

MEETING OF THE 11th BOARD OF
REPRESENTATIVES, STAMFORD, CONN.
Minutes of February 1, 1971

A regular monthly meeting of the 11th Board of Representatives of the City of Stamford, Connecticut, was held on Monday, February 1, 1971, in the Board's Meeting Rooms, Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut.

The meeting was called to order by the President at 8.45 P.M. after a Caucus by the respective parties.

INVOCATION was given by Rev. Bernhard Johnson, St. John's Lutheran Church.

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

ROLL CALL was taken by the Clerk. All 40 Members were present.

CHECK OF VOTING MACHINE:

THE PRESIDENT conducted a check of the voting machine at this time and it proved to be in perfect working order.

ACCEPTANCE OF MINUTES: Meeting of December 16, 1970
Meeting of January 11, 1971
Meeting of January 18, 1971 (if ready)

The Minutes of December 16, 1970 and of January 11, 1971 were accepted, with no changes or corrections.

The Minutes of January 18, 1971 were not ready, so the acceptance was deferred to the March Board Meeting.

PAGES:

THE PRESIDENT announced the presence of the following two Pages:

GERALD F. MURPHY, son of Representative Murphy (UConn)
DANNELL MALLOY - from Burdick Jr. High

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, January 18, 1971

A meeting of the Steering Committee was held on Monday, January 18, 1971 at 9.50 P.M. immediately after the adjournment of the Special Board Meeting which was held first.

The meeting was called to order by the President and Chairman, Charles J. Heinzer, III. The following Representatives were present:

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STEERING COMMITTEE REPORT (CONT'D)

Thomas A. Morris
Daniel R. Russbach
Charles J. Heinzer, III
Richard A. Bieder
Edward K. Scofield
John J. Boccuzzi
Gerald J. Rybnick
Stephen E. Kelly
Handy Dixon

George E. Russell
Alan H. Ketcham
Mrs. Pont-Briant
Frederick E. Miller
William D. Murphy
Joseph S. Bitetto

(1) Mayor's Appointments

The appointment of Betty Ann Cookney to the Park Commission, held in Committee at the January 11, 1971 Board Meeting was ORDERED ON THE AGENDA under APPOINTMENTS COMMITTEE.

Mayor's letters dated 1/13/71 and 1/15/71 concerning 7 appointments to various Boards and Commissions were ORDERED ON THE AGENDA under APPOINTMENTS COMMITTEE.

(2) Additional Appropriations

All additional appropriations acted upon by the Board of Finance at their meeting held January 14, 1971 were REFERRED TO THE FISCAL COMMITTEE and ORDERED ON THE AGENDA. Items in excess of \$2,000 were referred to secondary Committees.

The Members' attention was called to the fact that the Board of Finance is holding an Adjourned Meeting tonight and probably will approve two matters:

- (a) Resolution authorizing issuance of bonds in the amount of \$25,167,000.00 to finance Capital Projects in the 1970-1971 fiscal year.
- (b) Resolution amending the 1970-1971 Capital Projects Budget by adding to project known as "INCINERATOR - CONVENTIONAL UNIT" the additional sum of \$1,850,000.00 and appropriation of that amount for said Project.

The above two items were REFERRED TO THE FISCAL COMMITTEE, but NOT ordered on the Agenda.

- (3) \$250,000.00 - BOARD OF EDUCATION - To cover cost of salaries for substitute teachers - (Letter dated 11/16/70 from Dr. Porter) (Held in Committee 1/11/71)

The above was NOT ordered on the Agenda.

- (4) Concerning TRANSFER of funds for the following - Transferred from Code 116.0101 to Code 115.0101 - (Approved by Board of Finance on 1/14/71)

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\$12,500.00 - Salary of Internal Auditor - Code 115.0101
 300.00 - Travel (automobile expense) - Code 115.0802
 200.00 - Professional Fees ----- Code 115.0901
\$13,000.00

The above matter was NOT ordered on the Agenda. However, it was REFERRED TO THE FISCAL COMMITTEE.

There were several other items deferred by the Board of Finance, so no action was taken on these.

- (5) Final adoption of Ordinance GRANTING PROPERTY TAX EXEMPTION FOR THE UNITARIAN-UNIVERSALIST SOCIETY IN STAMFORD under the provisions of Sec. 12-81b of the General Statutes (Public Act No. 311, 1967 Session) - (Requested in letter from law firm of Maguire, Cole, Bentley & Babson of 10/27/70) - (Deferred 12/7/70; approved for publication 1/11/71 and published 1/14/71)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (6) Proposed Ordinance - CONCERNING THE PARTIAL ABANDONMENT OF VERNON PLACE - (Requested in letter from John E. Smyth, Asst. Corporation Counsel of 12/11/70) - (Held in Committee 1/11/71 - Now awaiting opinion from Corporation Counsel)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (7) Concerning DEBRIS FEE SCHEDULE - (See Minutes of 9/8/70, page 7421; Minutes of 10/5/70, page 7491; Minutes of 11/9/70, page 7516, #10) (Also, see letter dated 12/29/70 to Public Works Commissioner from Walter Flaherty, Jr., requesting a meeting with the Stamford Refuse Collectors Association and Members of various Committees of the Board of Representatives)

ORDERED ON AGENDA under PUBLIC WORKS COMMITTEE

- (8) Concerning Facility Use Fee for 1971 in Park Department - \$3.00 per day per car, for weekdays only, non-resident parking in restricted areas - (Addition, as requested in letter of 12/10/70 from Ed Connell)

ORDERED ON AGENDA under PARKS & RECREATION COMMITTEE

- (9) Four COLLECTIVE BARGAINING CONTRACTS - (1) Two yr. contract from 7/1/70 to 6/30/72 - Between City of Stamford and CASEWORKERS of City of Stamford, Department of Public Welfare - (Contract signed 1/11/71) - (2) DENTAL HYGIENISTS - (Contract signed 1/15/71) - (3) POLICE ASSOCIATION (Contract to be signed on 1/20/71) and (4) FIRE FIGHTERS ASSOCIATION (Contract signed on 1/13/71)

All of the above Collective Bargaining Contracts were REFERRED TO THE PERSONNEL COMMITTEE. However, because a Special Meeting is being called for January 29, 1971 on this, it was not ordered on the Agenda for the next regular Board Meeting.

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(10) Letter dated 1/13/71 from HOUSING SITE DEVELOPMENT AGENCY,
concerning the following matters:

- (a) Adoption of a Resolution FINDING NEED FOR 120 FAMILY UNITS FOR LOW AND MODERATE INCOME FAMILIES (Under provisions of Section 8-213 of General Statutes)
- (b) Adoption of STRAWBERRY HILL AVENUE Housing Site Development Plan
- (c) Adoption of a Resolution AUTHORIZING APPLICATION TO DEPARTMENT OF COMMUNITY AFFAIRS FOR \$356,000 in STATE ASSISTANCE, in order to undertake program for Housing Site Acquisition for the Strawberry Hill Avenue site (Local share in cash, in the amount of \$178,000, in accordance with requirements of Public Acts 522, 760 or 768, 1967 Regular Session, as amended)
- (d) Adoption of a Resolution FINDING NEED FOR HOUSING FOR ELDERLY PERSONS OF LOW AND MODERATE INCOME IN CITY OF STAMFORD, TO BE NOT LESS THAN 100 DWELLING UNITS
- (e) Adoption of CLINTON AVENUE HOUSING SITE DEVELOPMENT PLAN
- (f) Adoption of a Resolution AUTHORIZING APPLICATION TO DEPARTMENT OF COMMUNITY AFFAIRS FOR \$206,000 IN STATE ASSISTANCE IN ORDER TO UNDERTAKE A PROGRAM FOR HOUSING SITE ACQUISITION FOR THE CLINTON AVENUE SITE, with local share in the amount of \$103,000 in cash, in accordance with requirements of Public Acts No. 522, 760 or 768, 1967 Regular Session, as amended
- (g) Adoption of a Resolution AUTHORIZING APPLICATION FOR STATE ASSISTANCE WITH COMMISSIONER OF COMMUNITY AFFAIRS IN ORDER TO UNDERTAKE A PROGRAM OF PLANNING AND STUDY FOR HOUSING SITE DEVELOPMENT in amount of \$66,746 with the City of Stamford to provide a local Grant-in-Aid, in accordance with the requirements of Public Acts 522, 760 or 768, 1967 Regular Session, as amended, as appropriate (local Grant-in-Aid to extent necessary and required for said program) - (For year September 1, 1970 to August 31, 1971)

All of the above matters listed under Item #10 were ORDERED ON THE AGENDA AND REFERRED to the LEGISLATIVE & RULES COMMITTEE, PLANNING & ZONING COMMITTEE, AND HOUSING & GENERAL RELOCATION COMMITTEE.

- (11) PUC - NOTICE OF HEARING to be held in connection with Stamford Water Co. Application to increase its rates and charges to all customers - To be held at the State Office Building, Hartford, Conn. in Room 565A, on February 8, 1971 at 10.30 A.M. (Monday)

The above matter was referred to the HEALTH & PROTECTION COMMITTEE

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- (12) Letter from Ralph Gervasio, President of MUNICIPAL EMPLOYEES ASSOCIATION (dated 12/22/70) requesting consideration of Gerald Sullivan (D) for reappointment to the PERSONNEL COMMISSION

Noted and filed.

