

MEETING OF THE 10th BOARD OF REPRESENTATIVES  
STAMFORD, CONNECTICUT  
Minutes of October 6, 1969

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

The President called the meeting to order at 9.15 P.M.

INVOCATION was given by Rev. Cyril Peters, Bethel AME Church.

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

PAGES: The President announced the presence of two Pages - Thomas Lombardo of University of Bridgeport and Walter Lobatski of Fairfield University.

APPOINTMENT OF TEMPORARY CLERK:

The President announced the appointment of Anthony Truglia as Temporary Clerk in the absence of the Clerk, Frank Coperine.

ROLL CALL was taken by the Temporary Clerk. There were 35 present and 5 absent at the calling of the roll. However, there was a resignation in the 11th District and a replacement, changing the roll call to 36 present and 4 absent. The absent members were:

Frank A. Coperine, (D) 1st District  
Paul J. Kuczo, Sr., (D) 1st District  
\* Herman Alswanger, (D) 11th District  
John T. D. Rich, (R) 18th District

\* (Resigned and later replaced)

RESIGNATION - HERMAN P. ALSWANGER, Democrat, 11th District

THE PRESIDENT read the resignation of Herman P. Alswanger, Democrat from the 11th District.

ELECTION TO REPLACE ABOVE VACANCY: RICHARD A. BIEDER (D) 11th District,  
residing at 1435 Bedford Street

MR. FEDAK offered the name of RICHARD A. BIEDER in nomination to fill the vacancy in the 11th District.

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

THE PRESIDENT administered the oath of office to Mr. Bieder, the newly elected Representative from the 11th District, who thereupon assumed his seat as a member of the Board of Representatives.

The President announced there are now 36 members present and 4 absent.

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## ACCEPTANCE OF MINUTES - Meeting of September 8, 1969

The above Minutes were accepted, there being one correction on Page 6011, 7th line from top of page was changed to read: "He said we would then have Washington Avenue ....."

COMMITTEE REPORTS:

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

STEERING COMMITTEE REPORT  
Meeting held Monday, September 22, 1969

A regular monthly meeting of the Steering Committee was held on Monday, September 22, 1969 in the Board of Representatives' meeting rooms, Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut.

The meeting was called to order at 8 P.M. by the Minority Leader, Thomas A. Morris.

The following Members were present: John Fusaro, Chairman; William Murphy, Charles Heinzer, John Boccuzzi, Thomas Morris, Robert Bromley and George Russell.

(1) Appointments to various Boards and Commissions:

The only appointment before the Committee at this time was the appointment of Stanley Krupnik (D), 49 Putter Drive, as an Alternate to the Zoning Board of Appeals, to term expiring 12/1/71, filling out the unexpired term of Chester Lewandowski, who became a regular member of the Board. This was ORDERED ON THE AGENDA under APPOINTMENTS COMMITTEE.

It was agreed that if any further appointments come through in time for the Committee to interview them, they will be considered at that time.

(2) Additional Appropriations:

All additional appropriations approved by the Board of Finance at their meeting held Thursday, September 11, 1969 were REFERRED TO THE FISCAL COMMITTEE and ORDERED ON THE AGENDA. Items in excess of \$2,000 were referred to the secondary committee concerned. Also, four appropriations that were deferred at the 9/8/69 Board Meeting, were ORDERED ON THE AGENDA under FISCAL COMMITTEE.

(3) Resolution changing date of November Board Meeting from 11/3/69 to the following Monday, 11/10/69

For the reason that the regular monthly meeting of the Board in November happens to fall on the night before election day, it was decided to propose a change of date - REFERRED TO LEGISLATIVE & RULES COMMITTEE and ORDERED ON AGENDA.

(4) Proposed amendment to Ordinance No. 132 to ALLEVIATE LACK OF PARKING SPACES NEAR RAILROAD STATION FOR STAMFORD COMMUTERS - (Proposed in letter of 6/17/69 from Richard Grisar, 8th District Representative)

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## REFERRED TO LEGISLATIVE &amp; RULES COMMITTEE - ORDERED ON AGENDA

- (5) Request in letter dated 8/28/69 from Atty. Frederick Tobin of law firm of Curtis, Brinckerhoff & Barrett, for TAX EXEMPTION FOR UNION MEMORIAL CHURCH

## REFERRED TO LEGISLATIVE &amp; RULES COMMITTEE - ORDERED ON AGENDA

- (6) Condemnation for Planned Road Connection - FOUR BROOKS ROAD - (Requested in letter date 9/16/69 from Theodore Godlin, Assistant Corporation Counsel)

## REFERRED TO LEGISLATIVE &amp; RULES COMMITTEE - ORDERED ON AGENDA

- (7) Request in letter dated 8/14/69 from Atty. P. Lawrence Epifanio of law firm of Moore, Epifanio & Toohar, for TAX ABATEMENT AND TAX EXEMPTION for property purchased by the BRIDGEPORT ROMAN CATHOLIC DIOCESAN CORPORATION, located on East Side of Suburban Avenue for PARISH HOUSE and religious purposes for the R.C.Chapel of Montserrat on Grove Street, enclosing proposed Ordinance "to exempt and abate taxes on 2nd half list of Sept. 1, 1966, list of Sept. 1, 1967 and list of Sept. 1, 1968, assessed on real property situated on east side of Suburban Avenue - E-8 Lot 24 - acquired Dec. 15, 1967 by the Bridgeport R.C.Diocesan Corp. for a parish house and for religious purposes".

## REFERRED TO LEGISLATIVE &amp; RULES COMMITTEE - ORDERED ON AGENDA

- (8) Proposed Ordinance amending Chapter 14 "Garbage & Trash", of Code of General Ordinances by issuing an identification number to licensed refuse collectors to be displayed conspicuously and also to separate garbage and burnables, and to deliver to Incinerator same day as picked up - (Presented by Mrs. Pont Briant on 9/8/69 under "Old Business")

## REFERRED TO LEGISLATIVE &amp; RULES COMMITTEE - NOT ON AGENDA

- (9) Request in letter of 8/11/69 from Supt. of Schools for RESOLUTION AUTHORIZING BOARD OF EDUCATION TO APPLY FOR STATE AID FOR ELEMENTARY SCHOOL NO. 1, Stamford Public Schools, Capital Projects Budget - (As stipulated in Public Act 493 (1969 Session) which stipulates the Supt. of Schools as the designated person for signing such application, instead of the Mayor as done previously in prior years - See Resolution No. 536, Minutes of 9/5/69) - Deferred at 9/8/69 Board meeting.

The above matter, being one of four requests for State Aid, was taken out of the Education, Welfare & Government Committee and REFERRED TO THE LEGISLATIVE & RULES COMMITTEE - ORDERED ON AGENDA.

- (10) Request in letter of 8/11/69 from Supt. of Schools for RESOLUTION AUTHORIZING BOARD OF EDUCATION to APPLY FOR STATE AID FOR ELEMENTARY SCHOOL NO. 2, Stamford Public Schools, Capital Projects Budget - (Also as stipulated in Public Act 493 (1969 Session) - (Same as above)

The above was removed from the Education, Welfare & Government Committee and REFERRED TO THE LEGISLATIVE & RULES COMMITTEE - ORDERED ON AGENDA.

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- (11) Request in letter of 8/11/69 from Supt. of Schools for RESOLUTION AUTHORIZING BOARD OF EDUCATION to APPLY FOR STATE AID FOR ELEMENTARY SCHOOL NO. 3, Stamford Public Schools, Capital Projects Budget -  
(Also as stipulated in Public Act 493 (1969 Session) - (Same as above)

The above was removed from the Education, Welfare & Government Committee and REFERRED TO THE LEGISLATIVE & RULES COMMITTEE - ORDERED ON AGENDA.

