical Examinations - (Mayor's letter of 5/29/69)

MR. BOCCUZZI explained this is for five nurses and is included in their contract and MOVED for approval. Seconded and CARRIED unanimously.

- (4) \$625.00 - HUBBARD HEIGHTS MUNICIPAL GOLF COURSE - Code 730.2502, Clothing Allowance - (Mayor's letter of 6/2/69)

MR. BOCCUZZI said this item is also in the contract and MOVED for approval. Seconded and CARRIED unanimously.

- (5) \$950.00 - BOARD OF REPRESENTATIVES, as follows: (Mayor's letter of 6/2/69)

\$350.00 - Code 106.0301 - Stationery, Postage, Office Supplies  
600.00 - Code 106.0404 - Official Notices  
\$950.00



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

(6) \$650.00 - PURCHASING DEPARTMENT, as follows: (Mayor's letter of 6/2/69)

\$250.00 - Code 118.0501 - Telephone  
 250.00 - " 118.0301 - Stationery & Postage  
 150.00 - " 118.0401 - Advertising & Printing  
 \$650.00

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

(7) \$225.00 - FLOOD & EROSION CONTROL BOARD - Code 650.0102 - Salaries, Part-time Help - (Mayor's letter of 6/3/69)

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

(8) \$151,880.24 - BOARD OF EDUCATION - To cover deficit in Board of Education's Cafeteria Program - (See letter from Dr. Porter dated 6/11/69)

MR. BOCCUZZI said his Committee had a very lengthy meeting with members of the Board of Education and Mrs. Ericson, who is head of the Cafeteria Program and the Fiscal Committee voted three in favor with two abstentions on this item. He said they were very reluctant about it and it was explained that wages represented 54% of their expenses, when normally in a cafeteria program, wages should average about 34%. He said it is the belief of the Fiscal Committee that the union is making contracts that are just going to stop the cafeteria program in the City of Stamford. He said the only school that has a self-supporting cafeteria program is Rippowam High School and normally Stamford High School would also be self-sustaining, but last year it was closed and Mrs. Ericson felt that they lost about \$100,000 in revenue -- not profit, but gross revenue. He said the cost of meals have been increased from 45¢ to 50¢ and from 50¢ to 60¢ at different schools. He said when they closed the Stamford High School Cafeteria they were able to lay off twelve people, but they were only the twelve people who were employed on a trial basis and they had to distribute the other help among the other schools. He said it is Mrs. Ericson's belief that if she could go into a central kitchen program, where they would cook the food and then distribute it to the other schools, she would be able to put the Cafeteria program on a paying basis - IF they could reduce their personnel. Right now, he said, they are checking with the Corporation Counsel to see if this is possible and they are awaiting a recommendation from him and are anxious to make a decision, because they have to get set up for next year. He said the Fiscal Committee thought this central kitchen idea is a good one, but that it would not work unless the personnel was reduced. He said when you have an expenditure that amounts to 54% of your expenses you cannot possibly make a cafeteria program pay. He said no caterer would accept the job of catering to these schools under these conditions, because none of them feel that 54% of the expenditure should be expended on wages.

He said even those on the Committee who voted in favor of the appropriation were reluctant to do so, but according to the Board of Education you have retroactive pay increases of \$46,000 that have to be paid and the rest of the



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money is owed to vendors - people that the City has purchased supplies from - the bills are there - they have used the supplies and the vendors have to be paid. He said the Fiscal Committee hopes that before September comes around that some adjustment is made one way or the other with this cafeteria program, because it is supposed to be a self sustaining program and when it turns out that it is going to cost the City \$151,000 or more at the end of the fiscal year, then it is not so self sustaining.

MR. HEINZER rose on a point of clarification. He said he wondered about the twelve people who were laid off when the Stamford High School closed down and the twelve who were not laid off. He asked what kind of union contracts we have when we are not able to lay people off when we have no work for them. He said he never heard of such a thing.

MR. BOCCUZZI said this is something that the Corporation Counsel is now checking into and the only reason that they were able to lay off twelve people is because they were on a trial basis and were not covered.

THE PRESIDENT explained that any Civil Service employee has to be employed at least six months on a trial basis and when they become permanent employees they are no longer on a trial basis.

MR. RUSSBACH said he thinks we are being strangled by this - we have a union contract whereby we encourage "feather bedding" and can't lay people off when we don't need them, and we are supposed to be on a paying basis if we can put central kitchens in, but with today's labor market we are paying inflated salaries. He said he knows he gives his child 50¢ a day for meals and he knows it costs at least 70¢ or 75¢ taking the salaries into consideration. He said we should take a realistic look at this program and it should be abolished and the City has enough liabilities now and don't need any more and of course it will go up every year as new contracts are negotiated. He said the program is a disgrace.