- (13) Letter to Mayor and to the Board of Representatives (dated 1/11/71) from Paul Kuczo, Jr., Northeast Democratic Club, opposing the closing of the TICKET OFFICE OF THE EASTBOUND SIDE OF THE STAMFORD RAILROAD STATION, and asking that they do everything possible to prevent such closing of a much needed public facility

Noted and filed.

- (14) Letter dated 1/12/71 from WILLIAM IVLER to President Charles Heinzer, III, objecting to the locking of the doors of the Municipal Office Building during a Board Meeting, thus preventing the entrance of the public in order to attend these meetings - The night in question being the January 11th Board Meeting and claiming that this procedure is in violation of Section 205 of the Charter

Noted and filed.

- (15) Concerning a resolution from George Connors, signed by various members of the Board at Meeting held earlier this evening concerning this Board's objection to the tying in of a joint Sewage Disposal Plant with the Town of Darien

Referred to the SEWER COMMITTEE - Not ordered on the Agenda - No copies were made available to the Board Members, as Mr. Connors took them all with him to Hartford.

There being no further business to come before the Committee, on motion, duly seconded and CARRIED, the meeting was adjourned at 10.30 P.M.

Charles J. Heinzer, III
Chairman
Steering Committee

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SUSPENSION OF THE RULES:

MR. BREESE MOVED for Suspension of the Rules in order that the Members may consider Items Nos. 4 and 5 under the Fiscal Committee first in the order of business. Seconded and CARRIED.

Minutes of February 1, 1971FISCAL COMMITTEE:

- (4) \$80,530.16 - For an 8% salary increase for Supervisory and Administrative employees, as previously given to other City employees who are covered under Collective Bargaining Contracts - (Mayor's letter of 1/14/71) - (REDUCED by Board of Finance on 1/14/71 by deletion of the Police Chief and Fire Chief, pending ratification of the Police and Fire Dept. contracts, in order to give them the same benefits)

<u>Code No.</u>	<u>Department</u>	<u>Number of Employees</u>	<u>Amount</u>
102.0101	Registrars of Voters	4	\$2,360.00
106.0101	Board of Representatives	1	768.40
108.0101	Mayor's Office	2	2,800.00
110.0101	Law Department	6	5,298.80
112.0101	City & Town Clerk	2	2,162.64
114.0101	Commissioner of Finance	1	1,360.00
116.0101	Bureau of Accounts & Records	2	2,235.20
117.0101	Data Processing	3	2,643.76
118.0101	Bureau of Purchasing	2	2,192.24
126.0101	Central Services	1	768.40
134.0101	Planning Board	2	2,335.84
144.0101	Assessor's Office	2	2,131.28
146.0101	Collector of Taxes	1	1,152.40
174.0101	Department of Civil Service	2	1,978.48
176.0101	Retirement	1	705.28
192.0101	Human Rights	1	1,120.00
410.0101	Welfare Department	2	2,131.28
440.0101	Smith House	1	847.20
430.0101	Sunset Home	1	910.72
510.0101	Health Department	5	5,473.84
525.0101	Traffic	1	1,164.40

PUBLIC WORKS DEPARTMENT:

602.0101	Administration	3	3,660.88
606.0101	Highways	5	4,037.36
607.0101	Equipment Maintenance	2	1,496.00
614.0101	Street Cleaning	1	660.00
617.0101	Bureau of Sanitation (Administration)	1	1,412.88
620.0101	Bureau of Sanitation, I & STP.	2	1,498.40
624.0101	Division of Collection	6	4,136.72
626.0101	Engineering Department	2	2,575.28
628.0101	Building Inspection	2	2,224.56
629.0101	Division of Land & Buildings	1	927.44
710.0101	Park Department	2	2,068.16
720.0101	Recreation Department	3	2,933.52
730.0101	Hubbard Heights Golf Club	1	826.00
302.0000	Board of Education	8	7,597.04
530.0101	** Police Department	1	705.28
540.0101	** Fire Department	1	1,220.48
TOTAL ---			\$80,530.16

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** Salary increases for Police Chief and Fire Chief were DEFERRED by the Board of Finance, but will be reviewed after the contracts for these departments have been signed.

MR. EXNICIOS reported on the above matter. He explained that this is for an 8% salary for Supervisory and Administrative employees which was previously given to other City employees under the Collective Bargaining Contract. He did not read the list of Code numbers, as they were listed on the Agenda.

He said the Fiscal Committee considers this to be a cost-of-living increase. He said it has been brought to their attention that these employees have not received a cost of living increase in approximately three years and the Committee feels that they are definitely entitled to it and the Committee voted six in favor, one against for approval.

MR. EXNICIOS MOVED for approval of this appropriation. Seconded.

MRS. PONT-BRIANT said the Personnel Committee originally had some unanswered questions and the vote in Committee was three to two to hold. However, she said the vote has since been changed and now is three to two in favor. She said their reason was that it is a cost of living increase. She said there are some employees in here who are new and were hired at one salary and now there is another increase on top of it. She said they cannot pick out certain individuals, because they don't want an argument on the floor over individual names. She said all they can do is hope that in the future when something is submitted to them, more careful consideration will perhaps be given to the individual people so that the names will not come before them, so that they will not have this problem. However, she said the Personnel Committee has voted 3 to 2 to bring it out.

MR. TRUGLIA said he is a little vague as to some of Mrs. Pont-Briant's remarks. He asked if it is to be understood that her Committee favors this particular appropriation.

THE PRESIDENT said "yes" and called for a vote on the question. CARRIED unanimously.

(5) \$18,522.00 - To provide Merit step-increases in salary for 45 employees who are Supervisory and Administrative Personnel - (Mayor's letter dated 1/13/71)

Code No.	Department	No. Covered	Annual Cost of next step as of 7/1/70	Appro- priation Required
525.0101	Traffic Director	1	*\$ 546.00	\$ 546.00
410.0101	Welfare Department	1	* 285.00	285.00

* Reflects increments due Jan. 1, 1971

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Code No.	Department	No. Covered	Annual Cost of next step as of 7/1/70	Appro- priation Required
106.0101	Board of Representatives	1	\$ 721.00	---
110.0101	Law Department	5	2,931.00	\$ 2,931.00
112.0101	City & Town Clerk	1	492.00	---
116.0101	Bureau of Accts. & Records	2	1,675.00	---
117.0101	Data Processing	3	2,134.00	2,134.00
118.0101	Bureau of Purchases	2	1,370.00	---
126.0101	Central Services	1	721.00	721.00
134.0101	Planning Board	2	1,460.00	---
144.0101	Assessor's Office	2	1,331.00	1,331.00
174.0101	Dept. of Civil Service	1	653.00	---
410.0101	Welfare Department	2	1,331.00	---
430.0101	Sunset Home	1	794.00	794.00
440.0101	Smith House	1	569.00	---
510.0101	Health Department	1	794.00	---
511.0101	Housing Code Enf.T.F.	1	569.00	---
606.0101	Highways	1	920.00	920.00
620.0101	Incinerator-Sewage Treatment Plant	2	936.00	936.00
624.0101	Divn. of Collection	2	715.00	715.00
629.0101	Land & Bldg. Mainten.	1	598.00	598.00
710.0101	Parks	1	492.00	---
720.0101	Recreation	2	1,032.00	---
730.0101	Hubbard Heights	1	516.00	516.00
302.0000	Board of Education	9	6,095.00	6,095.00
		45	\$29,680.00	\$18,522.00

MR. EXNICIOS said it has been unanimously voted to hold the above matter in Committee until next month.

MR. TRUGLIA MOVED to remove this from Committee. Seconded by Mr. LiVolsi.

MR. TRUGLIA asked for a ROLL CALL VOTE. There being enough in favor, a roll call vote was taken to remove this from Committee.

MR. DURSO asked the President to clarify the vote.

THE PRESIDENT said a "yes" vote is to take this from Committee for discussion on the floor, and a subsequent vote; and a "no" vote is to leave it in Committee. He said this requires a majority vote of the entire Board - 21.

THOSE VOTING IN FAVOR
OF REMOVING FROM COMMITTEE

BIEDER, Richard (D)
BITETTO, Joseph (R)
BOCCUZZI, John (D)
BOCCUZZI, Theodore (D)
CAPORIZZO, William (R)
CHIRIMBES, Peter (R)
CONNORS, George (D)
COSTELLO, Robert (D)
DIXON, Handy, (D)

THOSE VOTING AGAINST
REMOVING FROM COMMITTEE

BREESE, John (R)
CLARK, Reed (R)
DeFOREST, John (R)
ELLSWORTH, Stephen (R)
EXNICIOS, Robert (R)
HORNER, Watson (R)
MORRIS, Thomas (R)
PONT-BRIANT, Lois (R)
PUETTE, William (R)

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DOMBROSKI, Edward (D)
DONAHUE, Alphonsus (D)
DURSO, Robert (D)
GUROIAN, Armen (D)
KELLY, Stephen (D)
KETCHAM, Alan (R)
LIVOLSI, Frank (D)
MILLER, Frederick (D)
MORABITO, Joseph (D)
MURPHY, William (D)
PERILLO, Alfred (D)
RAVALLESE, George (D)
RYBNICK, Gerald (D)
SHERER, Sidney (R)
SHERMAN, Edith (R)
TRUGLIA, Anthony (D)

ROOS, John (R)
RUSSBACH, Daniel (R)
RUSSELL, George (R)
SCOFIELD, Edward (R)
VARNEY, Kim (R)

THE PRESIDENT announced the vote to be CARRIED by a vote of 14 "no" and 25 "yes" (the President not voting except in case of a tie).