- (12) Request in letter of 8/26/69 from Supt. of Schools for RESOLUTION AUTHORIZING BOARD OF EDUCATION to APPLY FOR STATE AID OF MAINTENANCE AND SERVICE BUILDING, Stamford Public Schools, Capital Projects Budget -  
(Also as stipulated in Public Act 493 (1969 Session)

REFERRED TO LEGISLATIVE & RULES COMMITTEE - ORDERED ON AGENDA

- (13) Concerning letter of intent in reference to City-owned property located on Lawn Avenue and Main Street, consisting of 1/5 acres, being Lot #10 A in Block #191 for the purpose of constructing public housing by the Housing Authority of the City of Stamford

REFERRED TO PUBLIC HOUSING & GENERAL RELOCATION COMMITTEE - ORDERED ON AGENDA

- (14) Resolution concerning acute housing shortage in City of Stamford for Low and Moderate Income Families

REFERRED TO PUBLIC HOUSING & GENERAL RELOCATION COMMITTEE - ORDERED ON AGENDA

- (15) Letter, dated 8/27/69 from Mayor Bruno Giordano regarding TOPICS TRAFFIC REPORT, requesting this be considered for the October meeting of the Board

REFERRED TO PLANNING & ZONING COMMITTEE AND PUBLIC WORKS COMMITTEE

- (16) Letter dated 9/17/69 from Paul Nakian, Land Disposition Officer and URC Attorney, concerning approval of Two Disposition Contracts for Re-Use Parcels 9 and 21 as follows:

(a) Resolution Approving Contract for Sale of Land for Private Redevelopment among the City of Stamford, Connecticut, Urban Redevelopment Commission and the City of Stamford, Connecticut and the Consolidated Businessmen's Corporation (Re-Use Parcel 9)

(b) Resolution Approving Contract for Sale of Land for Private Redevelopment Among the City of Stamford, Connecticut, the City of Stamford, Connecticut Urban Redevelopment Commission and Komar Furniture Incorporated (Re-Use Parcel 21)

The above two matters were REFERRED TO THE URBAN RENEWAL COMMITTEE - NOT ORDERED ON THE AGENDA.

- (17) PETITION in letter of 9/16/69 from CHAMBER OF COMMERCE for PERMISSION TO ERECT AND MAINTAIN CHRISTMAS LIGHTING POLES AND/OR ARCHES ACROSS MAJOR CITY STREETS DURING CHRISTMAS SEASON

REFERRED TO PARKS & RECREATION COMMITTEE - ORDERED ON AGENDA



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- (18) Petition from members of REVONAH NEIGHBORHOOD ASSOCIATION, complaining of BAD FLOODING CONDITIONS and HEALTH MENACE caused by overflow of Toilsome Brook and septic tank pollution (Presented under "New Business" 9/8/69 meeting)

REFERRED TO HEALTH & PROTECTION COMMITTEE - NOT ORDERED ON AGENDA

- (19) Concerning report of Commissioner of Finance to Board of Representatives on IMPROVEMENT OF WINTER STREET FOR ACCEPTANCE AS A CITY STREET per Section 29.50 of Code of General Ordinances and Section 640 of Stamford Charter (See Resolution No. 598 adopted by Board of Representatives 1/6/69)

REFERRED TO PLANNING & ZONING COMMITTEE - ORDERED ON AGENDA

- (20) Request in letter of 8/22/69 from Paul Shapero, Corporation Counsel, for ABANDONMENT OF PAUL PLACE as a public highway in order that it may be used for additional parking facilities - (Being a City street, approximately 14,310 sq. ft. and running north and south between Oaklawn Avenue and Halpin Avenue)

REFERRED TO PLANNING & ZONING COMMITTEE - NOT ON AGENDA

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

JOHN C. FUSARO, Chairman  
Steering Committee

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MR. THEODORE BOCCUZZI MOVED to SUSPEND THE RULES at this time in order to take up Item #5 under Legislative & Rules Committee in order that the Board may act on the appointments of the Fair Rent Commission. Seconded and CARRIED.

LEGISLATIVE & RULES COMMITTEE:

- (5) Final adoption of Ordinance No. 173 CONCERNING ESTABLISHMENT OF A FAIR RENT COMMISSION IN THE CITY OF STAMFORD - (Adopted for publication 9/8/69; published 9/17/69)

MR. BROMLEY said his Committee has come out in favor of final adoption of the Ordinance. He said for the reason that they have made some major deletions and re-arranging, he would read the Ordinance in full, which he did at this time.

HE MOVED for final adoption of the following Ordinance. Seconded by Mr. Fedak, who spoke in favor of its adoption.

MR. DIXON spoke in favor of the Ordinance and urged its immediate adoption.

MR. DEUTSCH offered an amendment which was later withdrawn.

MR. BROMLEY said he wants to see the Ordinance stay as it is.

MR. JOSS asked a question of the Chairman in regard to Paragraph #10 under Section 7, entitled "Standards". He wanted to know what the income of the

tenant has to do with the fair rental of the property.

MR. BROMLEY said Mr. Joss asks a very perspicacious question, because it is something that has bothered the Committee and he does not see what the income of the tenant has to do with a fair rent in terms of landlord-tenant responsibility, but the answer is that the State enabling Act - Public Act No. 274 (effective October 1, 1969) contains among the standards that are to be imposed the wording "SHALL" be determined by using these standards and shall is mandatory. Under these circumstances, he said he feels we haven't any discretion as to whether we can include the income of the tenant or not, but it appears that the State enabling Act forces us to do so.

MR. JOSS asked another question - would this change the amount of rent charged in an identical apartment set up.

MR. BROMLEY said the speaker means that in other words, if you have five identical units, paying \$150 per month in rent, but one tenant is poor and the other four are rich, therefore this tenant would pay a lesser rent?

MR. JOSS replied "yes".

MR. BROMLEY said in that case, it may make a difference.

MR. JOSS asked if the Chairman believes this is unconstitutional.

MR. BROMLEY said there are grave questions of unconstitutionality. He said, however, the Committee in trying to come to a conclusion and considering the needs of the City of Stamford, sometimes it would be wrong for this Board to try to sit as a Supreme Court of the State of Connecticut, which we are not charged with the problem of trying to judge the constitutionality. He said this Ordinance is what the Committee has approved, pursuant to the enabling Act that the Legislature in its wisdom has seen fit to allow us to do and we are "tied" by the action of the Legislature. He said on this particular item - the income of the tenant - he does not see how this Board can act in any other way, but to include this as part of the Ordinance.

Several speakers spoke for and against the Ordinance, after which MR. CHIRIMBES MOVED THE QUESTION. Seconded and CARRIED with a few "no" votes.

MR. FEDAK MOVED for a ROLL CALL vote. However, not enough (one-fifth of those present) members being in favor of this, it failed to carry.

VOTE taken on the following Ordinance for final adoption. CARRIED with several "no" votes and one abstention - Mr. Kaplan abstaining on the grounds of a possible unconstitutionality. The Ordinance follows:

ORDINANCE NO. 173 SUPPLEMENTAL

CONCERNING THE ESTABLISHMENT OF A FAIR RENT COMMISSION  
FOR THE CITY OF STAMFORD

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Section 1. PURPOSE: Pursuant to and in conformity with Public Act No. 274 of the 1969 General Assembly, there is hereby created a Commission known as the

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Fair Rent Commission for the purpose of controlling and eliminating excessive rental charges on residential property within the City of Stamford. This Ordinance is enacted in recognition of the compelling need for rent stabilization for the duration of a severe housing shortage in Stamford.

Section 2. DEFINITIONS: Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

(1) "Commission" shall mean the Fair Rent Commission of the City of Stamford, Connecticut.

(2) "Person" shall mean any individual, firm, company, association, corporation or group.

(3) "Housing Accommodation" shall mean any building or structure, wholly or in part, containing living quarters occupied or fairly intended for occupancy as a place of residence, with any land or buildings appurtenant thereto and any services, furniture and facilities supplied in connection therewith except:

(a) A hospital, convent, monastery, asylum, public institution, or college or school dormitory, or any institution operated exclusively for charitable or educational purposes.

(4) "Rent" or "Rental Charges" shall mean any consideration, monetary or otherwise, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of any housing accommodation.

(5) "Tenant" shall mean any person who leases or rents, whether by written or oral lease, any housing accommodation, as a residence for himself and/or his immediate family.

(6) "Landlord" shall mean any person who leases, sub-leases, rents or permits the occupancy of any housing accommodation, including a person who manages a housing accommodation owned by someone else.

Section 3. MEMBERSHIP: The Commission shall consist of five (5) members, and three (3) alternate members, all of whom shall be resident electors of the City of Stamford. Not more than three (3) of said members and two (2) of said alternate members shall be registered members of the same political party. The members and alternate members shall be appointed by the Mayor, subject to approval by the Board of Representatives. The Commission shall elect from its members a Chairman and a Vice-Chairman.

Section 4. TERM OF OFFICE: Initially, the Mayor shall appoint a member to a term which expires December 1, 1974, the other members shall be appointed to terms which expire December 1, 1973, December 1, 1972, December 1, 1971, and December 1, 1970, respectively. Thereafter, members shall be appointed for a term of five (5) years, or to fill the unexpired term of any member who leaves the Commission. In no case shall a member serve for more than two (2) consecutive terms.

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Initially, alternate members shall be appointed to terms expiring December 1, 1974, December 1, 1972, and December 1, 1970, and thereafter to five (5) year terms as provided above for members.

Appointment and removal of Commission Members shall conform to Chapter 50 of the Stamford Charter.