MR. DEUTSCH said he thinks Mrs. Ericson and the Board of Education is taking a real hard look at this and the fact that they have set up a plan to have central kitchens is an indication that they are taking a step in the right direction.

MRS. PONT-BRIANT said she abstained because they had hoped to hold this up for one month, awaiting the ruling from the Corporation Counsel. She said their meeting brought out the fact that the union is strangling the plans for a profitable cafeteria. She said Mrs. Ericson had some very concrete plans but was not allowed to release some employees that she did not need. She said this has been running at a deficit even prior to this Board's adoption of the Collective Bargaining Contract, which should have been brought to the Board's attention which was not done.

MR. KAPLAN asked what will happen in the event this appropriation is



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turned down by this Board and does that mean the end of the free lunch program and the elementary lunch program?

MR. BOCCUZZI said the Board can turn it down this month if they want to, but still these bills will have to be paid because it is not something that they are planning to do in the future, but is something that has already been done, and we have already agreed to the contract and the employees have to get their pay retroactively; they have bought food for the cafeteria program up until June which has to be paid for and it only means that they will have to come in again for the money. He said if Mrs. Ericson can reduce her labor force, then it may be possible to bring this back into line.

MR. KAPLAN asked if the previous speaker is saying that what we are faced with is a contractual liability of the City and we will be sued for it if we don't do it?

MR. CHIRIMBES said in reference to these kitchens and "satellite" kitchens, it is being done all over the State and they save many dollars and they will eventually have to go to it because of the enormous cost of these cafeteria programs. He said we cannot continue this "give-away" program which amounted to something like \$90,000 last year and now it is up to over \$151,000. HE MOVED this be held in Committee. Seconded by Mrs. Pont-Briant.

MR. DEUTSCH said he would like to point out that included in this appropriation is \$46,000 covering retroactive pay to July 1968. He said they were led to understand that the union is looking for this amount and have already gone to the State asking for arbitration on it and the City will get a "black eye" if we let this decision be handed down by the arbitrator. He said in Committee he abstained just in principle because he does not like to see this built up as a deficit year after year, but as a practical matter we ARE liable for all of these funds and it is pointless to hold it up any longer.

After considerable further debate, Mr. Plotnick MOVED THE QUESTION. Seconded and CARRIED.

VOTE taken on Mr. Chirimbess' motion to recommit to Committee. LOST.

MR. DURSO spoke in favor of the main motion.

MR. JOSS said he wants it noted that whenever they are running into a deficit that the Board is made aware of it - that when they see they are going into debt that it can be rectified before the end of the school year.

MR. FEDAK MOVED THE QUESTION. Seconded and CARRIED.

THE PRESIDENT informed the members they will now be voting on Item #8 - to approve or to reject the appropriation of \$151,880.24 for the Board of Education to cover deficit in the Cafeteria Program. He called for a voice vote. Being in doubt, he called for a standing vote. LOST by a vote of 21 in favor and 11 opposed. (Needs a two-thirds vote to carry under Sec. 619 of Charter).

- (9) \$1,924.36 - BOARD OF EDUCATION - For equipment purchased for "Distributive Education Program" at Rippowam High School - (To be 100% reimbursed from State under the Vocational Education Act) - (Also see Resolution No. 546 adopted Jan. 8, 1968)



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

- (10) \$500.00 - PLANNING BOARD - Code 134.2201, New Equipment (to purchase a Calculator) - (Mayor's letter of 6/11/69) for 1969-1970 Budget.

MR. BOCCUZZI explained that the piece of equipment they had planned to buy is no longer being manufactured and the closest thing they could get to what they had planned on getting, costs \$1,200. HE MOVED for approval of the above. Seconded by Mrs. Pont-Briant and CARRIED unanimously.

- (11) \$48,800.99 - CONTROLLER - Request to balance out accounts, as follows: (Mayor's letter of 6/12/69)

\$38,447.22 - Code 132.0000 - Employees Medical  
10,353.77 - " 130.0000 - General Insurance  
\$48,800.99

MR. BOCCUZZI MOVED for approval of the above request. He explained that it is an item that comes up at the end of the fiscal year and they have no way of anticipating how much it will be and as the members know, the City does not have any compensation insurance as it would be too great an expense, so they wait until the end of the year to pay up their claims and the same thing applies to General Insurance - they have a fair idea of what it will be, but are not sure until the end of the year. His motion was seconded. CARRIED unanimously.