He said the matter is now open for discussion, and said before discussing there will have to be a motion for approval.

MR. LIVOLSI MOVED for approval of the merit step-increases for 45 employees, as outlined under Item #5.

MR. EXNICIOS said he would like to comment on the Committee Report. He said it was somewhat surprising to him that four of his Democratic colleagues here voted in Committee to hold this and have now changed their vote to bring it out. He said the reason the Committee voted unanimously to keep this in Committee was because the information they had required some deep study, whereas the previous item was a cost of living for people who had not received one in three years and they felt it was quite proper, but in this case, some of the jobs have been reclassified, some have been up-graded every year, and the Committee felt that it required more study than one evening. He said as Chairman of the Fiscal Committee, he has very little to add to either the pros or cons of the matter.

MR. MORRIS said he would like the Clerk to read some of the names of those who are no longer with the City and who were listed to receive merit increments. He said it has not been studied by any Committee, and thinks it would be foolish to just pass it without studying it first, even though he is sure that some of these employees deserve the merit increase.

MRS. PONT-BRIANT said she is not sure of some of the step raises, and there is none on one of them. She said as Chairman of the Personnel Committee this is a minor amount which would be an argument in favor of passing it, and they just received the names of those involved. She said the Personnel Committee has been working on six collective bargaining contracts, trying to do a detailed job and feels it is not too much to ask for a one month's extension of time, so that we know what we are voting on

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and also for the Fiscal Committee. She said some of the step increments were given within the Personnel Commission and the Committee has not had the opportunity to check this out. She said they allowed the 8% increase to go through because it is across the board, and all they are asking for is one more month in order to be sure that step increases weren't given and want to be sure that they are within the Marcom Report which she has, and all they ask is that they be given another month in order to check it out mathematically.

She said you are not going to lose any votes by these people out here.

MR. TRUGLIA said he resents that remark.

MRS. PONT-BRIANT said they are all sitting here as a pressure group and things have not been brought out of committee in the past without giving it a thorough study.

MR. RUSSBACH said this action surprises him because he thought the Board had learned its lesson when the contracts came through about voting for things about which they lacked full knowledge, such as the "open end" pension agreements which they approved, and also to the last contracts this Board voted on where they didn't even know what the dollar cost was. He said whenever a little pressure is put on this Board, they fold like a bunch of lillies. He said this is wrong.

MR. LIVOLSI said it is his understanding that this merit increment has been given prior approval by the Board of Finance and asked if that is correct.

THE PRESIDENT said that is true.

MR. LIVOLSI said this has gone through the Board of Finance, who have approved it and did not see fit to reduce it. He asked if this is in line with the Collective Bargaining Agreement.

MR. EXNICIOS said everything that comes before us fiscally must first have the approval of the Board of Finance. He said as far as being under Collective Bargaining, the answer is "no" because these people are not members of any of the Unions. He said this is an Association - the Municipal Administrators Association - but these are Merit Step Increases on a selective basis for individuals as requested by the Mayor in the November 2, 1970 letter (attached to his letter of January 13, 1971).

MR. GUROIAN said he would just like to make an observation - that it was only last week (Friday) that he asked on the Firemen's and Police Pension Fund deal for a little concern on the part of some of the representatives and yet the very ones tonight are urging caution, who weren't worrying about the cost just a couple of days ago when they voted in favor of the contracts for the Police and Firemen. He said now, on a much smaller item, they need a month to study it, yet a few days ago when the plea was made that it be held up one month for further study until the actuarial studies came through, these same people were in a great big hurry. He said this seems to be rather ironic.

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MR. BIEDER said he has a question and that is - is anything lost by holding this up another month - by this, will they lose any pay and if the answer to that is "yes" then is there a possibility that tonight we can vote to make it retroactive on anything that is acted upon next month.

MR. EXNICIOS said it is retroactive. He said he would recommend strongly to all the Board Members that they please read the correspondence that comes to us from the Mayor. He said in the Mayor's letter of November 2, 1970, it is clearly stated that "this is effective as of July 1, 1970" and we may pass this next month and it is still retroactive.

MR. DeFOREST said he thinks it is time we showed a little fiscal responsibility once in a while and he would like to see the Board support the Chairman of the Fiscal Committee, and the Personnel Committee. He said he sees no harm in holding this up for another month.

MR. BOCCUZZI said he happened to vote in favor of holding this matter in Committee, but since then he has talked to some people and now understands how the step oncrease is arrived at.

MR. THEODORE BOCCUZZI said we are talking about something around \$18,000 and he has sat through numerous meetings where this Board has discussed hundreds of thousands of dollars and no one has so much as raised a whimper or cried about "Fiscal responsibility". He said we have people connected with the City who have been with us well over 20 years and this is just a little token of reward for those who have given us outstanding service over the years.

MR. RYBNICK said he wants to make it quite plain - he was one who voted to bring this out of the Fiscal Committee and he said if some other Committee wanted to hold it, he would be in favor.

MR. MORRIS said the point he wants to bring out is that he did notice that under "Sunset Home", there is a Mrs. Nau who was supposed to retire in June and she comes up for a step raise, and he also noticed under the "Mayor's Office" there is a merit raise for William Gralnick, who is no longer in the Mayor's Office. He said for these reasons he does not think we have read this very close.

MR. ROOS said he would like to point out that this \$18,522 does not seem to be much of an item, but it is a recurring item and he thinks we should display more fiscal responsibility and more thought in granting all of these particular increases and should at least study them and have the opportunity to do so.

MR. HORNER said so far we have raised questions in regard to two or three positions named. He asked if we have to act upon this as an "all or nothing" thing.

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THE PRESIDENT said the answer is "no" - that we can eliminate those that we feel are wrong.

MR. HORNER asked, "then it is my understanding it is not the wish of the two Committees to act tonight without giving another month to study these"? He was informed this is correct.

MRS. SHERMAN said she is a little confused, because she thought these were particular positions we were voting on and this was the rate set under the Marcom Study for each particular position - and not for an individual person. And, in other words, this would take care of the man who replaced Mr. Gralnick and the person who replaced Mrs. Nau. She said certainly we are not being asked to give a raise to people who are no longer in the City's employ.

MRS. PONT-BRIANT said these raises are retroactive to July 1st so they could not apply to a person who just went into the position - probably on one, but this would then apply to a man who just went into a position, and since they ARE retroactive to July 1, 1970, it raises a question. She said all she is asking is on the step-increases, these were granted under the Marcom Report. She said the Committee is not saying that they are not going to be granted, but are just saying they did not have the names of the present incumbent, and all they are asking is another month to go over it more carefully and check out the names. She said all she asks is that on these step-increments they be allowed to go over them to check out the steps and the names and then they will report it out of Committee next month - furthermore, it is retroactive to July 1, 1970. She said we still have four more contracts to come up which will also be retroactive to July 1, 1970 and all they ask to be done is, to allow the two committees more time in which to study it.

MR. DONAHUE asked that now since the appropriation is on the floor, can it be rejected without prejudice for another 30 days?

THE PRESIDENT said it cannot. That the only thing to do is to approve, reject or move it back into Committee for another month. He explained that if it is rejected tonight it then has to go back to the Mayor, then again to the Board of Finance and then back to this Board, repeating the whole procedure.

MR. CONNORS said he heard a couple of names mentioned, of people who are no longer with the City, but they DID work for the City of Stamford up to July 1st and beyond July 1st. He said many times in the past we have acted upon retroactive wages for the Police, Fire Department and many other City employees who had since retired, but who were entitled to their money. He said if we want to end up in some lawsuits that's another matter. He said he thinks those people are entitled to their money even though some are retired and others have left the City employ.

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MR. SHERER MOVED to recommit this matter to Committee. Seconded and CARRIED by a machine vote of 25 in favor and 14 opposed.

MRS. SHERMAN MOVED to SUSPEND THE RULES in order to bring up Item #3 under the Legislative & Rules Committee in regard to the Housing Site Development Agency because there are many people here waiting to hear this item discussed.

THE PRESIDENT said a vote of "yes" would be to bring this matter up now and a vote of "no" would leave it on the Agenda where it is. He said it requires a two-thirds vote which would be 27 votes.

VOTE taken by machine and LOST, there being 25 votes in favor and 13 opposed.

APPOINTMENTS COMMITTEE:

MR. RUSSBACH presented his Committee Report. He said his Committee met on January 30, 1971 in the Republican Caucus Room with all Members present. Action was taken on the following appointments:

PARK COMMISSION:Term Ending:

- (1) BETTY ANN COOKNEY (R)
266 High Ridge Road
(replacing Lotus Mills, whose
term expired)

12/1/75

MR. RUSSBACH said the Committee was unable to interview Mrs. Cookney, due to an accident she had several months ago and hopefully they will be able to interview her next month, so this appointment is being held in Committee.