Section 5. STAFF: The Commission may employ a Director to keep its records, to handle its correspondence, to supervise and direct the administration of this ordinance, and generally to perform such other functions as may be assigned by the Commission. Additional employees as the Commission deems necessary to effect the provisions of this ordinance may be appointed by the Commission. Upon request, assistance from other municipal agencies shall be reasonably available to the Commission.

Section 6. POWERS: Pursuant to Public Act 274, the Commission shall have the following powers:

- (1) To make such studies and investigations into rentals charged for housing accommodations within the City of Stamford as it deems appropriate to carry out its responsibilities hereunder.
- (2) To receive complaints, inquiries and other communications concerning alleged excessive rental charges in housing accommodations within said city.
- (3) To conduct hearings on complaints or requests for investigation submitted to it by any tenant or any landlord. Two weeks written notice by registered mail shall be given to complaining tenant and landlord of the housing accommodations in question.
- (4) To administer oaths.
- (5) To subpoena witnesses and compel their attendance at said hearings.
- (6) To determine, after a hearing, whether or not the rent for any housing accommodation is so excessive as to be harsh and unconscionable.
- (7) To order a reduction of any excessive rent to an amount the Commission considers fair and equitable.
- (8) To continue, review, terminate or suspend all its orders and decisions.

Section 7. STANDARDS: In making determinations as to whether a rental charge is excessive, the Commission shall give due consideration to the following:

- (1) Rents charged for the same number of rooms in other housing accommodations within the City.
- (2) The sanitary conditions in the housing accommodations in question.



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(3) The number of bathtubs, or showers, flush water closets, kitchen sinks, and lavatory basins available to the occupants thereof.

(4) Services, furniture, furnishings and equipment supplied within said housing accommodations by the landlord.

(5) Size and number of bedrooms and number of whole bathroom accommodations.

(6) Repairs, including the cost of same, necessary to make such housing accommodation comply with the minimum standards required by Stamford City Code, Chapter 18.

(7) Compliance of the housing accommodation with the ordinances of the City of Stamford and the General Statutes and regulations of the State of Connecticut relating to health and safety.

(8) Annual return and profits on the landlord's investment.

(9) Amount of taxes and overhead expenses of the landlord.

(10) Income of the tenant and availability of other accommodations for him and his immediate family.

Section 8. PROCEDURES:

Quorum: (1) A quorum for any hearing or meeting shall consist of three (3) members or their alternates and shall be empowered to conduct said hearings and render orders and decisions pursuant thereto.

(2) Pending a determination by the Commission, the tenant shall continue to pay the rent required at the time of the complaint for the housing accommodation in question to the landlord while the complaint is pending before the Commission.

(3) All proceedings shall continue regardless of the fact that a tenant may quit the housing accommodation in question and notwithstanding any attempt, successful or otherwise, to evict said tenant. No sale, assignment or transfer of the housing accommodation in question shall be cause for discontinuing any pending proceeding nor shall it affect the rights, duties and obligation of the Commission or the parties thereto.

(4) Any person aggrieved by any order of the Commission may appeal to the Court of Common Pleas for the County of Fairfield, such appeal to be taken within fifteen (15) days after the rendering of the order in question. Any such appeal shall be considered a privileged matter with respect to the order of trial.

Section 9.

If any provision of this ordinance is held unconstitutional, such determination shall not affect any other provision hereof.

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Section 10. EFFECTIVE DATE:

This Ordinance shall take effect upon the date of its enactment, or October 1, 1969, whichever shall be later in time.

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RETURN TO REGULAR ORDER OF BUSINESS:

THE PRESIDENT called upon the Chairman of the Appointments Committee to give his report. The Board thereupon returned to their regular order of business.

APPOINTMENTS COMMITTEE:

MR. THEODORE BOCCUZZI, Chairman, said a meeting of his Committee was held this evening in the Municipal Office Building and present were the following: John Boccuzzi, William Caporizzo and the Chairman. He presented the following appointments for confirmation. Ballots were distributed by the Tellers. The vote appears below:

FAIR RENT COMMISSION:Term Ending:

ARTHUR FUSARO (D)  
79 West Hill Circle

VOTE: 22 yes      Dec. 1, 1971  
13 no  
1 disqualified

WILLIAM MARTIN (D)  
18 East Walnut Street

" 24 yes      Dec. 1, 1972  
11 no  
1 disqualified

HERMAN ALSWANGER (D)  
126 Hoyt Street

" 31 yes      Dec. 1, 1974  
5 no

ANTHONY ESPOSITO (R)  
19 Westgate Road

" 24 yes      Dec. 1, 1973  
11 no  
1 disqualified

CAPT. STEPHEN VITKA (R)  
101 Barrett Avenue

" 28 yes      Dec. 1, 1970  
7 no  
1 disqualified

ALTERNATE - ZONING BOARD:

ALBERT DeLUCA (D)  
216 Thornridge Drive  
(Filling out unexpired term of  
Stuart Konspore, now a member  
of Zoning Board)

" 30 yes      Dec. 1, 1971  
5 no  
1 disqualified

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ALTERNATE - PLANNING BOARD:TERM ENDING:

<u>JOHN E. WALSH, JR. (D)</u>	VOTE: 23 yes	Dec. 1, 1971
35 Grant Avenue	11 no	
(Filling out unexpired term of Ann Barton, who resigned)	2 disqualified	

ALTERNATE - ZONING BOARD OF APPEALS:

<u>STANLEY KRUPNIK (D)</u>	" 18 yes	Dec. 1, 1971
49 Putter Drive	15 no	
(Filling out unexpired term of Chester Lewandowski, who was appointed a regular member of the Zoning Board of Appeals)	3 disqualified	

URBAN REDEVELOPMENT COMMISSION:

<u>FRANK H. D'ANDREA, JR. (R)</u>	" 30 yes	Aug. 7, 1974
470 Taconic Road	6 no	
(Replacing Eugene Gordon, whose term expired Aug. 7, 1969)		

MRS. PONT-BRIANT said she has a couple of questions. She asked why the names of the above people do not appear on our Agenda tonight.

THE PRESIDENT explained that it has been the practice of the Steering Committee for as long as he has been on the Board, to leave the Appointments Committee open and to leave it up to the Committee itself if they have sufficient time to interview and proceed in an orderly fashion in regard to any appointments, and to put them on the agenda.

MRS. PONT-BRIANT said she has notices sometimes in the past that the members have received a list of appointments on their desks at 8 o'clock, but she does not feel this procedure is proper.

MR. BROMLEY said he feels compelled to agree with Mrs. Pont-Briant. He said we have been voting on appointments to Boards that are the most sensitive in the City and we have not been given adequate notice on these appointments. He said they may be very adequate and very good, but feels the Board should be given some advance notice of their pending appointments that are coming up for a vote.

THE PRESIDENT said it is a well known fact that the Steering Committee always leaves the Appointments Committee open at the discretion of the Committee - that if any appointments come subsequent to the meeting of the Steering Committee that it is left up to the Appointments Committee to make the decision as to whether or not they have sufficient time to interview and act upon the candidates. He said this to his knowledge, has been the procedure followed during the past four years.

MR. HEINZER said he would like to challenge the RULING OF THE CHAIR on this matter. Seconded.

THE PRESIDENT called for a vote on the appeal from the ruling of the chair. He explained that an affirmative vote would challenge the ruling of the Chair.

MR. BOCCUZZI asked that the vote be clarified again by the President, as he felt some of the members did not understand the question.

MR. MORRIS said it has always been, to his knowledge, whether the previous Mayors were derelict in their duty or not, that it has been the practice of the Steering Committee, if the names were in, they could be presented by the Appointments Committee.

MR. BOCCUZZI said in the past 20 months he can only recall one or two meetings when this has not happened.

MR. CONNORS said when he was President in 1953 we did the same thing, so the precedent was set a long time ago and this is not new.

MR. HEMINGWAY said he disagrees and while it may be true that the Steering Committee leaves this option open, except in very rare exceptions, the Board has always been given some sort of a printed list to go by.

MRS. PONT-BRIANT said she would hope that in the future that the appointments will be presented far enough in advance so that they can be given to the entire Board of Representatives so that these appointees will not be considered the same night of the Board meeting, and by only three members of the Appointments Committee.

MR. HEINZER said the Board is having a discussion in the middle of a vote and we should finish acting upon the vote.

THE PRESIDENT informed the speaker that his motion is still on the floor, which is to question the propriety of these names being on the agenda. He said Mr. Heinzer's motion is to challenge the ruling of this Chair and the Chair states that it has been the practice and the custom to consider the names on the agenda when the appointees have been interviewed by the Committee. He said a "yes" vote upholds Mr. Heinzer's motion and a "no" vote upholds the ruling of the Chair.

MR. BIEDER rose on a point of information. He asked if there is any rule which states that these appointments must be presented beforehand or ahead of time.