- (12) \$160,680.00 - Resolution amending 1969-1970 Capital Projects Budget by adding item to be known as "DEPARTMENT OF PUBLIC WORKS, NEW CONSTRUCTION, RESTORATION OF GLENBROOK SCHOOL" and appropriation therefor - (Mayor's letter of 6/9/69)

MR. BOCCUZZI said this appropriation was reduced by \$25,000 to \$135,680 and they took the \$25,000 out of "contingencies" and left the Public Works Department with approximately \$6,100 for this item and out of this they have to pay the Clerk of the Works and the appropriation now stands at \$135,680. He requested Mrs. Pont-Briant to read the resolution which she did at this time.

MR. BOCCUZZI MOVED for approval of the resolution. Seconded.

MR. HEINZER MOVED this be sent back to Committee, for the reason that it was also referred to the Public Works Committee and they have not had a chance to see the plans, etc. Seconded.

THE PRESIDENT reminded Mr. Heinzer that this matter was referred to his Committee (Public Works) at the Steering Committee meeting, pending



approval by the Board of Finance who had not met on this item at that time.

MR. HEINZER said a lot of items are referred to his committee "pend-approval" by the Board of Finance, but when they come through the Board of Finance, if they are not told about them they do not know what they are.

MR. RICH said he is beginning to wonder if the original decision to turn this into a community center was a good one and it seems to him that if this is to be referred back to committee that it should go even farther back than that and we ought to look into turning this back into a school if it is going to cost us all this money. He said it seems as if a lot of fundamental work has been done, but nothing to really change it from what it was originally - a school, and considering the cost of acquiring land, it might be a good idea to leave it as a school and forget the whole idea of turning it into a community center. He said we would not have to acquire another piece of land and it is in an area where a school is definitely needed. He said he would like to see this referred back to committee and perhaps even further back than that and give some thought to it being restored as a school and not as a community center.

After some further discussion as to what committees the matter should be referred back to, it was MOVED, seconded and CARRIED that this be referred back to the Fiscal Committee, Public Works Committee and Education, Welfare and Government Committee to study the feasibility of making this a school again instead of a community center, considering the high cost of land in acquiring new schools and what this is costing in terms of making it into a community center. There were two "no" votes against the motion.

MR. BOCCUZZI said his Fiscal Committee report is concluded, but there is something else he would like to request. He asked if there isn't something this Board could do so that at the Steering Committee meeting all of the appropriations are in and they do not have to wait a week and then try to get people to attend a committee meeting the day before a holiday as they had to do last month. He said it is very difficult for him as Chairman of the Fiscal Committee to get a meeting set up and there must be something that could be done to make the job a little easier.

He asked if it would be possible to send a letter to the Board of Finance and explain what is happening, because agendas can't be made up until after action has been taken by that Board, which leaves everything to be done at the last moment.

THE PRESIDENT said we would ask Mrs. Farrell to send a letter, requesting that they not hold special meetings, if possible.

#### LEGISLATIVE & RULES COMMITTEE:

MR. BROMLEY said a meeting of his Committee was held on July 1, 1969 in the Board of Representatives' meeting room and present were Messrs. Bromley,



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Plotnick, Harner and Murphy. He said the next meeting will be held on Tuesday, July 29th.

- (1) Proposed Ordinance re: EASEMENT from City of Stamford to STAMFORD WATER COMPANY and HELCO for TOQUAM SCHOOL - (See letter dated 6/30/69 from Office of Corporation Counsel)

MR. BROMLEY said his Committee has approved this for publication.

THE PRESIDENT asked the Chairman if he sees any danger in waiving pre-publication of this Ordinance.

MR. BROMLEY said there is none whatever, and MOVED to waive publication. Seconded and CARRIED unanimously.

MR. BROMLEY MOVED for adoption of the following Ordinance. Seconded and CARRIED unanimously.

ORDINANCE NO. 168 SUPPLEMENTAL

AUTHORIZATION OF AN EASEMENT FROM THE CITY OF STAMFORD TO THE STAMFORD WATER COMPANY AND THE HARTFORD ELECTRIC LIGHT COMPANY FOR THE PURPOSES OF PROVIDING WATER AND GAS TO THE TOQUAM SCHOOL 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 Easements of Way Through Property of the City of Stamford Granted to the Stamford Water Company and the Hartford Electric Light Company, Stamford, Conn., May 1969", Certified "Substantially Correct", William D. Sabia, City Engineer, May 2, 1969, which map is to be filed in the Office of the Town Clerk of said City of Stamford, is hereby authorized for water and gas purposes.