COMMUNITY DEVELOPMENT ACTION PLAN AGENCY:

- (2) MRS. AMELIA GERARDI (R) (Per Mayor's letter of 1/13/71)
48 Ocean Drive North
(to fill vacancy of Executive Director
of CDAP at an annual salary of \$14,000)

MR. RUSSBACH said, after much deliberation by the Committee, they voted to DENY this appointment.

MR. MILLER asked why?

MR. RUSSBACH said there were numerous reasons. First of all, the Committee felt that the experience level for this particular position. He said the Committee feels very strongly that this is a very important position in the City of Stamford and because of the awesome responsibility in this job, that we must have one who is more highly qualified

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which is the primary reason.

MR. MILLER asked if there are any specific job qualifications involved here.

MR. RUSSBACH said there are. He does not have a copy with him, but as a Board Member they are available to him.

THE PRESIDENT called for a motion.

MR. MURPHY MOVED for approval of the appointment. Seconded by Mr. Miller.

THE PRESIDENT explained the vote - he said a "yes" vote is a vote in favor of the nomination and a "no" vote is a vote for denial of the confirmation.

VOTE taken on the machine. DENIED by a vote of 36 no and 4 yes.

FLOOD & EROSION CONTROL BOARD:

Term Ending:

- (3) LOUIS J. CASALE (R)
155 Frederick Street
(reappointment)

12/1/75

The above appointment was held in Committee.

SOUTHWESTERN REGIONAL PLANNING AGENCY:

- (4) LOUIS J. RODRIGUEZ (R)
237 Russet Road
(replacing Stearns Woodman)

3/15/71
(ensuing term expires
3/15/73)

MR. RUSSBACH said the above appointment was also held in Committee. He explained that if the Committee approved Mr. Rodriguez for this appointment now, he would only be in term for one month until March 15; therefore, the Committee felt it would be more proper to have him in next month for an interview and he could be approved for the full two year term, expiring March 15, 1973.

HUMAN RIGHTS COMMISSION:

- (5) ROBERT ISRAEL (R)
Clarke Hill Avenue

12/1/71

The above appointment was also held in Committee.

Minutes of February 1, 1971PERSONNEL COMMISSION:Term Ending:

- (6) SHERWOOD SPELKE (D) VOTE: 31 yes 12/1/73
99 Knox Road 9 no
(replacing Gerald Sullivan)

PLANNING BOARD:

- (7) SAMUEL BERNSTEIN (D) " 31 yes 12/1/71
355 Cascade Road 9 no
(replacing Eve Paul,
who resigned)

PARKING AUTHORITY:

- (8) JACK PINSKY (R) 1/1/73
1 Strawberry Hill Court
(replacing Aurelio Rich, deceased)

The above appointment was held in Committee.

MR. RUSSBACH said at this time he wished to defer to Mr. Exnicios.

MR. EXNICIOS said he wished to present a Resolution at this time on behalf of the Appointments Committee. He presented the following Resolution and MOVED for its approval. Seconded.

RESOLUTION NO. 724CONCERNING SALARY PAYMENTS TO ACTING DIRECTOR OF CDAP
BEFORE APPROVAL OF APPOINTMENT BY THE BOARD OF REPRESENTATIVES

WHEREAS, the Board of Representatives of the City of Stamford is concerned with expenditures of funds and "in kind" payments for an extended period of time to individuals who have been denied appointment by the Board of Representatives, and

WHEREAS, we feel these payments are in direct conflict with the wishes of the taxpayers of Stamford, as expressed through their elected representatives;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford to direct the Mayor of the City of Stamford to immediately discontinue salary payments to the Acting Director of the Community Development Action Plan and NOT reinstate such salary payments until the Board of Representatives approves an individual for appointment as a permanent Director of CDAP.

MR. BIEDER said he thinks this should be referred to a Committee - Legislative & Rules Committee, for study.

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MR. KETCHAM pointed out on this particular situation that the post of CDAP Director was created by resolution of this Board of Representatives. He said the resolution to which he refers says that the CDAP Director is appointed by the Mayor, subject to the approval of the Board of Representatives. He said this resolution was passed in 1968 and goes on to further state that all other CDAP personnel shall be appointed by the Director. He said this resolution was adopted at the time in order to comply with the State Statutes in setting this up and is very specific and very clear.

MR. BIEDER said he seems to recall that the Corporation Counsel came out with some kind of a ruling that the man was holding the job prior to approval by the Board. He said before he votes on such a resolution he would like to have more information and thinks it should be referred to a Committee so that this information can be obtained.

MR. KETCHAM said he would like to refresh Mr. Bieder's mind - that this appointment does not have to be submitted three times as the Charter states, but is only concerned with the submission of certain specific appointive offices - viz., the Chief of Police and the Chief of the Fire Department. He said if you read further in the Charter it states that any appointive Board of Commission is subject to the Board of Representatives. However, in the present case the law is specific where it states that the appointment cannot be made until it has been confirmed by the Board. He said recently this "three times and you're out" has been applied to everybody, but only by precedent, and not because the Charter says so.

He said he also would like to point out that this position is not in the Charter and therefore not covered by the Charter but is an outside Agency, created by this Board by resolution and the language is such that it is extremely specific and nailed down so tight that no one can squirm out from under it.

MR. RUSSBACH said he has researched this and according to the DCA regulations, the Board of Representatives has the sole authority in this area, and according to a letter from the former Mayor Bruno Giordano to this Board, it specifically states that the person appointed could not act in this capacity as CDAP Director until such time as he was confirmed by the Board of Representatives.

MR. BIEDER said, relying on what has just been said, there seems to be no need for this resolution, as the person must be holding the job illegally. He said he still wishes to move for commitment to committee.

VOTE taken to commit the resolution to Committee - the Legislative & Rules Committee. LOST.

VOTE taken on Resolution No. 724 as presented by Mr. Exnicios and CARRIED with one abstention (Mr. Bieder).

Minutes of February 1, 1971FISCAL COMMITTEE:

MR. EXNICIOS said the Fiscal Committee met twice since the last Board meeting - first on Monday, January 25th in joint session with the Public Works Committee - the Members attending were Messrs. Caporizzo, Puette, DeForest, Morabito, Rybnick and the Chairman. He said they also met on Wednesday, January 27th and those present were: the Chairman, Mrs. Pont-Briant, Messrs. John Boccuzzi, Connors, Morabito, Puette, DeForest and Rybnick.

- (1) \$1,217.48 - Resolution No. 725 amending 1970-1971 Capital Projects Budget, by adding to Project known as "URBAN REDEVELOPMENT COMMISSION" the sum of \$1,217.48, which represents the City's one-third share in relocation costs in excess of \$25,000 for the Sabini Moving and Storage Co. and appropriation of aforesaid amount therefor - (Mayor's letter of 12/10/70 and Resolution No. 637 approved by 10th Board of Representatives 11/10/69)

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

RESOLUTION NO. 725

AMENDING 1970-1971 CAPITAL PROJECTS BUDGET BY ADDING THE SUM OF \$1,217.48 TO THE PROJECT KNOWN AS "URBAN REDEVELOPMENT COMMISSION" AND APPROPRIATION THEREFOR

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford to amend the 1970-1971 Capital Projects Budget by adding to Project known as "URBAN REDEVELOPMENT COMMISSION" the sum of \$1,217.48 in accordance with the provisions of Sec. 611.5 of the Stamford Charter and an appropriation of aforesaid sum therefor.

- (2) \$123,000.00 - DEPARTMENT OF PUBLIC WELFARE - Code 410.5502, Cash Relief (Mayor's letter of 1/7/71)

MR. EXNICIOS MOVED for approval of the above request. Seconded by Mr. Miller, who said the Education, Welfare & Government Committee concurs. CARRIED unanimously.

- (3) \$2,000,000.00 - Resolution No. 726 - TRANSFER from the "BOND AND NOTE SINKING FUND ACCOUNT" to the "GENERAL FUND" for the purpose of Financing an Appropriation for the following three Pension Funds: (Mayor's letter of 12/8/70)

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\$820,000.00 - Code 163.0000 - Police Pension Trust Fund
700,000.00 - " 158.0000 - Firemens' Pension Trust Fund
480,000.00 - " 171.0000 - School Custodians' Trust Fund
\$2,000,000.00

MR. EXNICIOS said this is for the purpose of financing the above three pension funds. He said we discussed this at great length the other night when the Collective Bargaining Contracts were approved (1/29/71) and this is for the Pension Funds so that the accrued interest money will be placed in those funds and the City will at last establish a funded plan for these three services.

MR. BIEDER asked to be excused, changing the Roll Call to 39 present.

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

RESOLUTION NO. 726

TRANSFER OF \$2,000,000.00 FROM THE "BOND AND NOTE
SINKING FUND" ACCOUNT TO THE "GENERAL FUND" FOR THE
PURPOSE OF FINANCING PENSION FUNDS

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford in accordance with the provisions of Sec. 611.5 of the Stamford Charter that;

- a. We authorize the transfer of \$2,000,000.00 from the "BOND AND NOTE SINKING FUND" account to the "GENERAL FUND" for the purpose of financing an appropriation for the Police, Firemen and School Custodian Pension Trust Funds, and
- b. We authorize increasing the estimated revenue due from the Sinking Fund by \$2,000,000.00 and
- c. A special appropriation in the amount of \$2,000,000.00 is approved as follows:

Account 163.0000 - \$820,000.00
Account 158.0000 - \$700,000.00
Account 171.0000 - \$480,000.00

THE PRESIDENT asked Mr. Exnicios if we are passing the above resolution subject to approval by Bond Counsel and Actuary, as also did the Board of Finance at their meeting on 1/14/71.