THE PRESIDENT said there is no such ruling.

MR. MORRIS said he thinks Mr. Heinzer should re-phrase his motion, because he does not think that an appeal from the ruling of the Chair is correct, because what he is really doing is appealing the ruling of the Steering Committee of which he happens to be a member.

THE PRESIDENT said that is what makes this rather confusing.

MR. HEINZER said in the Steering Committee when we have anticipated names coming up, we have voted to leave these appointments open, but we do not



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do it as a matter of course and these appointments were not even discussed at the last meeting of the Steering Committee, but these names came up tonight "Out of the Blue" and that is quite different than having the Steering Committee decide to let these go through.

THE PRESIDENT said his recollection is different.

MR. BROMLEY rose on a point of order. He said he thinks that Mr. Bieder has a point, because Rule 12 of the RULES OF ORDER does say: "..... All matters which any Representative shall desire to be placed on such Agenda shall be presented to the Steering Committee not less than FIVE (5) days before such meeting. No business other than what appears on the Agenda shall be transacted, except by consent of two-thirds of the members present at a meeting of the Board of Representatives." He said he is well aware that we have operated under a sort of "agreement" between the party leaders and appointments have been made the night of the meeting.

THE PRESIDENT said the Steering Committee has made it a practice to put all items on the agenda and rule them on the agenda, even though they are not before us - which procedure has been followed in the case of additional appropriations under consideration by the Board of Finance, which sometimes meets at a special meeting AFTER our Steering Committee meeting and we leave the agenda open in regard to that item.

MR. RUSSBACH said he MOVES THE QUESTION, right or wrong - let's get it over with.

THE PRESIDENT said again that an affirmative vote upholds Mr. Heinzer's motion and a negative vote upholds the ruling of the Chair. VOTE taken on the motion. LOST.

MR. CONNORS MOVED FOR SUSPENSION OF THE RULES in order to go now to the special Committee - the Public Housing & General Relocation Committee - in fairness to these people who have been patiently waiting for this to be brought up for the past couple of hours. Seconded by Mr. Palmer and Mr. Russbach and CARRIED unanimously.

PUBLIC HOUSING & GENERAL RELOCATION COMMITTEE:

- (1) Concerning "Letter of Intent" in reference to City-owned property located on LAWN AVENUE and MAIN STREET, consisting of 1.5 acres, being Lot #10 A in Block #191 for the purpose of constructing public housing by the Housing Authority of the City of Stamford

MR. JOHN BOCCUZZI, Chairman, said he has been requested by the Housing Authority to ask the Board of Representatives to give them a "Letter of Intent" for the above named property - being a triangular piece of property located on Lawn Avenue and Main Street, which is a piece of land that was donated to the City by Jesse Hartman back in August 7, 1950. He said he has checked in the Board minutes of that date - page 266 - and found no statement in the Minutes to indicate that this land must be earmarked for any special purpose or use of the property and all he found was reference to the fact that they have drainage for the Lawn Avenue apartments and in the Planning Board's schedule for property owned by the City of Stamford, the only recommendation they made is "Hold for a park or a housing site".

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He said the Housing Authority is requesting approval of the proposed "Letter of Intent" to transfer this property to them for the price of \$1.00. He said the reason for this is that in order to obtain Federal funds, they can't pay the going price for the land. He said he understands that even though this Board approves the "Letter of Intent" they will have to undertake all necessary approvals from the Public Works Department, Board of Finance and any other departments necessary, to enable them to acquire this property. He said he understands that the Public Works Department is going to change the road in order to eliminate the sharp turn into Main Street,

MR. BOCCUZZI presented the following and MOVED for approval. Seconded.

LETTER OF INTENT

WHEREAS, the Housing Authority of the City of Stamford is desirous of acquiring Lot #10 A in Block #191 on LAWN AVENUE and MAIN STREET, which property consists of 1.5 acres for the purpose of constructing public housing; and

WHEREAS, the said property was acquired on December 29, 1950, for public purposes by the City of Stamford; and

WHEREAS, the City of Stamford is presently the owner of the aforementioned parcel of property, the Housing Committee of the Board of Representatives hereby states:

(1) If the Housing Authority of the City of Stamford can make use of said Lawn Avenue, Lot #10 A property, then the City of Stamford will, for the nominal amount of One Dollar (\$1.00) convey to the Housing Authority of the City of Stamford said Lawn Avenue property, Lot #10 A; and

(2) If, for any reason, the Housing Authority of the City of Stamford cannot make use of the said property, or is unable to acquire sufficient funds for the erection of the proposed units, the Housing Authority will then re-convey to the City of Stamford said Lawn Avenue property, Lot #10 A, for the nominal amount of One Dollar (\$1.00) that the Housing Authority was originally required to pay; and

(3) It is further understood and agreed that the Housing Authority of the City of Stamford will undertake to obtain all the necessary approvals from the Public Works Commissioner, the Board of Finance and any other departments necessary to enable them to acquire said property.

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MR. TRUGLIA asked how many units do they intend to build on this land.

MR. BOCCUZZI said their intention is to build 9 three or four bedroom units. He said the Committee informed the Housing Authority that they were definitely opposed to putting high rise apartments in this area because they felt the piece of property was too small to accommodate too

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many people and thinks this is what they intend to do. He said this Board will have the last say as what is built when they come back with their final plan before we turn the property over to them. He said all the Letter of Intent does is provide them with a chance to do preliminary work to find out what kind of a building can be erected, etc. He said even though this Board gives their approval.

MR. CONNORS objected to any more "scattered sites" housing being located in the east side.

MR. JOSS spoke in opposition.

After considerable debate, MR. GUROIAN MOVED to return this matter to Committee for reconsideration. Seconded.

MR. BOCCUZZI agreed to accept the motion, unless there is disagreement from the members of his Committee.

MR. KAPLAN spoke in opposition to the motion to return to Committee.

MR. BIEDER agreed with Mr. Kaplan. He said this Letter of Intent is merely to find out if it is feasible to place housing on this land.

MR. FEDAK MOVED THE QUESTION. Seconded and CARRIED unanimously.

VOTE taken on the motion to recommit. LOST by a vote of 11 in favor and 17 opposed.

The debate continued for a considerable length of time, after which MR. KAPLAN MOVED THE QUESTION on the main motion - to approve the Letter of Intent.

MR. CONNORS requested a roll call vote. Nine signified their approval. This being enough, the following ROLL CALL vote was taken on the question of approval of the foregoing "LETTER OF INTENT" and was CARRIED BY A VOTE of 19 in favor and 14 opposed:

THOSE VOTING IN FAVOR

BIEDER, Richard (D)  
BOCCUZZI, John (D)  
BROMLEY, Robert (R)  
CHIRIMBES, Peter (R)  
DEUTSCH, Chester (D)  
DIXON, Handy (D)  
FEDAK, Robert (D)  
FINNEY, Edward (D)  
HEMINGWAY, Booth (R)  
HORNER, Watson (R)  
KAPLAN, Howard (D)  
MILLER, Frederick (D)  
MORRIS, Thomas (R)  
MURPHY, William (D)  
PLOTNICK, Paul (D)  
PONT-BRIANT, Lois (R)

THOSE VOTING IN OPPOSITION

CAPORIZZO, William (R)  
COLHOUN, Richard (R)  
CONNORS, George (D)  
COSTELLO, Robert (D)  
DURSO, Robert (D)  
GRISAR, Richard (D)  
GUROIAN, Armen (D)  
HEINZER, Charles (R)  
JOSS, James (D)  
KELLY, Stephen (D)  
PALMER, Jack (R)  
PENSIERO, Joseph (D)  
RUSSBACH, Daniel (R)  
RYBNICK, Gerald (D)

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THOSE VOTING IN FAVOR (CONT'D)

RUSSELL, George (R)  
 SCOFIELD, Edward (R)  
 TRUGLIA, Anthony (D)

RETURN TO REGULAR ORDER OF BUSINESS:

THE PRESIDENT said we will now return to the regular order of business and called for the report of the Fiscal Committee.

FISCAL COMMITTEE:

MR. JOHN BOCCUZZI, Chairman, presented the following additional appropriations:

- (1) \$13,977.87 - FIRE DEPARTMENT - BENEFITS FOR SUPERVISORY PERSONNEL not covered by Collective Bargaining Contract, to be allocated as follows: (See Mayor's letter of 8/8/69)-  
 (Held in Committee 9/8/69 - See Minutes of 8/4/69, pages 5992-93-94)

Code 540.0103 - Overtime -----	\$1,388.65
" 540.0108 - Acting and Standby -----	753.19
" 540.0110 - Holidays -----	9,093.33
" 540.0111 - Night Differential -----	2,742.70
	<u>\$13,977.87</u>

MR. BOCCUZZI said the Committee REDUCED this from the \$14,409.87 originally requested by reducing the item for "Overtime" from \$1,820.65 to \$1,388.65 by deleting overtime for the Fire Chief and Superintendent of Communications. HE MOVED for approval of the above request with these changes. Seconded by Mr. Hemingway who said the Personnel Committee met jointly with the Fiscal Committee and approved the recommendations as reported by Mr. Boccuzzi. CARRIED unanimously.