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 on the date of its enactment.

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- (2) Final adoption of Ordinance AMENDING PREVIOUS ORDINANCE NO. 132 SUPPLEMENTAL, enacted November 28, 1966 PERTAINING TO RESTRICTION OF PARKING VEHICLES ON PUBLIC STREETS AND TOWING AWAY OF SAME - (Adopted for publication 6/2/69; published 6/6/69)

MR. BROMLEY said this Ordinance simply raises the towing fee from \$10 to \$15 and it has been published. HE MOVED for final adoption of the follow-



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ing Ordinance. Seconded and CARRIED unanimously:

ORDINANCE NO. 169 SUPPLEMENTALAMENDING PREVIOUS ORDINANCE NO. 132 SUPPLEMENTAL, ENACTED  
NOVEMBER 28, 1966 PERTAINING TO THE RESTRICTION OF PARK-  
ING VEHICLES ON PUBLIC STREETS AND TOWING AWAY OF SAME.

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Section 19-22 of the Code of General Ordinances is hereby amended to read as follows:

## Sec. 19-22. REDEMPTION.

Before the owner or person in charge of any vehicle taken into custody, as above provided, shall be allowed to remove the same from the place where it has been impounded, he shall furnish to a member of the Police Department evidence of his identity and ownership, shall sign a receipt for such vehicle and shall pay the cost of removal, not to exceed the sum of Fifteen Dollars (\$15.00), plus the cost of storage, not to exceed Fifty (.50) Cents for each day, or portion of a day, that such vehicle is so stored in excess of the first twenty-four (24) hours.

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

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- (3) Proposed Ordinance, for publication, concerning ANTI-LITTER -  
(Proposed by Howard Kaplan, 14th District Representatives --  
Held in Committee 4/7/69, 5/5/69, and 6/2/69)

The above matter was held in Committee.

- (4) Proposed Ordinances ESTABLISHING TAX EXEMPTION FOR PROPERTY  
ACQUIRED BY FAITH TABERNACLE BAPTIST CHURCH, located at 30 Wallace  
Street, under Sections 12-81 (14) and 12-81 (b) of Conn. General  
Statutes, premises to be used as a parish house - Tax exemption to  
be established as of Oct. 25, 1968, and directing Commissioner of  
Finance to reimburse the church for taxes paid on the List of  
Sept. 1, 1967 - (Requested in letter from Atty. Robert B. Wise,  
dated 6/12/69)

The above matter was held in Committee.

- (5) Proposed Resolution TRANSFERRING CERTAIN HIGHWAYS IN CITY OF STAMFORD  
TO STATE OF CONNECTICUT - (Under provisions of P.A. 603, enacted 1961)  
(Mayor's letter of 3/21/69, and letter of 5/20/69 from Corporation  
Counsel -- Held in Committee 4/7/69, 5/5/69 and 6/2/69)

MR. BROMLEY said in deference to Mr. Heinzer, Chairman of the Public Works Committee, this is being held back one more month to give his Committee a chance to discuss this with the Legislative & Rules Committee.



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- (6) Resolution No. 618 concerning OPEN SPACE LAND PROGRAM, BENENSON PROPERTY, and application for Grant from State of Connecticut -  
(Requested in letter dated 6/19/69 from office of Corporation Counsel)

MR. BROMLEY said this resolution has been approved for adoption by his Committee and he SO MOVED. Seconded by Mr. Alswanger, who said his Committee - the Parks & Recreation Committee, also approved this.  
CARRIED unanimously:

RESOLUTION NO. 618

CONCERNING OPEN SPACE LAND PROGRAM, BENENSON PROPERTY  
AND AUTHORIZATION TO APPLY FOR STATE GRANT

WHEREAS, the Planning Board of the City of Stamford has reviewed and approved the area known as "EDWARD H. BENENSON PROPERTY", and

WHEREAS, the Conservation Commission has reviewed and approved the area known as the "EDWARD H. BENENSON PROPERTY" for open space purposes, which the municipality desires to acquire for open space purposes and the Planning Board of the City of Stamford has adopted a plan which designates such area for such open space purposes; and

WHEREAS, the municipality wishes to obtain financial assistance from the State of Connecticut:

NOW, THEREFORE, BE IT RESOLVED by the Board of Representatives of the City of Stamford as follows:

1. That an application be made to the Council on Agriculture and Natural Resources for a grant in an amount presently estimated to be \$132,750.00 dollars, and that the balance of the consideration for the acquisition and the total of all related costs will be secured by the municipality from other sources;
2. That the Corporation Counsel of the City of Stamford is hereby authorized and directed to execute and file such application, and to act as authorized correspondent;
3. That the Mayor of the City of Stamford is hereby authorized to enter into such agreements, contracts and execute all documents with the State of Connecticut, as may be necessary for said Grant;
4. That the proposed acquisition is in accordance with the plan of development of the municipality and that, should said grant be made, said land will be retained in accordance with the provisions of Public Act 649 of the 1963 Session of the General Assembly.