MR. EXNICIOS explained that this has been recommended by Bond Counsel and whether it has been approved, he does not know.

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MR. EXNICIOS reminded the Members that Items No. 4 and No. 5 have already been acted upon.

- (6) \$5,000.00 - BOARD OF REPRESENTATIVES - Code 106.0901, for Professional Services for purpose of retaining Counsel for the Board, covering period from January 1, 1971 through June 30, 1971 - (Mayor's letter of 12/2/70)

MR. EXNICIOS said the committee voted unanimously to approve this and he MOVED for approval. Seconded.

MR. TRUGLIA asked just how will this be handled.

THE PRESIDENT said he supposes that the Legislative & Rules Committee will interview and it will be his job to make the final decision in conjunction with Mr. Truglia and Mr. Morris, and the report from the Legislative & Rules Committee.

MR. TRUGLIA said he would like to know - why the Legislative & Rules Committee?

THE PRESIDENT said this is primarily legal services for that Committee.

MR. TRUGLIA said we have another -- such as the Personnel Committee which would be better qualified to interview him.

THE PRESIDENT said this job normally falls to the President of the Board. He said if the speaker has any objections, he is perfectly willing to listen, but he thinks that if the Minority Leader, the Majority Leader and the President discuss the recommendations of the Legislative & Rules Committee, they can certainly come to a proper conclusion.

MR. KETCHAM said it was the stated recommendation of his Committee, and Mr. Rybnick will bear him out, that as far as this particular individual, whoever he may be, will be responsible to the Legislative & Rules Committee, because it would be virtually impossible for any one man to serve 40 masters, because then everybody on the Board would be calling on him constantly and he would not be able to get much Board business done. He said from a practical standpoint, one person has to be responsible and the decision of his Committee was that it would be the Chairman of the Legislative & Rules Committee and if the Chairman of any other Committee has any pressing legal problem they certainly can work through L & R. He said it seems to him to be the only logical way to work it out.

MR. RYBNICK said he was under the impression that if any Chairman of any Committee had any problems requiring legal services, he could also use this individual.

MR. RUSSELL said this \$5,000 is only for a six months period, so it will become \$10,000 at least. He said he is sure that the way we bounce raises

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around it won't stay that way long. He said he would like to know how much time he will put in to earn this \$10,000. He said he does not know what work we will have for such an individual; but perhaps we can be guided by the Office of the Corporation Counsel as to how much work has been directed toward their office which would then be directed to this legal individual. He said maybe he will wait for many days and have nothing to do, especially if he is to work for just one committee. He said his Committee right now is going to ask for a public hearing with the PUC next month and he is sure they would like to have somebody present - either from the office of the Corporation Counsel or this legal individual present - and it would have to come from his Committee because he is the one who is holding the Hearing and he does not know the mechanics if he is only answerable to the L & R Committee. He said he is just saying - is there enough work for this individual?

THE PRESIDENT said this would not negate our need for the services of the Corporation Counsel, but is something else entirely.

MR. THEODORE BOCCUZZI asked the President to explain the mechanics of how this person will be selected.

THE PRESIDENT said he would think the L & R would recommend, and as President of the Board he would normally be involved in any hiring of personnel, and would certainly want to defer to both Mr. Morris and Mr. Truglia for their advice, since they are the two leaders. He said if anyone wishes to make a motion that the entire Board has to approve this person, like any other job in the City, he does not see why this could not be done but it depends on what the Board wants to do.

MR. THEODORE BOCCUZZI said it would be his feeling, as an individual member of this Board, that he would like to have some kind of say in the matter.

THE PRESIDENT said if he were sitting on the floor of the Board, he would want the same thing.

MR. THEODORE BOCCUZZI MOVED to amend that the Board must, in toto, approve the man who is hired for this position. Seconded.

MR. RUSSBACH said he does not object to that at all, but we are leaving a lot of "loopholes and if we are going to do this, by what rules can he be rejected by the Board and then be submitted a couple of times again.

THE PRESIDENT said once should be enough.

MR. RUSSBACH recommended going to the Bar Association to recommend a list of suitable names.

THE PRESIDENT said he thinks that would be up to the L & R Committee to do that. However, in any event, he said Mr. Boccuzzi's motion is on the

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floor and if this man is rejected one time, he thinks this Board should then look for someone else.

MR. HORNER asked if we are going to enter into a contract with this individual and if so, for what length of time?

THE PRESIDENT said this appropriation is for the rest of this fiscal year and we can't enter into any contract until the Budget is approved for next year for the same job, so it would probably be until the end of the present fiscal year, which is July 1, 1971.

THE PRESIDENT called for a vote on the amendment. CARRIED with a few "no" votes.

MR. ELLSWORTH said in regard to comments made previously, he would suggest that we would retain Counsel on a per diem basis or type of arrangement, which would mean that when the \$5,000 was used up then we would have to come back for an additional appropriation. He said this seems to be the only proper way to handle this matter. He said the amount of work we have would fluctuate greatly and certainly we are not going to hire anyone on a full time basis and expect to use them on a full time basis. He said he also would recommend that this legal counsel be available to all of the Committees of the Board. However, he said he also thinks these requests for Counsel should be funneled through either the L & R Committee or the Board President, but it definitely should go through one person and not 40.

He said in addition to that, he thinks there are many situations now where the L & R Committee could use legal counsel. He said the Corporation Counsel has been very cooperative with the Board, however, it is apparent when there can be situations and times where the Board of Representatives' viewpoint needs expression and consideration, rather than that of the Administration and for that reason we ought to have our own Legal Counsel. He said if anybody is interested, he would be glad to give them particular examples.

After considerable further debate, MR. BITETTO MOVED THE QUESTION. Seconded and carried.

VOTE taken on Item #6 under Fiscal Committee for approval of \$5,000 for the employment of Legal Counsel, to be approved by the entire Board on a one time submission to the Board only for approval or rejection. CARRIED with one "no" vote.

- (7) \$3,200.00 - Salary Increment for Mayor - Code 108.0101, Salaries, as provided in Proposal No. 17.3 amending Sec. 402 of the Charter, approved at 11/4/69 Referendum under the Home Rule Act, which provides that this may be initiated by the Board of Finance with concurrence of the Board of Representatives - (Approved by Board of Finance on 1/14/71) -- (This raises the Mayor's salary to \$27,500.00)

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MR. EXNICIOS said the Committee studied this and as the Board knows, the majority of fiscal requests come to us from the Mayor, but in this case it was not necessary and came directly from the Board of Finance. He said on January 20th the Mayor addressed a letter to all Members of this Board asking that this Board DENY the request to increase the Mayor's salary to \$27,500 in light of the Mayor's desire to hold the line on increased expenditures and that this is not the time to request a 22% salary increment for the Mayor.

MR. EXNICIOS said with the 8% increases passed tonight, the Mayor's salary will now become \$24,300 making it the fifth highest in the State of Connecticut. He said in accordance with the Mayor's wishes, the Committee voted 6 to 1 to deny this request. He MOVED for approval of the request, with the hope that it will be DENIED. Seconded.

After considerable debate, MR. SCOFIELD MOVED to amend to have the increase take effect on December 1, 1971 - the date on which another Administration will take office. Seconded.

VOTE taken on the amendment offered by Mr. Scofield. LOST by a vote of 14 yes and 24 no. (Machine vote).

VOTE taken on the main question - Item #7 on the Agenda. LOST with several no votes. (a voice vote).

(8) \$25,167,000.00 - Resolution No. 727 - AUTHORIZING THE ISSUANCE OF TWENTY-FIVE MILLION, ONE HUNDRED SIXTY-SEVEN THOUSAND DOLLARS (\$25,167,000.00) GENERAL OBLIGATION BONDS OF THE CITY TO FINANCE THE CAPITAL PROJECTS IN THE CAPITAL BUDGET FOR THE FISCAL YEAR 1970-1971 AS AMENDED, TO BE FINANCED WITH FUNDS RAISED BY BORROWING - (Requested in Mayor's letter of Jan. 14, 1971 - Approved by Board of Finance on Jan. 18, 1971)

MR. EXNICIOS MOVED for SUSPENSION OF THE RULES to bring up the above matter. He said he would not do this, except that this is of utmost importance to the City of Stamford. He said he also has another matter after this one to also bring up under Suspension of the Rules, both of which are of extreme importance to the City. Seconded and CARRIED unanimously.