- (2) \$5,858.00 - PUBLIC WORKS DEPARTMENT - Reclassifications granted to personnel, allocated as follows: (Mayor's letter of 8/4/69 - Held in Committee 9/8/69)

Code 606.0101 - Salaries - Division of Highway Maintenance ---	\$1,568.00
" 607.0101 - Salaries - Division of Equipment Maintenance -	475.00
" 629.0101 - Salaries - Division of Land & Buildings -----	3,815.00
	<u>\$5,858.00</u>

The above matter was HELD IN COMMITTEE.

- (3) \$2,778.00 - FINANCE DEPARTMENT - Salary Reclassifications, as follows: (Mayor's letter of 8/5/69) - (Approved by Personnel Commission, effective 7/1/69) - (Held in Committee 9/8/69)



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Code 116.0101 - Salaries - <u>General Accounting</u> - Account Clerk 1, Grade S9 to Account Clerk III, S13 -----	\$1,089.00
and General Ledger Clerk, Grade S15 to Grade S18 -----	1,116.00
" 117.0101 - Salaries - <u>Data Processing</u> - D/P Operator II, Grade S11 to Lead Computer Operator, Grade S13 -----	573.00
	<u>\$2,778.00</u>

The above matter was HELD IN COMMITTEE.

- (4) \$33,591.52 - POLICE DEPARTMENT - Benefits for Supervisory Personnel not covered by Collective Bargaining Contract (covering period 7/1/68 thru 6/30/70) to be allocated as follows: (See Mayor's letter of 8/7/69) (Deferred on 9/8/69)

Code 530.0106 - Guaranteed Overtime -----	\$14,682.72
" 530.0110 - Pay Differential -----	9,103.84
" 530.0112 - Day Off Slips (Captains) -----	8,282.56
" 530.0108 - Day Off Slips (Chief) -----	1,522.40
	<u>\$33,591.52</u>

MR. BOCCUZZI MOVED for approval of the above request. Seconded by Mr. Hemingway, who said the Personnel Committee also concurred in approval. CARRIED unanimously.

- (5) \$7,000.00 - Resolution No. 627 amending 1969-1970 Capital Projects Budget for Project to be known as "FLOODLIGHTS AT SCALZI #1 BALL FIELD, and appropriation therefor - (See Mayor's letter of 8/29/69)

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

RESOLUTION NO. 627

AMENDING 1969-1970 CAPITAL PROJECTS BUDGET FOR PROJECT TO BE KNOWN AS "FLOODLIGHTS AT SCALZI #1 BALL FIELD AND APPROPRIATION OF \$7,000.00 THEREFOR

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford, to amend the 1969-1970 Capital Projects Budget by adding item to be known as "FLOODLIGHTS AT SCALZI #1 BALL FIELD" in accordance with the provisions of Sec. 611.5 of the Stamford Charter, and appropriation of \$7,000.00 therefor.

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- (6) \$9,062.16 - DEPARTMENT OF PUBLIC WELFARE - Code 410.0101 Salaries -  
 Being salary increases for 1969-1970 fiscal year for  
 Caseworkers in accordance with Collective Bargaining  
 Contract recently negotiated - (See Mayor's letter of  
 8/22/69) - REDUCED by Board of Finance from \$11,562.16  
 as \$2,500 was transferred from another account)

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

- (7) \$1,600.00 - BOARD OF ETHICS, covering following expenses: (Mayor's  
 letter of 8/22/69) - (REDUCED by Board of Finance from  
 \$2,100 by deleting \$500 for "Investigator's fees")

Hiring public stenographic help -----	\$1,500.00
Miscellaneous -----	100.00
	<u>\$1,600.00</u>

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

- (8) \$45,456.00 - Salary Increments to Supervisory and Administrative  
Personnel not covered by Collective Bargaining, for  
fiscal year 1969-1970 in accordance with recommendations  
of the MARCOM REPORT and as listed in Mayor's letter of  
9/4/69 - Covering period from July 1, 1969 thru June 30, 1970

MR. BOCCUZZI said the above matter was HELD IN COMMITTEE.

- (9) \$2,500.00 - CLASSIFIED EMPLOYEES RETIREMENT FUND - Code 176.0908  
Actuarial Contract - (Mayor's letter of 9/3/69)

MR. BOCCUZZI MOVED for approval of the above request. He explained this is  
 a contract with the Segal Company who take care of the Retirement Fund and  
 every third year they have to make a more detailed study of the Fund.  
 Seconded by Mr. Hemingway who reported that the Personnel Committee concurs  
 in approval. CARRIED unanimously.

- (10) \$25,000.00 - Resolution No. 628 - Amending 1969-1970 Capital Projects  
Budget for purpose of adding another bay with storage  
room to house additional equipment in present Fire  
Station (See Mayor's letter of 9/3/69)

MR. BOCCUZZI MOVED for approval of the following resolution. Seconded by  
 several members and CARRIED with two abstentions - Mr. Hemingway and  
 Mr. Horner:

RESOLUTION NO. 628

AMENDING 1969-1970 CAPITAL PROJECTS BUDGET BY ADDING  
PROJECT FOR LONG RIDGE FIRE DEPARTMENT, FOR PURPOSE  
OF ADDING ANOTHER BAY WITH STORAGE ROOM TO HOUSE ADDI-  
TIONAL EQUIPMENT IN PRESENT FIRE STATION AND APPROPRIATION  
OF \$25,000.00 THEREFOR

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BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford, to amend the 1969-1970 Capital Projects Budget by adding item to be known as "LONG RIDGE FIRE DEPARTMENT" for purpose of adding another bay with storage room to house additional equipment in present fire station, in accordance with the provisions of Sec. 611.5 of the Stamford Charter, and appropriation of \$25,000.00 therefor.

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- (11) \$990,565.00 - Resolution No. 629 amending 1969-1970 Capital Projects Budget for Project known as "STAMFORD HIGH SCHOOL ADDITION AND MODERNIZATION PROJECT" - (See Mayor's letter of 7/7/69)

MR. HEMINGWAY asked that the record show that Mrs. Pont-Briant made the motion to approve this favorably in the Fiscal Committee.

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

RESOLUTION NO. 629

AMENDING 1969-1970 CAPITAL PROJECTS BUDGET FOR PROJECT KNOWN AS "STAMFORD HIGH SCHOOL ADDITION AND MODERNIZATION PROJECT" AND APPROPRIATION OF \$990,565.00 THEREFOR

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford, to amend the 1969-1970 Capital Projects Budget by adding item to be known as "STAMFORD HIGH SCHOOL MODERNIZATION AND ADDITION" in accordance with the provisions of Sec. 611.5 of the Stamford Charter and appropriation of \$990,565.00 therefor.

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LEGISLATIVE & RULES COMMITTEE:

MR. BROMLEY, Chairman, reported that his Committee met on November 30, 1969 in the Board Meeting Room and present were: Messrs. Plotnick, Grisar, Murphy and Bromley. He announced that their next meeting will be held Thursday, November 6th.

- (1) Concerning Change of Date for November Board Meeting from November 3, 1969 to November 10, 1969:

MR. BROMLEY MOVED for approval of the change of meeting date as outlined above. Seconded and CARRIED unanimously.

- (2) Final adoption of Ordinance concerning ANTI-LITTER - (Adopted for publication at 9/8/69 Board Meeting; published 9/17/69 - Previously held in Committee 4/7/69, 5/5/69, 6/2/69, 7/7/69, 8/4/69, 9/8/69)

The above matter was again HELD IN COMMITTEE.

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- (3) Proposed Ordinance ESTABLISHING TAX EXEMPTION FOR PROPERTY ACQUIRED BY FAITH TABERNACLE BAPTIST CHURCH, located at 84 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 - Also see letter dated 9/16/69 attaching a proposed Ordinance, from Atty. Wise) -- (Held in Committee 7/7/69, 8/4/69 and 9/8/69)

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

PROPOSED ORDINANCE

TAX EXEMPTION FOR FAITH TABERNACLE BAPTIST CHURCH  
 PROPERTY LOCATED AT 84 WALLACE STREET, STAMFORD,  
 CONNECTICUT, UNDER PROVISIONS OF 12-81 (b) OF  
 CONNECTICUT GENERAL STATUTES (1967 P.A. 311)

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Pursuant to Section 12-81 (b) of the General Statutes of Connecticut, the property of Faith Tabernacle Baptist Church, an eleemosynary institution, acquired from George Hutchings, Jr. and Emma J. Hutchings on October 25, 1968, located at 84 Wallace Street, Stamford, Connecticut, for the purpose of a Manse, be exempted from taxation on the List of September 1, 1967 as of October 25, 1968, and on the Lists of September 1, 1968 and September 1, 1969 and from the Public Improvement Assessment List No. 0405; and

The Commissioner of Finance be and is hereby authorized and directed to reimburse Faith Tabernacle Baptist Church in the amount of \$422.58 for real property taxes paid for said property on the List of September 1, 1967 prorated as of October 25, 1968.