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- (7) Proposed Ordinance concerning CIVIL DEFENSE SHELTER MANAGERS -  
(Requested in letter from Mayor, dated 6/18/69)



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The above matter was held in Committee.

- (8) Proposed amendment to Ordinance No. 110 which establishes a Commission on Human Rights, giving that Commission power to investigate all complaints re public accommodations and also injunctive and subpoena powers and to initiate prosecution against housing violators. - (Requested in letter dated 6/23/69 from Mrs. Gertrude Marshall, Chairman, Housing Committee, Mayor's Conference on Human Rights and Opportunities)

MR. BROMLEY said there have been a lot of inquiries about this, but they are holding this in Committee, pending receipt from the Corporation Counsel for an opinion as to whether the City has the power to confer these subpoena powers on the Commission.

- (9) Concerning the giving of authority over all City Sewers to the Sewer Commission - (Presented by Thomas Morris and William Caporizzo, 15th District Representatives and referred to Legislative & Rules Committee and the Public Works Committee at the 5/19/69 meeting of Steering Committee)

MR. BROMLEY said last month the Committee deferred action on this matter and now they are ready to act upon it.

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

RESOLUTION NO. 619

GIVING SEWER COMMISSION AUTHORITY OVER  
CITY SEWER SYSTEM

WHEREAS, the powers of the Stamford Sewer Commission are set out in the Stamford Code of General Ordinances, Chapter 26, and

WHEREAS, Chapter 26-4 limits the authority of said Sewer Commission of the City of Stamford in that the Commission shall have authority over that portion of the sewerage system of the City acquired after January 1, 1951; and

WHEREAS, the inability of the Sewer Commission to apply itself to problems of sewerage facilities built prior to 1951 has resulted in duplication of work, names and time, by various employees and Boards of the City; and

WHEREAS, the Sewer Commission is the sole continuous authority involved in this area; and

WHEREAS, the General Statutes of the State of Connecticut are in direct conflict with some of the present Stamford City Code, Chapter 26 thereof:

NOW, THEREFORE, BE IT RESOLVED by the Board of Representatives of the



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City of Stamford that, in accordance with Chapter 26-4 of the Stamford Code of General Ordinances, the Sewer Commission shall have authority over all portions of the sewer system of the City of Stamford.

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(10) Concerning DESIGN REVIEW BOARD - Amending previous Ordinance No. 80.16 Supplemental which became effective on 3/24/69

MR. BROMLEY yielded the floor to Mr. Kaplan, who MOVED FOR SUSPENSION OF THE RULES in order to take up the above matter. Seconded and CARRIED unanimously.

MR. KAPLAN said that Sec. 1 of the Design Review Ordinance, third sentence now reads:

"...membership of the Board shall at all times include no less than FIVE (5) professional architects."

He said there has been considerable difficulty in obtaining architects who do not do business with the City of Stamford. Therefore, he proposed the following for adoption, waiving publication, with the effective date being tomorrow, also an amendment changing the word "FIVE" to "FOUR" so that the sentence would then read as follows:

"...Membership of the Board shall at all times include no less than FOUR (4) professional architects."

He said, if at a later time the Mayor wishes to add five or even six members to this Board who are architects, this does not necessarily mean that you cannot get that many, but at the present time it appears only possible to have four. HE MOVED to waive publication and adopt the above amendment. Seconded.

MR. BROMLEY said as he understands it, this is to change the requirement of the membership of the Design Review Board from five to four architects.

THE PRESIDENT said this is correct.

MR. BROMLEY said he knows that Mr. Kaplan was the original author of this, but in the meantime a lot of history was made and many meetings were held with the architects of the City of Stamford and the feeling of the architects was at that time that they would be for this, PROVIDING they had control of the situation, and, after all architects belong to a professional group and are reluctant to have a Board, a majority of which would be composed of laymen who would be passing upon architectural drawings and plans. For this reason he said he does not feel that he can go along with Mr. Kaplan's proposal because it is doing a certain amount of violence to what has been carefully worked out by the Legislative & Rules Committee with the architects who are vitally concerned with the Ordinance. He said if Mr. Kaplan wishes to propose four architects, plus a Design



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Engineer, or something like that, which would be allied to the architectural field, he could go along with that, but with this proposed amendment, he said he has the feeling that we are opening a "Pandora's Box".