MR. EXNICIOS MOVED for approval of the following resolution. Seconded and CARRIED with one "no" vote - 38 in favor and 1 opposed, there now being 39 Members present - Mr. LiVolsi having left earlier. The resolution follows:

RESOLUTION NO. 727

AUTHORIZING THE ISSUANCE OF TWENTY-FIVE MILLION, ONE HUNDRED SIXTY-SEVEN THOUSAND DOLLARS (\$25,167,000.00) GENERAL OBLIGATION BONDS OF THE CITY TO FINANCE THE CAPITAL PROJECTS IN THE CAPITAL BUDGET FOR THE FISCAL YEAR 1970-1971 AS AMENDED, TO BE FINANCED WITH FUNDS RAISED BY BORROWING

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WHEREAS, pursuant to Section 630 of the Charter of the City as amended, the Board of Representatives of the City has received a letter from the Mayor dated January 14, 1971 requesting it to authorize the issuance of bonds to finance all of the capital projects contained in the capital budget for the fiscal year 1970-1971 as amended that are to be financed with funds raised by borrowing; and

WHEREAS, this Board has been furnished with a certified copy of a resolution of the Board of Finance approving the aforesaid authorization;

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

Section 1. That there be and hereby is authorized, under and pursuant to the Charter of the City and any other general or special statutes thereto enabling, the issuance and sale from time to time of general obligation, coupon, serial bonds of the City in the aggregate principal amount of Twenty-Five Million One Hundred Sixty-Seven Thousand Dollars (\$25,167,000) for the purpose of paying for capital projects consisting of the several public improvements or other municipal works of a permanent character or for land taken for the purpose of such improvements or municipal works, all as hereinafter more fully described. Each of said capital projects is included in the capital budget for the fiscal year 1970-1971 as amended duly adopted, and reference is hereby made to the said capital budget as amended for a complete description of the particular capital projects hereinafter designated. The said capital projects and the extent to which they are to be financed with the proceeds of the bonds herein authorized are as follows:

Public Works Department:

Sewer Commission

Extension of Sewers South of Parkway	\$6,545,000
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Highways

Washington Avenue Extension	517,000
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New Construction

Incinerator - Conventional Unit	2,900,000
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Secondary Sewage Treatment Plant	4,000,000
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Shelter Garage	375,000
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New Equipment

10 Dump Trucks, 10 Salt and Sand Spreaders, 2 Four-Door Sedans, 2 Two-Door Sedans, 2 One-Ton Pickup Trucks	<u>231,000</u>	\$14,568,000
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Fire Department:

New Central Firehouse		1,100,000
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Stamford Golf Authority:

Clubhouse Furnishings	10,000	
Maintenance Equipment	25,000	
Shelters, Bridges and Drinking Fountains	2,500	
Conversion of Existing Buildings	15,000	
Roadways and Parking Lots	10,000	
Wells and Pumps	10,000	
Construction Contingencies	20,000	
Clerk of the Works	12,000	
Roller Skating, Basketball and Shuffleboard Areas	69,500	
Clearing of Picnic Area and Picnic Equipment	<u>7,000</u>	181,000

Board of Education:

Stamford High School Rehabilitation and Modernization	500,000	
Land Bank	400,000	
Third High School - 2,500 pupils	5,630,000	
Elementary School No. 1 - 1,000 pupils	1,488,000	
Elementary School No. 2	<u>1,050,000</u>	9,068,000

Urban Development Commission:

Southeast Quadrant Project	<u>250,000</u>
	\$25,167,000

Section 2. That said bonds shall be issued in the name of and upon the full faith and credit of the City and, subject to the Charter of the City and other applicable provisions of law, in the manner and in the principal amounts that the Board of Finance may determine from time to

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time, including, but without limitation, the determination of the form, date, number of issues, dates of payment of principal and interest and all other particulars, and said Board of Finance or, if authorized by the Board of Finance, the Commissioner of Finance may determine the rate or rates of interest which the said bonds are to bear.

Section 3. That each of the capital projects hereinabove described and contained in the capital budget for the fiscal year 1970-1971 as amended is hereby confirmed as a duly authorized capital project.

- (9) \$1,850,000.00 - Resolution No. 728 - AMENDING 1970-1971 CAPITAL PROJECTS BUDGET BY ADDING \$1,850,000.00 FOR PROJECT KNOWN AS "CONVENTIONAL INCINERATOR" AND APPROPRIATION THEREFOR - (Requested in Mayor's letter of 1-8-71 - Approved by Board of Finance Jan. 18, 1971)

MR. EXNICIOS MOVED for SUSPENSION OF THE RULES to bring up the above matter. Seconded and CARRIED unanimously.

MR. EXNICIOS MOVED for approval of the following resolution. Seconded and CARRIED by unanimous vote, there now being 39 members present:

RESOLUTION NO. 728

AMENDING 1970-1971 CAPITAL PROJECTS BUDGET BY ADDING \$1,850,000.00 FOR PROJECT KNOWN AS "CONVENTIONAL INCINERATOR" AND APPROPRIATION THEREFOR

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford to amend the 1970-1971 Capital Projects Budget by adding to Project known as "CONVENTIONAL INCINERATOR" the sum of \$1,850,000.00 in accordance with the provisions of Sec. 611.5 of the Stamford Charter and an appropriation of aforesaid sum therefor.

LEGISLATIVE & RULES COMMITTEE:

MR. ELLSWORTH, Chairman, said his Committee met on January 26th, and their meeting was held in conjunction with the General Housing and Relocation Committee and the Planning & Zoning Committee. He said in attendance were: Messrs. Horner, LiVolsi, Mrs. Sherman, Messrs. Chirimbes, Puette and himself. He said the guests attending this meeting were Mr. Anthony Marrucco, Mr. Sonny Haynes, Mrs. Wormser, Mr. Robert Kochel and all members of the Housing Sites Development Agency. He reported on the following matters:

- (1) Final adoption of Ordinance No. 211 - GRANTING PROPERTY TAX EXEMPTION FOR THE UNITARIAN-UNIVERSALIST SOCIETY IN STAMFORD under the provisions of Section 12-81b of the General Statutes (Public Act No. 311, 1967 Session)

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(Requested in letter from law firm of Maguire, Cole, Bentley and Babson, dated 10-27-70) — (Deferred 12-7-70; approved for publication 1-11-71 and published 1-14-71)

MR. ELLSWORTH MOVED for final adoption of the following Ordinance.
Seconded and CARRIED with two "no" votes:

ORDINANCE NO. 211 SUPPLEMENTAL

TAX EXEMPTION FOR THE UNITARIAN-UNIVERSALIST SOCIETY
PARSONAGE LOCATED AT THE CORNER OF DOGWOOD LANE AND
BRIARWOOD LANE UNDER PROVISIONS OF SECTION 12-81b OF
THE CONNECTICUT GENERAL STATUTES (1967 P.A. 311)

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Pursuant to Section 12-81b of the General Statutes of Connecticut, that the property acquired by the Unitarian-Universalist Society, an ecclesiastical society, from the Estate of Dena C. Postley, which property was acquired for the purpose of providing a residence for the Minister of the Unitarian-Universalist Society of Stamford and which property is located at the corner of Dogwood Lane and Briarwood Lane in Stamford, be exempted from taxation from the date of acquisition, namely, August 7, 1970; and

That the Commissioner of Finance be and is hereby authorized and directed to reimburse the Unitarian-Universalist Society in the amount of Five Hundred Thirty-Four and 60/100 (\$534.60) Dollars, for real property taxes paid for the period August 7, 1970 to December 31, 1970.

This Ordinance shall take effect upon its adoption

- (2) Proposed Ordinance - CONCERNING THE PARTIAL ABANDONMENT OF VERNON PLACE - (Requested in letter from John E. Smyth, Assistant Corporation Counsel, dated 12-22-70) - (Held in Committee 1-11-71) - (Awaiting opinion from Corporation Counsel)

MR. ELLSWORTH said this was originally held in Committee because they wanted assurance that the abandonment did not affect the city's right to have a five foot easement through that property for a walkway. He said they now have an opinion from the Corporation Counsel's office, as follows:

January 27, 1971

Mr. Stephen Ellsworth, Chairman
Legislative & Rules Committee
Board of Representatives
Municipal Office Building
Stamford, Connecticut

Dear Mr. Ellsworth: RE: ABANDONMENT OF VERNON PLACE

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As per my phone call with you today, please be advised that I suggest you approve the Vernon Place Ordinance so that this office may finalize the transfers of property with the Washington Avenue Associates.

It is true that the Washington Avenue Associates have agreed to give back to the City of Stamford a five foot walkway easement extending from the terminus of Vernon Place to Washington Avenue. This easement will be given by Washington Avenue Associates in a deed from them to the City of Stamford. However, the passage of Vernon Place Ordinance does not have any effect on this easement since they are both separate transactions.

In order to satisfy your wishes, I will not convey any property on Vernon Place to Washington Avenue Associates until I have, in turn, received from them a deed granting to the City of Stamford this five foot walkway easement.