This Ordinance shall take effect upon its adoption.

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- (4) Resolution No. 630 - TRANSFERRING CERTAIN HIGHWAYS IN CITY OF STAMFORD TO STATE OF CONNECTICUT - (Under provisions of P.A. 603, enacted 1961) - (See 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, 6/2/69, 7/7/69, 8/4/69 and 9/8/69)

(NOTE: This exempts Summer Street and Bedford Street)

MR. BROMLEY said he defers to the Public Works Committee on this item.

MR. HEINZER, Chairman of the Public Works Committee, said a meeting of the Public Works Committee was held last week on October 2, 1969 and they invited people from the State Highway Department down. Present at that



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meeting were: Messrs. Caporizzo, Calder, Scofield, Horner, Bromley, Plotnick, Fedak and Murphy from the Board of Representatives. He said an invitation was sent out from the Board office to each Board member, inviting them to attend this meeting.

He said Mr. Gubala an Engineer and a Mr. Curtis Mullen, Assistant Chief of Programming for the Bureau of Highways of the State, attended, in order to answer some questions. He said the main question from this Board was whether or not we had to turn these two roads - BEDFORD STREET and SUMMER STREET - over to the State to become State Highways, in order to receive the TOPICS money and the implementation of the TOPICS program. He said up until this meeting they had heard from Gubala and other representatives of the State, that this was absolutely necessary. However, it seems that some legislation was put through during the 1969 term of the legislature that now makes it possible for us to receive these funds from the State, if we make these two roads part of a State-Federal primary system, they could still stay under our control.

MR. HEINZER MOVED for approval of the original resolution which contains the amendment approved by the Legislative & Rules Committee, which takes Bedford and Summer Street out of the resolution. Seconded and CARRIED unanimously. The resolution follows:

RESOLUTION NO. 630

CONCERNING ROAD TRANSFER AGREEMENT BETWEEN THE  
CITY OF STAMFORD AND THE STATE OF CONNECTICUT

WHEREAS, Public Act 603 of the 1961 Connecticut General Assembly has established a State Highway System and has provided for the taking of roads into the State Highway System, and

WHEREAS, the City of Stamford, a municipality aggrieved by the reclassification of highways as designated on the original official map marked "State of Connecticut, State Highway System Committee to Reclassify All Public Roads, Edwards & Kelcey, Engineers & Consultants, 1/13/61," in accordance with the provisions of Public Act 603 of the 1961 Connecticut General Assembly, has requested that the matter of highway reclassification in said City be submitted to arbitration, and

WHEREAS, representatives of the Connecticut State Highway Department and the City of Stamford have carried on negotiations for resolving the arbitration of road classification by means of the transfer of certain streets in the City of Stamford to the State of Connecticut, and

WHEREAS, the City of Stamford has received a written agreement from the Connecticut State Highway Department concerning the transfer of these certain City streets to the State of Connecticut, and

WHEREAS, the City of Stamford desires to expedite the execution of the road transfer agreement heretofore mentioned in order to accelerate the implementation of the "TOPICS" program;

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

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City of Stamford that the Mayor of the City of Stamford be and is hereby authorized to execute the road transfer agreement between the City of Stamford and the State of Connecticut, except that the City shall not transfer Summer Street, from Long Ridge Road to Broad Street, 1.29 miles, nor Bedford Street, from Broad Street to Long Ridge Road, 1.37 miles, as specified in said road transfer agreement; and the Mayor of the City of Stamford is hereby authorized to withdraw the request of the City of Stamford for arbitration in connection with the above said City streets when the road transfer agreement is executed, as aforesaid. The Mayor is authorized to waive the statutory requirement of sixty (60) days prior notice to the City of Stamford of the effective date of the road transfers to the State of Connecticut as recited in Section 13a-45 of the 1958 Revision of the Connecticut General Statutes, as amended.

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(5) Concerning Final adoption of Ordinance No. 173 Supplemental - Re ESTABLISHMENT OF A FAIR RENT COMMISSION IN THE CITY OF STAMFORD

(NOTE: The above matter was taken up earlier in the meeting under SUSPENSION OF THE RULES - See page 6034.)

SECOND ROLL CALL TAKEN:

MR. CHIRIMBES rose on a point of personal privilege. He said he would like to call this to the attention of the President and the members now remaining in the meeting. He said we are voting on some major projects this evening and most of the Board members who tied up most of the evening with their pet projects are no longer with us. He said he would like for the record to show what our attendance is at this time (12:15 A.M.) and requested that another attendance roll call be taken.

THE PRESIDENT asked the speaker if he is presenting this as a motion.

MR. CHIRIMBES replied that he is - definitely.

THE PRESIDENT ordered the Clerk to call the roll for the second time this evening, which he did at this time.

Those members who left the meeting earlier are listed below:

Handy Dixon (D) 2nd District  
 Edward Dombroski (D) 3rd District  
 Armen Guroian (D) 7th District  
 George Connors (D) 8th District  
 Theodore Boccuzzi (D) 9th District (excused because of illness)  
 Joseph Pensiero (D) 9th District  
 Otto Calder (D) 12th District (excused because of toothache)  
 Daniel Russhach (R) 17th District

(6) Final adoption of Ordinance No. 174 Supplemental - "CONCERNING TAX EXEMPTION FOR CONVENT FOR TEACHERS OF OUR LADY STAR OF THE SEA SCHOOL ON SHIPPAN AVENUE AND ROCKLEDGE DRIVE under provisions of Section 12-81 (b) of Connecticut General Statutes - 1967 P.A. 311

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(See previous Ordinance No. 162 which exempted property only on the List of Sept. 1, 1967 - This concerns exemption from taxation of property on the List of Sept. 1, 1968) - (Adopted for publication 9/8/69 and published on 9/12/69)

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

ORDINANCE NO. 174 SUPPLEMENTAL

TAX EXEMPTION FOR CONVENT FOR TEACHERS OF OUR LADY STAR OF THE SEA SCHOOL ON SHIPPAN AVENUE AND ROCKLEDGE DRIVE UNDER PROVISIONS OF SECTION 12-81 (b) OF CONNECTICUT GENERAL STATUTES (1967 P.A.311)

(See previous Ordinance No. 162 which exempted property only on the List of Sept. 1, 1967 - This concerns exemption from taxation of property on the List of Sept. 1, 1968)

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Pursuant to Section 12-81 (b) of the General States of Connecticut, that the property acquired by Our Lady Star Of The Sea Corporation, an Ecclesiastical corporation, from the Estate of Charles A. Brown, which property was acquired for the purpose of maintaining a convent for the teachers of Our Lady Star Of The Sea School and which property is located on the corner of Shippan Avenue and Rockledge Drive, in the City of Stamford, which was exempted from taxation on the List of September 1, 1967, by Ordinance No. 162 Supplemental, and the same be exempted from taxation on the List of September 1, 1968.

This Ordinance shall take effect upon its adoption.

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- (7) Request in letter dated 8/13/69 from Atty. Robert B. Wise for 100% TAX ABATEMENT for "NEW NEIGHBORHOODS, INC." an apartment Project to be erected on Stillwater Avenue, to be known as the "MARTIN LUTHER KING APARTMENTS" which tax abatement is requested pursuant to terms of Public Act 522, Section 18 - (Legal description enclosed in letter) - (Held in Committee on 9/8/69)

The above was HELD IN COMMITTEE.

- (8) Final adoption of Ordinance No. 175 Supplemental - "PROPERTY TAX EXEMPTION FOR FIRST CONGREGATIONAL CHURCH OF STAMFORD, INC.," under provisions of Public Act No. 311 (1967 Session) - (Approved for publication 9/8/69; published 9/12/69) - (Requested in letter of 8/18/69 from Atty. Daniel Miller)

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

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ORDINANCE NO. 175 SUPPLEMENTALPROPERTY TAX EXEMPTION FOR FIRST CONGREGATIONAL CHURCH OF STAMFORD, INC., UNDER PROVISIONS OF SECTION 12-81 (b) OF CONNECTICUT GENERAL STATUTES (1967 P.A.311)

## BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Pursuant to Public Act No. 311 of the January Session of the General Assembly, 1967, the Commissioner of Finance be and is hereby authorized and directed to reimburse the First Congregational Church of Stamford for real estate taxes on the List of September 1, 1968, on property purchased by it for Manse purposes from Wallace P. Myers and Ruth H. Myers of 35 Twinbrooks Road, in the City of Stamford, Connecticut.