THE PRESIDENT explained that there have been at least a dozen architects who have turned down appointments to this Board.

MR. KAPLAN said we are now coming toward the end of the term of this Board and if his and Mr. Bromley's constituents see fit to re-elect them to this Board, at that time it can be agreed to have an eventual replacement to this Design Review Board so that there can be five architects, he would gladly move at that time for the restoration of the five architects. He said he would like to point out that the City of Stamford has an Ordinance which is going to be law tomorrow and he feels that we are in trouble because we don't have the Ordinance requirements of five architects and we will have to do something about it and now. He said he feels this is the simplest way of doing it and it can be rectified at some future time when we are able to obtain five architects who are willing to serve as members of this Board.

MR. BROMLEY requested that his remarks be entered in the Minutes.

There being no further discussion, the President called for a vote on the following Ordinance. CARRIED, with four "no" votes:

ORDINANCE NO. 80.24 SUPPLEMENTAL

AMENDING BUILDING CODE OF CITY OF STAMFORD REGARDING NUMBER  
OF ARCHITECTS AS MEMBERS OF DESIGN REVIEW BOARD  
(Amending previous Ordinance No. 80.16, effective 3/24/69)

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

The Building Code of the City of Stamford be amended by changing Section 6 (d) thereof as follows:

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 FOUR (4) 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.

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

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HEALTH & PROTECTION COMMITTEE:

MR. KELLY, Chairman, said a meeting of his Committee was held in the Democratic Caucus Room of the Board of Representatives' rooms on Wednesday evening, June 25th at 8 P.M. and present were: James Joss, Pete Chirimbes and Steve Kelly.

- (1) Concerning REVISION OF MODEL HOUSING CODE - (See Sec. 18-1 to 18-36 of Code of General Ordinances concerning "Minimum Housing Standards" formerly known as "Ordinance No. 65" enacted Aug. 20, 1957) - Held in Committee 2/3/69, 3/3/69, 4/7/69, 5/5/69 and 6/2/69)

MR. KELLY said, as Chairman of the Health and Protection Committee, he is turning this over to the Legislative & Rules Committee. He said he met with that Committee on Tuesday, July 1st in order to get further knowledge on the matter for his Committee and at the present time has not received the information needed.

- (2) Re: STREET LIGHTS NOT OPERATING IN CERTAIN AREAS OF CITY - (Letter from Peter Chirimbes, 12th District Representative, recommending that the Health & Protection Committee meet with the Safety Boards and departments concerned, in order to set up a program.)

MR. KELLY said in regard to the above matter of poor lighting in various sections of the City, the lack of which makes it very easy for crimes to be committed, is being investigated. He said Mr. Chirimbes, Mr. Joss and the Chairman, made a trip around the City to survey these areas in question and they intend to meet again and also with the Safety Board in order to try and correct this situation.

- (3) Concerning Waterside (complaint from Tony Truglia, 5th District Representative) on conditions at Southfield Park)

MR. KELLY said they are taking this complaint under consideration and are hoping to get a solution to it and find out what can be done to improve the conditions.

MR. JOHN BOCCOUZZI said this is in the 2nd District (his District) and for many months he has been working with Capt. McDonald and others in the Police Department. He said they have had extra patrolling of the Park; he has also talked with Mr. Connell of the Park Department. He said they tried to get extra policemen down there and there was a Special Policeman over the 4th of July holiday. He said they also have worked with Mr. Connell in regard to sanding of the beaches in order to try to bring it up. He said it is hoped that we can have a Special Policeman down there on weekends at least, continually. He said the people in the neighborhood are complaining and they also know who is causing the trouble and yet they hesitate to sign a complaint, which handcuffs the Police Department. He said the Police Department is trying to do a good job to the best of their ability.



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He suggested that some of the parents in the neighborhood try to keep their kids home after one o'clock, perhaps this will help curb some of the vandalism that is going on in this neighborhood.

MR. KELLY said his Committee will try to do something to alleviate the situation.

MR. TRUGLIA said he appreciates Mr. Kelly's efforts and those of his Committee and knows that both Mr. Kelly and Mr. Boccuzzi will try to do something about these complaints. He said his reasons for bringing this up is a very serious one, because we have a fine looking park down there and thousands of dollars worth of equipment and there seems to be no end to this destruction that is going on.