Very truly yours,

(signed) John E. Smyth
Assistant Corporation Counsel

JES:hc

MR. ELLSWORTH said, on the basis of the above letter, his committee unanimously recommends approval, for publication, of the following Ordinance. Seconded and CARRIED:

PROPOSED ORDINANCECONCERNING THE PARTIAL ABANDONMENT OF VERNON PLACE

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

In accordance with Section 13a-49 of the Connecticut General Statutes as amended, a portion of Vernon Place is hereby abandoned to wit:

Beginning at a point on the new westerly street line of Washington Avenue, where the same is intersected by the existing southerly street line of Vernon Place said point being the north-east corner of land of Clement L. Raiteri et al. thence in a westerly direction along said southerly street line of Vernon Place S 83° 57' 40" W a distance of 117.588 feet to the proposed easterly street line of Vernon Place, thence in a northerly direction along said proposed easterly street line of Vernon Place on a curve to the left, the radius of which is 40.00 feet a distance of 36.525 feet to the existing northerly street line of Vernon Place thence in an easterly direction along said northerly street line of Vernon Place N 83° 57' 40" E a distance of 113.511 feet to the new westerly street line of Washington Avenue, thence in a southerly direction along said new westerly street line of Washington Avenue S 6° 24' 32" E a distance of 3.414 feet and on a curve to the right the radius of which is 1,000.00 feet a distance of 31.590 feet to the point or place of beginning, being more particularly shown and delineated on a certain map on file in the City and Town Clerk's Office, Stamford, Connecticut, reference thereto being hereby had and entitled "Map Showing Land To Be Conveyed To Washington Avenue Associates By The

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City of Stamford, Stamford, Conn. May 1970 Scale 1" = 30' William D. Sabia, City Engineer".

The above described parcel of land contains 3,951 square feet.

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

(3) Letter, dated 1-13-71 from HOUSING SITE DEVELOPMENT AGENCY, concerning the following matters:

(a) Adoption of Resolution No. 729 - FINDING NEED FOR 120 FAMILY UNITS FOR LOW AND MODERATE INCOME FAMILIES (Under provisions of Section 8-213 of the General Statutes)

MR. ELLSWORTH explained that, although this appears on our agenda tonight as seven different items, it is really only three items, the first being concerned with a site selected by the Housing Site Development Agency, located on Strawberry Hill, for the purpose of constructing walk-in type apartments. He said the next three items are in regard to property located on Clinton Avenue to be moderate priced housing for the elderly (not a condominium type) and the last item is a semi-fiscal item, which they have acted on in concurrence with the Fiscal Committee.

He explained that item (a) deals with a resolution finding the need for 120 families. He said item (b) is the Housing Site Development Plan regarding the Strawberry Hill Site and item (c) is a resolution authorizing an application to the Department of Community Affairs for Stamford's share, which is \$356,000.

MR. ELLSWORTH said the Legislative & Rules Committee has reviewed this and he is addressing himself at this time only to the Strawberry Hill Site, which will have to be voted on and passed separately. He said his Committee voted 5 in favor and 1 against adoption of that site.

MR. ELLSWORTH MOVED for approval of the following resolution. Seconded. The resolution follows:

RESOLUTION NO. 729

FINDING THAT THE NEED FOR HOUSING FOR FAMILIES OF LOW AND MODERATE INCOME IN THE CITY OF STAMFORD IS NOT LESS THAN ONE HUNDRED TWENTY (120) FAMILY UNITS

WHEREAS, Section 8-213 of the Connecticut General Statutes provides that prior to approving or adopting a housing site development plan, the governing body of the municipality shall find that there exists a need in the municipality for such housing solely for low or moderate income persons or families in an amount not less than that to be provided pursuant to such plan.

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

1. That it is found that there presently exists in the City of Stamford a need for housing for low or moderate income persons or families in an amount not less than one hundred twenty (120) family units.

MR. DIXON, Chairman of the Housing and General Relocation Committee, said his committee concurs in approval of the resolution.

MR. MORABITO read a letter from the Coalition of Neighborhood Associations. HE then MOVED TO TABLE THIS ITEM. Seconded and LOST by a machine vote of 13 in favor and 26 opposed.

After considerable further discussion, MR. TRUGLIA called for a RECESS at 10:45 P.M. which was granted.

THE RECESS was declared over at 11:20 P.M. and the members resumed their seats.

MRS. SHERMAN spoke in favor of the resolution, saying she has not received on letter or telephone call from those in the neighborhood directly affected, who number in the thousands, but has received many calls and letters asking her to vote in favor.

MR. KETCHAM rose to a point of information. He said it is his understanding that this site, although properly zoned, has been disapproved by the Planning Board, as asked if this is correct.

THE PRESIDENT said that is right.

MR. KETCHAM called attention to Sec. 523 of the Charter, which outlines a specific procedure wherein in any public works project in which public housing is included, there is a specific procedure by which a decision of the Planning Board must be reversed before any action can be taken.

MR. SCOFIELD said he would like to bring to Mr. Ketcham's attention that this is not a Public Works project and does not involve public housing so this does not apply in any way.

MR. KETCHAM said that is the question - does it, or doesn't it? He said this cannot be called private housing, because they are using public funds to defray the costs.

THE PRESIDENT said we do have a remedy - this could be referred to the Corporation Counsel. He said, however, this Board can always overturn the ruling of the Planning Board by a two-thirds vote of this Board.

MR. BOCCUZZI (John) asked what the Planning Board did - did they say they didn't approve the site, or what?

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MR. DIXON explained that in accordance with the State Statutes an opinion of the Planning Board must be acquired, but has not been asked to rule on this, but merely to give an opinion.

THE PRESIDENT said that would prevail - if it is a general State Statute, but would not prevail if it were a Special Act. He asked Mr. Dixon if he knew which it was. He explained that since our Charter happens to be a Special Act, only General Acts can supersede.

MR. SCOFIELD quoted from Section 8-213 of Chapter 133 of the General Statutes:

"....The Housing Site Development Agency may prepare, or cause to be prepared, a Housing Site Development Plan, and may approved such plan after (1) getting a written opinion of the Planning Agency of the Municipality and the local Housing Authority, and (2) hold a Public Hearing thereon, notice of which shall be published at least twice, etc....."

THE PRESIDENT said it would then seem, that since it is a General Act, it would supersede our Charter and this would be a legal procedure.

MR. RUSSELL said there may be something we are losing sight of and that is in the Charter there is the question about the Master Plan and this is not a change in the Master Plan nor is it a zoning change, but merely an opinion.

MR. BITETTO pointed out that there is nothing in the Statute that says the Planning Board's opinion should be in the affirmative or in the negative - it merely states that it shall give an opinion.

THE PRESIDENT quoted from Ordinance No. 183. He said he thinks that the Corporation Counsel would bear him out in this - that it does supersede our Charter because it refers to Public Act 522. He said he would RULE that we can go ahead with this.

MR. MORABITO MOVED this be referred to the Corporation Counsel for an official opinion. Seconded. LOST.

MR. HORNER MOVED the question. Seconded and CARRIED with several "no" votes.

THE PRESIDENT called for a vote on RESOLUTION NO. 729. CARRIED by machine vote of 30 in favor and 9 opposed.

(b) Adoption of STRAWBERRY HILL AVENUE Housing Site Development Plan

MR. ELLSWORTH said this is not a resolution, but the approval of the above Plan, which is comprised of 11 pages, copies of which have been furnished to all Board Members. He said this Plan covers the entire picture. HE MOVED for approval of the above named Plan, as presented

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in this document dated December 29, 1970, Seconded and CARRIED by a vote of 30 in favor and 9 opposed.

- (c) Adoption of Resolution No. 730 - AUTHORIZING APPLICATION TO DEPARTMENT OF COMMUNITY AFFAIRS FOR \$356,000 IN STATE ASSISTANCE IN ORDER TO UNDERTAKE PROGRAM FOR HOUSING SITE ACQUISITION FOR THE STRAWBERRY HILL AVENUE SITE (local share in cash, in the amount of \$178,000 in accordance with requirements of Public Acts 522, 760 or 768, 1967 Regular Session, as amended

MR. ELLSWORTH explained the above resolution is the last item regarding the Strawberry Hill Avenue Site, which authorizes the filing of an application with DCA for State Assistance in the amount of \$356,000. He said the Committee approved this by a vote of 5 in favor and one against. HE MOVED for approval of the following resolution; seconded.

MR. MORRIS MOVED to AMEND that said adoption be subject to HUD approval for low and moderate income high rise family units. Seconded, and CARRIED.

MRS. PONT-BRIANT MOVED to AMEND by adding paragraph No. 4. That the proposed Strawberry Hill site be developed with a high rise apartment building with a maximum of 120 units, and in addition that the proposed Strawberry Hill Project be processed and developed as a Cooperative in order that the site occupants may benefit from eventual ownership of the Project.

MR. RUSSELL offered an AMENDMENT to the above AMENDMENT, by adding thereto:

"That said parking will be provided at the ratio of one and one-half (1-1/2) parking spaces for each housing unit."

MR. ELLSWORTH said in his opinion there is no need for either one of those additions by virtue of the fact that those two items are contained and printed in the Plan. He said it calls for a maximum height of 130 feet and it also specifies that it will be developed for 120 units. He said these restrictions are already applicable, as is the parking requirements.

MRS. PONT-BRIANT said she realizes that, but she thinks they should be incorporated into the resolution. She said when she spoke to the Corporation Counsel on the other site, he told her she could put any amendment or anything into the physical resolution that was contained in the plan. She said it only reiterates again and places it definitely in the resolution.

MR. ELLSWORTH said he wishes to reiterate that anything which is in the Plan which we have approved, is looked into it. For example, he said, if the price for the land as stated in here is not available, then it has to come back before this Board. He said any other change which is in the Plan is subject to approval again by this Board, by virtue of having approved this particular document.

THE PRESIDENT said then, he understands that all Mr. Ellsworth is objecting to is redundancy.

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MR. SHERER MOVED THE QUESTION on the amendment. Seconded and CARRIED.