This Ordinance shall take effect upon its adoption.

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- (9) Proposed amendment to Ordinance No. 132 to ALLEVIATE LACK OF PARKING SPACES NEAR RAILROAD STATION FOR STAMFORD COMMUTERS - (Proposed in letter of 6/17/69 from Richard Grisar, 8th District Representative)

The above matter was HELD IN COMMITTEE.

- (10) Request in letter dated 8/28/69 from Atty. Frederick Tobin of law firm of Curtis, Brinckerhoff & Barrett, for TAX EXEMPTION FOR UNION MEMORIAL CHURCH

The above matter was HELD IN COMMITTEE.

- (11) Condemnation for Planned Road Connection - FOUR BROOKS ROAD - (Requested in letter dated 9/16/69 from Theodore Godlin, Assistant Corporation Counsel)

The above matter was HELD IN COMMITTEE.

- (12) Request in letter dated 9/14/69 from Atty. P. Lawrence Epifanio for TAX EXEMPTION AND ABATEMENT FOR PROPERTY on east side of Suburban Avenue E-8 Lot 24) acquired by BRIDGEPORT ROMAN CATHOLIC DIOCESAN CORPORATION on 12/15/67 for a PARISH HOUSE and for RELIGIOUS PURPOSES - (Proposed Ordinance enclosed in letter)

The above matter was HELD IN COMMITTEE.

- (13) Request in letter of 8/11/69 from Supt. of Schools for RESOLUTION AUTHORIZING BOARD OF EDUCATION to APPLY FOR STATE AID FOR ELEMENTARY SCHOOL NO. 1, Stamford Public Schools, Capital Projects Budget - (As stipulated in P.A. 493 (1969 Session) which stipulates the Supt. of Schools as the designated person for signing such application, instead of the Mayor, as done previously in prior years - See Resolution No. 536, Minutes of 9/5/67)



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

RESOLUTION NO. 631

AUTHORIZATION OF PRELIMINARY APPLICATION FOR STATE AID GRANT FOR ELEMENTARY SCHOOL NO. 1, STAMFORD PUBLIC SCHOOLS, CAPITAL PROJECTS BUDGET 1969-1970

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford, pursuant to and within the limitations of Public Act No. 493, entitled "An Act Concerning Application for School Building Grants" (1969 Session of General Assembly) that the Board of Education is hereby authorized and directed to apply for State Aid on behalf of the Board of Education, for Elementary School No. 1, Stamford Public Schools, Capital Project, in the name of the City of Stamford for said Project.

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- (14) Request in letter of 8/11/69 from Supt. of Schools for RESOLUTION AUTHORIZING BOARD OF EDUCATION to APPLY FOR STATE AID FOR ELEMENTARY SCHOOL NO. 2, Stamford Public Schools, Capital Projects Budget - (Also as stipulated in P.A. 493, 1969 Session - See previous Resolution No. 631 above)

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

RESOLUTION NO. 632

AUTHORIZATION OF PRELIMINARY APPLICATION FOR STATE AID GRANT FOR ELEMENTARY SCHOOL NO. 2, STAMFORD PUBLIC SCHOOLS, CAPITAL PROJECTS BUDGET 1969-1970

BE AND IT IS HEREBY RESOLVED by the Board of Representative of the City of Stamford, pursuant to and within the limitations of Public Act No. 493, entitled "An Act Concerning Application for School Building Grants" (1969 Session of General Assembly) that the Board of Education is hereby authorized and directed to apply for State Aid on behalf of the Board of Education, for Elementary School No. 2, Stamford Public Schools, Capital Project, in the name of the City of Stamford for said Project.

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- (15) Request in letter of 8/11/69 from Supt. of Schools for RESOLUTION AUTHORIZING BOARD OF EDUCATION to APPLY FOR STATE AID FOR ELEMENTARY SCHOOL No. 3, Stamford Public Schools, Capital Projects Budget - (Also as stipulated in P.A. 493 (1969 Session) - See previous Resolution No. 632 above)

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

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RESOLUTION NO. 633AUTHORIZATION OF PRELIMINARY APPLICATION FOR STATE  
AID GRANT FOR ELEMENTARY SCHOOL NO. 3, STAMFORD  
PUBLIC SCHOOLS, CAPITAL PROJECTS BUDGET 1969-1970

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford, pursuant to and within the limitations of Public Act No. 493, entitled "An Act Concerning Application for School Building Grants" (1969 Session of General Assembly) that the Board of Education is hereby authorized and directed to apply for State Aid on behalf of the Board of Education, for Elementary School No. 3, Stamford Public Schools, Capital Project, in the name of the City of Stamford for said project.

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- (16) Request in letter of 8/26/69 from Supt. of Schools, for RESOLUTION AUTHORIZING BOARD OF EDUCATION to APPLY FOR STATE AID FOR MAINTENANCE AND SERVICE BUILDING, Stamford Public Schools, Capital Projects Budget - (Also as stipulated in Public Act 493 (1969 Session) - Same as Resolution No. 633 above)

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

RESOLUTION NO. 634AUTHORIZATION OF PRELIMINARY APPLICATION FOR STATE  
AID GRANT FOR MAINTENANCE AND SERVICE BUILDING,  
STAMFORD PUBLIC SCHOOLS, CAPITAL PROJECTS BUDGET 1969-1970

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford, pursuant to and within the limitations of Public Act No. 493, entitled "An Act Concerning Application for School Building Grants" (1969 Session of General Assembly) that the Board of Education is hereby authorized and directed to apply for State Aid on behalf of the Board of Education, for Maintenance and Service Building, Stamford Public Schools, Capital Project, in the name of the City of Stamford for said Project.

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PLANNING & ZONING COMMITTEE:

MR. RUSSELL, Chairman, presented the following report of his Commission:

- (1) Acceptance of road as City Street - WARDWELL STREET

MR. RUSSELL MOVED for acceptance of the following road as a City Street. He explained that it has been certified for acceptance by the City Engineer in his letter of October 6, 1969, as required by Ordinance No. 92 Supplemental; seconded and CARRIED:

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WARDWELL STREET - Extending easterly from Sound View Avenue to the easterly property line as shown on Map No. 8692 on file in the City and Town Clerk's office.

Length: approximately 714 ft. The total length includes an unaccepted portion, plus approximately 265 ft. of a newly constructed street.

- (2) Concerning report of Commissioner of Finance to Board of Representatives on IMPROVEMENT OF WINTER STREET FOR ACCEPTANCE AS A CITY STREET, per Section 29.50 of Code of General Ordinances and Section 640 of Stamford Charter - (See Resolution No. 598 adopted by Board of Representatives 1/6/69

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

RESOLUTION NO. 635

APPROVING REPORT OF COMMISSIONER OF FINANCE AND DIRECTING PUBLIC IMPROVEMENTS TO BE CARRIED OUT ON WINTER STREET UNDER PROVISIONS OF SECTION 29.50 OF CODE OF GENERAL ORDINANCES AND SECTION 640 OF THE STAMFORD CHARTER

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford:

That the report of the Commissioner of Finance to the Board of Representatives, dated September 17, 1969, regarding the improvement of WINTER STREET; and

BE IT FURTHER RESOLVED, that upon approval of said report by the Mayor of the City of Stamford, said improvements shall be carried out in accordance with said report, after notice of such finally approved report has been given according to law; and

BE IT FURTHER RESOLVED, that the report when so approved by the Mayor and when funds have been appropriated to pay for the cost of the improvement, shall be recorded in the land records of the City of Stamford.

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MR. HEINZER said the above street happens to be in his District and it is a street which is approximately the same length and condition as BARNCROFT ROAD on which he lives. He said the original resolution on Winter Street was passed eight months ago and all of the work has been done to bring this up to the point where it now stands. He said the original resolution was presented on BARNCROFT ROAD three years ago and he is getting a little bit suspicious. He requested that the Planning & Zoning Committee look into this matter and find out why Barncroft Road has not yet even been started.

MR. RUSSELL said he remembers this and promised that his Committee will look into the matter.