PLANNING & ZONING COMMITTEE:

Corrected Ordinance No. 170 - CONCERNING ESTABLISHMENT OF A BUILDING OR SETBACK LINE ON SOUTH STREET TO NORTH STATE STREET - (Original Ordinance No. 167 Supplemental adopted 6/2/69 and vetoed by Mayor Giordano - See Page 5942 of Minutes) corrected to read: "Establishment of New Street Line on Easterly Side of South Street".

MR. RUSSELL presented the following Ordinance and MOVED for approval, waiving pre-publication. Seconded and CARRIED unanimously:

ORDINANCE NO. 170 SUPPLEMENTAL

ESTABLISHMENT OF NEW STREET LINE ON EASTERLY SIDE OF SOUTH STREET

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Pursuant to the corporative powers of the City of Stamford, the Board of Representatives hereby establishes a new street line on the easterly side of South Street in Stamford, Connecticut, from the terminus of Urban Renewal Commission widening, southerly to North State Street, which line is located thirty (30) feet easterly from the easterly boundary, as shown and delineated on map entitled: "South Street - New Street Line - November 1968" which map will be on file in the City and Town Clerk's Office and the City Engineer's Office.

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

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URBAN RENEWAL COMMITTEE:

Concerning Resolution from Urban Redevelopment Commission, modifying the Urban Renewal Plan, being CONTRACT FOR SALE OF LAND FOR PRIVATE REDEVELOPMENT between City of Stamford Urban Redevelopment Commission and the Consolidated Businessmen's Corporation - (Attached to letter dated 7/3/69 from James B. Hibben, Director of Urban Renewal).

MR. CALDER said he is in receipt of the above resolution from URC regarding



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Re-Use Parcel No. 9 in the Southeast Quadrant. He explained that this parcel of land has been set aside for the use of displaced businessmen. He said there presently exists a six story height limitation on this parcel of land. He said a local group of businessmen, known as the "Consolidated Businessmen's Corporation" has made a proposal for taking over this parcel and they anticipate developing on the land a twin theater and store complex which would not run any more than two stories in height. He said the proposed resolution modifies the present plan for Parcel 9 in reducing the height limitations from 6 story to 2 story. He said this will now have to be submitted to HUD for a revision of the price, which would reflect a lesser intensive use of this parcel of land.

He said since the change, so far, is classified as a minor one, it can be done by the URC attorneys and does not require action by this Board. However, at such time as the URC finalizes a disposition contract for this Parcel with the Consolidated Businessmen's Corporation, it will then be presented to the Board of Representatives for action just as the original Disposition Contract was. He said, however, at the moment this is merely informative.

C-DAP COMMITTEE:

Resolution No. 620 AUTHORIZING MAYOR TO FILE APPLICATION WITH STATE FOR GRANT IN AMOUNT NOT TO EXCEED \$306,772.88 TO ENABLE WAIVER OF PAYMENT IN LIEU OF TAXES, TO MAKE RENT REDUCTIONS AND SOCIAL SERVICE PROGRAMS POSSIBLE IN MODERATE RENTAL PROJECTS - (Requested in Mayor's letter to President, dated 6/23/69)

MR. MURPHY presented the following resolution and MOVED for its adoption. Seconded and CARRIED with one "no" votes:

RESOLUTION NO. 620

CONCERNING AUTHORIZATION FOR FILING OF AN APPLICATION FOR STATE ASSISTANCE IN AMOUNT NOT TO EXCEED \$306,772.88 TO ENABLE WAIVER OF PAYMENT IN LIEU OF TAXES, TO MAKE RENT REDUCTIONS AND SOCIAL SERVICE PROGRAMS POSSIBLE IN MODERATE RENTAL PROJECTS

WHEREAS, pursuant to Public Act 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 on 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 \$306,772.88 in order to undertake a program of Payment In Lieu of Taxes and, if the State, acting by the Commissioner of Community Affairs, by letter forwards to the City of Stamford a proposed agreement for financial assistance for said program, accept said offer;

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

1. That it is cognizant of the conditions and prerequisites for assistance imposed by Public Act 522, 760 and 768, 1967 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 provisions of local grants-in-aid to the extent that they are necessary and required for said program;
3. In consideration of such grant-in-aid to be made by the State of Connecticut through the Commissioner of Community Affairs, the City of Stamford shall waive during the period of such contract any payment in lieu of taxes by the Stamford Housing Authority under provision of Section 8-71 of the Connecticut General Statutes or under the provisions of cooperation arrangements between the Municipality and such authority or State. The approximate sum due to the Municipality under this cooperation agreement is \$104,480.00 for the fiscal year ending 1969.
4. That the filing of an application by the City of Stamford in an amount not to exceed \$306,772.88 is hereby approved and that the Mayor is hereby authorized and directed to execute and file such application with the Commissioner of Community Affairs, to provide such additional information, to execute such other documents as may be required by the Commissioner, to execute an Assistance Agreement with the State of Connecticut for state financial assistance if such an Agreement is offered to execute, to execute any amendments, recisions, and revisions thereto, and to act as the authorized representative of the City of Stamford.