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PARKS & RECREATION COMMITTEE:

MR. KELLY gave the report for the above committee, on the following:

PETITION NO. 342 - CHAMBER OF COMMERCE - Request in letter of 9/16/69  
for permission to ERECT AND MAINTAIN CHRISTMAS  
LIGHTING POLES AND/OR ARCHES ACROSS MAJOR CITY  
STREETS DURING CHRISTMAS SEASON

MR. KELLY MOVED for approval of the above petition on the condition that the Chamber of Commerce will live up to all the requirements as they have for many years past. Seconded and CARRIED unanimously.

PETITION NO. 343 - VETERANS DAY PARADE, November 11, 1969 - Requested  
in letter dated Oct. 1, 1969 from Patriotic and  
Special Events Commission

MR. CHIRIMBES MOVED for SUSPENSION OF THE RULES in order to consider the above request. Seconded and CARRIED.

MR. CHIRIMBES read the letter which outlined the line of march of this parade and MOVED for approval of the petition, subject to approval of the Police and Fire Departments and observance of all City ordinances, with proper insurance coverage. Seconded and CARRIED unanimously.

PUBLIC HOUSING & GENERAL RELOCATION COMMITTEE:

NOTE: For Item #1 under above Committee, please refer to page 6042.  
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- (2) Resolution No. 636 concerning ACUTE HOUSING SHORTAGE IN CITY OF  
STAMFORD for LOW AND MODERATE INCOME FAMILIES (With attached  
letter from Corporation Counsel, dated 9/29/69, enclosing re-  
lated correspondence from Attorney General's Office, State of  
Connecticut)

MR. BOCCUZZI said he has a proposed resolution which he wishes to introduce regarding open land for housing, which has been approved by his Committee.

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

RESOLUTION NO. 636CONCERNING ACUTE HOUSING SHORTAGE IN CITY OF STAMFORD FOR  
LOW AND MODERATE INCOME FAMILIES

WHEREAS, the Board of Representatives of the City of Stamford recognizes that there exists an acute shortage of housing for Stamford's low and moderate income families; and



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WHEREAS, the Board of Representatives is vitally interested in the development of a meaningful program to alleviate this shortage; and

WHEREAS, there exists two agencies with legal powers to prepare and carry out plans to develop land to be made available for low and moderate income housing (the Urban Redevelopment Commission and the Housing Site Development Agency); and

WHEREAS, there remain a limited number of large parcels of open land on which housing can be developed in compatible, well-designed and aesthetic setting; and

WHEREAS, the Stamford Planning Board is proceeding to update the Master Plan, which will require an appropriate land use determination be made for each remaining open or undeveloped parcel of land in the City; and

WHEREAS, Federal and State financial assistance may be available to prepare and carry out a plan for the development of said open land parcels for the purpose of supplying low and moderate income housing;

NOW, THEREFORE, BE IT RESOLVED:

1. That the City of Stamford, through the Mayor's office, Community Development Action Plan Agency, Urban Redevelopment Commission or Housing Site Development Agency, and other appropriate Boards or Commissions prepare forthwith an application for Federal and State financial assistance for the purpose of preparing plans to develop open land parcels for housing;
2. That this application (or applications) be expedited by coordination of the agencies involved to assure that no delay will be incurred;
3. That such application (or applications) be presented to the Board of Representatives for approval before filing.

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Attached correspondence in explanation of above inserted for clarification:

Letter dated 6/27/68 to Corporation Counsel from Assistant Attorney General concerning opinion regarding Section 16, Public Act 522 of 1967 Regular Session to CREATE A HOUSING SITE DEVELOPMENT AGENCY

"Recently you requested my opinion regarding Section 16, Public Act 522, 1967 Regular Session, specifically whether the Chief Executive Officer of a municipality may create a new agency to be the municipality's designated housing site development agency, or must the Chief Executive Officer designate a preexisting agency to fulfill that function.

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"Please be advised that there is no restriction in Public Act 522 preventing the Chief Executive Officer of a municipality from creating an agency to administer the housing site development program. The Chief Executive Officer may, at his discretion, designate an existing agency to administer a housing site development program or create a new agency as the 'Housing Site Development Agency'. In my opinion, it is the intent of Public Act 522 to allow the Chief Executive Officer of a municipality the discretion to act in the most appropriate manner to accomplish this particular program, subject to the approval of the governing body. The Housing Site Development Agency would, therefore, best conform to the needs of the particular municipality."

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Letter, dated 9/23/69 to Corporation Counsel from Assistant Attorney General relating to the creation of the Stamford Housing Site Development Agency (Ordinance No. 148 Supplemental)

"Commissioner Jones of the Department of Community Affairs has advised us of the matter of concern to his department relating to the creation of the Stamford Housing Site Development Agency pursuant to the provisions of Sec. 8-213 of the 1967 settlement to the general statutes. While this office usually advises only State agencies with regard to legal matters, this is directed to you to confirm the advice rendered to Commissioner Jones concerning this matter.

"It appears that your Housing Site Development Agency was created as a new Agency, based on the authority of Sec. 8-213. You have been advised subsequently by my office that such a course of action was improper in that there was no authority in such Statute to 'create' a Housing Site Development Agency, but merely to designate either an existing agency of the City or a lawfully created one, to be the Housing Site Development Agency. I believe it to be in the best interest of the State and the City to rectify this situation expeditiously and in accordance with the law of Connecticut.

"However, I may advise you that the City of Stamford may by designation of the Chief Executive Officer of Stamford and approval by the governing body thereof, designate its CDAP Agency as the Housing Site Development Agency for the City of Stamford. The CDAP Agency being designated pursuant to Sec. 8-207 of the 1967 Supplement to the General Statutes and continuing in existence pursuant to Public Act 757 of the 1969 Regular Session of the General Assembly as a CDAP Agency with all the powers incident thereto, is an agency proper and lawful which may be designated pursuant To Sec. 8-213 as a Housing Site Development Agency.

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"If the CDAP Agency of the City of Stamford desires to secure the services of the present members of the Housing Site Development Agency, then it may designate those individuals as a sub-committee, or sub-agency for the purposes of carrying out housing site development projects.

"I hope that this matter can be resolved in accordance with the above".

/S/ Benson A. Snaider  
Assistant Attorney General

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Letter, dated 9/29/69 to Chairman of Steering Committee of Board of Representatives from Corporation Counsel relating to designating the CDAP agency as the Housing Site Development Agency for the City with proviso that the Mayor may designate existing Housing Site Development Agency as a sub-committee thereof

"As you know, there has recently been considerable discussion concerning the authority of the Housing Site Development Agency. I am attaching herewith a copy of a letter which was received by this office on 6/27/68 prior to our creation of the Housing Site Development Agency.

"In subsequent correspondence, beginning in July of this year and culminating in a letter dated 9/23/69, the Assistant Attorney General has reversed the position stated in the letter of June, 1968. Therefore, I would suggest that at the next meeting of the Board of Representatives you follow the suggestion contained in Mr. Snaider's letter of 9/23/69 and designate the CDAP Agency as the Housing Site Development Agency for the City of Stamford with a further proviso that the Mayor may then designate the existing Housing Site Development Agency as a sub-committee of the CDAP Agency to administer the housing site development program.

"I would assume that such action by your Board will satisfy the requirements set out in the revised opinion of Mr. Snaider dated 9/23/69.

"P.S. Mr. Snaider has informed me that should your Board, or an appropriate committee thereof, desire to meet with him to discuss this matter further, he will be available for such discussion."

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RESOLUTIONS:

Proposed Resolution Suggesting land located on Long Ridge Road, north of Bulls Head and below the Merritt Parkway, known as the "BENENSON TRACT" be considered for development for purpose of supplying LOW AND MODERATE INCOME HOUSING

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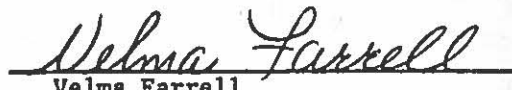
MR. TRUGLIA presented a resolution on the above subject, which was ordered held for the next meeting of the Steering Committee for referral to the proper Committee.

PETITION FROM RESIDENTS OF REVONAH WOOD COMPLAINING OF FLOODING CONDITION - (See Minutes of Sept. 8, 1969, page 6028; also see #18 under Steering Committee Report, page 6034 - Referred to Health & Protection Committee)

MR. FEDAK inquired as to the disposition of the above petition introduced by himself and Mr. Alswanger, former Representative from the 11th District. He was informed that it had been referred to the Health and Protection Committee.

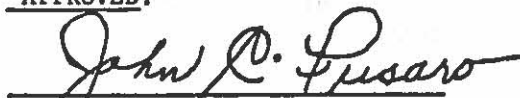
ADJOURNMENT:

Upon motion, duly seconded and CARRIED, the meeting was adjourned at 12.35 A.M.

  
Velma Farrell  
Administrative Assistant and  
Recording Secretary

vf

APPROVED:

  
John C. Fusaro, President  
10th Board of Representatives

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

VF