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RESOLUTIONS:

CONCERNING FARE INCREASES ON PENN CENTRAL RAILROAD - PROPOSED RESOLUTION

MR. GRISAR introduced the following resolution and MOVED for its adoption. Seconded.

He explained that, as a commuter, he himself lost last week alone, over and above the scheduled amount of time, over 7½ hours of travelling time. He said the second thing is the amount of in car service which they have not been getting - for example, in the winter time there was no heat in most of the cars and now in the summer time, it is very rarely that you



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are able to find an air conditioned car.

He said they propose an increased single fare from \$1.86 to \$2.40 for a one way trip, which brings it up to \$4.80 for a round trip and no longer is there a \$2.39 two day excursion trip. He said what this is going to do is really price many people out of going into the City of New York which costs them \$4.80 for a one-day trip. He said on the commuting side, they propose a one month lash (?) type ticket with no punching which, in effect, if you happen to schedule your vacation during that month, you wind up buying a calendar month ticket which is absolutely worthless for the two weeks you are on vacation and there is no way of getting around not paying for this ticket. Also, he said, what it causes is "peak period" buying of tickets, so around the first of the month there will be massive lines of people in the Stamford and New York railroad stations buying tickets.

He said one thing the commuter has liked is the ten ride ticket, which establishes a ten trip - New York to Stamford and back for \$12.45 and in this fare they propose an 80% increase which will be something in the neighborhood of \$21 to \$22, so if you happen to be scheduling a vacation and have two weeks off during a month, you wind up paying \$42 for the two ten ride tickets for the two weeks which is the exact price that you could have bought the monthly ticket for.

The following resolution was adopted by unanimous vote:

RESOLUTION NO. 621

CONCERNING PROPOSED RAILROAD FARE INCREASE

BE AND IT IS HEREBY RESOLVED that the Board of Representatives of the City of Stamford go on record as opposing the fare increase proposed by the Penn Central Railroad for the New Haven Region.

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MR. GRISAR asked that the Secretary be instructed to transmit a copy of the above resolution to the Penn Central Railroad and the Interstate Commerce Commission prior to July 24th. He said it is important that this is received by them before their deadline date, because these rate increases go into effect August 1st.

OLD BUSINESS:

Re: Benenson Property

MR. TRUGLIA said he thinks it should be investigated by a proper Committee of this Board as to the feasibility of using this property for public housing, and that this report be acted upon as soon as possible.



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THE PRESIDENT asked the speaker if he has this in writing. He replied that he has it in writing and the President requested that he give it to Mrs. Farrell, so that it may be given to the Housing & General Relocation Committee.

NEW BUSINESS:


Problem with new apartment houses under construction lacking fences

MR. ALSWANGER brought up the matter of various apartment buildings that are under construction and unoccupied which create a hazard when there is no fence around them. He said children play around these areas and there is liable to be a very serious accident one of these days. He said he would like to see an Ordinance adopted so that there could be protection of some sort around these empty buildings under construction, such as a fence. He said perhaps when these apartment buildings are first started that money be held in escrow so that even if they do go bankrupt, a fence can be put up.

MR. TRUGLIA said several months ago he proposed an Ordinance be adopted whereby if a building is vacated whether there is a fire or some other reason that causes it to be vacated, that the owner be charged with the responsibility of either seeing to it that it is either torn down or, in this case, fenced in. He said this has been sitting on the Corporation Counsel's desk for some months and he has never heard anything further about it.

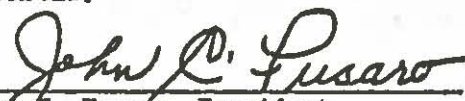
ADJOURNMENT:

Upon motion, duly seconded and CARRIED, the meeting was adjourned at 12.40 A.M.

  
Velma Farrell  
Administrative Assistant  
(Recording Secretary)

vf

APPROVED:

  
John C. Fusaro, President  
10th Board of Representatives

NOTE: The above meeting was broadcast  
over Radio Station WSTC  
VF