THE PRESIDENT said a vote will now be taken on the amendment, which is Mrs. Pont-Briant's amendment and Mr. Russell's incorporated into it. CARRIED with 2 "no" votes.

VOTE taken on Resolution No. 730 as amended by Mr. Morris, Mrs. Pont-Briant and Mr. Russell. CARRIED with two "no" votes. The resolution, as amended, follows:

RESOLUTION NO. 730

AUTHORIZING FILING OF APPLICATION FOR STATE ASSISTANCE
WITH THE COMMISSIONER OF COMMUNITY AFFAIRS IN ORDER TO
UNDERTAKE A PROGRAM OF HOUSING SITE ACQUISITION FOR THE
STRAWBERRY HILL SITE

WHEREAS, pursuant to Public Acts 522, 760 and 768, 1967 Regular Session as amended, 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, Section 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 \$356,000 in order to undertake a program of housing site acquisition for the housing site known as the Strawberry Hill Avenue Site, and to execute an assistance agreement therefor. It is understood that the City of Stamford will provide a local share in cash in the amount of \$178,000 in accordance with the requirements of Public Acts 522, 760 or 768, 1967 Regular Session, as amended, as appropriate;

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

1. That it is cognizant of the conditions and prerequisites for State assistance imposed by Public Acts 522, 760 and 768, 1967 Regular Session, as amended, especially the requirements of a Community Development Action Plan in Section 9 (b) of Public Act 522;
2. That it recognizes the responsibility for the provision of local grants-in-aid to the extent that they are necessary and required for said program;

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3. That the filing of an application by the City of Stamford in an amount not to exceed \$356,000 is hereby approved and that the Housing Site Development Agency of the City of Stamford is hereby authorized and directed to execute and file such application with the Commissioner of Community Affairs, to provide such additional information, to execute such other documents as may be required by the Commissioner, to execute an assistance agreement with the State of Connecticut for State financial assistance, if such agreement is offered, to execute any amendments, recisions and revisions thereto, and to act as the authorized representative of the City of Stamford. Also, that said adoption by subject to HUD approval for low and moderate income high rise family units.
4. That the proposed Strawberry Hill site be developed with a high rise apartment building with a maximum of 120 units, and in addition that the proposed Strawberry Hill Project be processed and developed as a Cooperative in order that the site occupants may benefit from eventual ownership of the Project. Also, that said parking will be provided at the ratio of one and one-half (1-1/2) parking spaces for each housing unit.

Note: The underlined portions of above Resolution No. 730 are the amendments.

- (d) Adoption of Resolution No. 731 - FINDING NEED FOR HOUSING FOR ELDERLY PERSONS OF LOW AND MODERATE INCOME IN CITY OF STAMFORD, TO BE NOT LESS THAN 100 DWELLING UNITS

THE PRESIDENT interrupted at this point to check those who have left the meeting. He noted that Mr. Bieder has left and that Mr. LiVolsi left some time ago, so there are now 38 members present.

MR. ELLSWORTH explained that this resolution is to establish the need for 100 dwelling units for the elderly, to be located at the Clinton Avenue Site.

MR. ELLSWORTH said his Committee voted unanimously in favor of this and MOVED for approval of the following resolution. Seconded and CARRIED unanimously. (38 members now present)

RESOLUTION NO. 731

FINDING THAT THE NEED FOR HOUSING FOR ELDERLY PERSONS OF LOW AND MODERATE INCOME IN THE CITY OF STAMFORD IS NOT LESS THAN ONE HUNDRED (100) DWELLING UNITS

WHEREAS, Section 8-213 of the Connecticut General Statutes provides that prior to approving or adopting a housing site development plan, the governing body of the municipality shall find that there exists

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a need in the municipality for such housing solely for low or moderate income elderly persons in an amount not less than that to be provided pursuant to such plan;

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

1. That it is found that there presently exists in the City of Stamford a need for housing for low or moderate income elderly persons in an amount not less than one hundred (100) dwelling units.

(e) Adoption of CLINTON AVENUE HOUSING SITE DEVELOPMENT PLAN

MR. ELLSWORTH said this is the Plan, and said the Committee voted unanimously in favor of this Plan. He MOVED for approval of the Plan and said everyone has a copy of it. Seconded and CARRIED unanimously.

(f) Adoption of Resolution No. 732 - AUTHORIZING APPLICATION TO DEPARTMENT OF COMMUNITY AFFAIRS FOR \$206,000 IN STATE ASSISTANCE IN ORDER TO UNDERTAKE A PROGRAM FOR HOUSING SITE ACQUISITION FOR THE CLINTON AVENUE SITE, with local share in the amount of \$103,000 in cash, in accordance with requirements of Public Acts No. 522, 760, or 768, 1967 Regular Session

MR. ELLSWORTH MOVED for approval of the following resolution. Seconded, and CARRIED unanimously. (35 members now being present)

RESOLUTION NO. 732

AUTHORIZING FILING OF APPLICATION FOR STATE ASSISTANCE WITH THE COMMISSIONER OF COMMUNITY AFFAIRS IN ORDER TO UNDERTAKE A PROGRAM OF HOUSING SITE ACQUISITION FOR THE CLINTON AVENUE SITE

WHEREAS, pursuant to Public Acts 522, 760 and 768, 1967 Regular Session, as amended, 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, Section 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 groups 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

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WHEREAS, it is desirable and in the public interest that the City of Stamford make application to the State for \$206,000 in order to undertake a program of housing site acquisition for the housing site known as the Clinton Avenue Site, and to execute an assistance agreement therefor. It is understood that the City of Stamford will provide a local share in cash in the amount of \$103,000 in accordance with the requirements of Public Acts 522, 760 or 768, 1967 Regular Session, as amended, as appropriate;

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

1. That it is cognizant of the conditions and prerequisites for State assistance imposed by Public Acts 522, 760 and 768, 1967 Regular Session, as amended, especially the requirements of a Community Development Action Plan in Section 9 (b) of Public Act 522.
2. That it recognizes the responsibility for the provision of local grants-in-aid to the extent that they are necessary and required for said program.
3. That the filing of an application by the City of Stamford in an amount not to exceed \$206,000 is hereby approved, and that the Housing Site Development Agency of the City of Stamford is hereby authorized and directed to execute and file such application with the Commissioner of Community Affairs, to provide such additional information, to execute such other documents as may be required by the Commissioner, to execute an assistance agreement with the State of Connecticut for State financial assistance if such agreement is offered, to execute any amendments, recisions and revisions thereto, and to act as the authorized representative of the City of Stamford.

- (g) Adoption of a Resolution AUTHORIZING APPLICATION FOR STATE ASSISTANCE WITH COMMISSIONER OF COMMUNITY AFFAIRS IN ORDER TO UNDERTAKE A PROGRAM OF STUDY AND PLANNING FOR HOUSING SITE DEVELOPMENT IN AMOUNT OF \$66,746 with the City of Stamford to provide a local Grant-in-Aid, in accordance with the requirements of Public Acts 522, 760 or 768, 1967 Regular Session, as amended, as appropriate (local grant-in-aid to extent necessary and required for said program ----

(For year September 1, 1970 to August 31, 1971)

MR. ELLSWORTH said this is mostly a fiscal item. He explained that the Housing Site Development Agency has a budget to pay salaries, and office supplies, etc. and again their program is paid for one-third by the City and two-thirds by the State. He said the City provides their services "in kind" and for the city to meet their commitment in this regard they must provide office space and the services of the Corporation Counsel and other City employees and other services which are provided to other City departments. He said the two-thirds which comes from the State is what we are primarily concerned with here and this is a resolution to authorize an application for State

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Assistance in the amount of \$66,746 which is the State's share of the HSDA budget. He said the Legislative and Rules Committee approves this, so he will now defer to the Fiscal Committee.

MR. EXNICIOS said unfortunately at the Steering Committee meeting this matter was not referred to the Fiscal Committee. However, he said on the day of their meeting he received a call from Mr. Kochel who asked if he could appear, which he did. He said at this time the Committee had very little information prior to his arrival. He said they attempted to do the best job possible to see if this was in order, and at that time the Committee had voted to hold for further information, but subsequent to that, this evening he re-pollled the Committee and voted to recommend approval of this. He explained that the "in-kind" has primarily to do with rent, plus "pieces" of City employees, such as the Planning Director, city Planner, City Engineer, Traffic Engineer, Traffic Director, Corporation Counsel, etc., and the balance has to do with the salary of the Executive Director, a secretary, consultants for housing, architectural and site plans, equipment, office overhead and the like, which brings it up to the \$66,746. The City's share is \$22,500.

THE PRESIDENT said, then this is, in effect, an appropriation.

MR. EXNICIOS asked for a ruling from the Chair as to whether or not this requires a two-thirds vote.

THE PRESIDENT said not only does it require a two-thirds vote, but it requires prior approval of the Board of Finance. He said if the City must appropriate a share, even if it is in "in kind" and according to the requirements of the Public Act 522, it is an appropriation. He said if the City must appropriate a share, even an "in kind" share, then the Board of Finance must act on it.

MRS. PONT-BRIANT said the City has appropriated the money - it's in our Budget. She said it is always 10% of various things.

MR. KETCHAM said as he reads the proposed resolution it does not mention "in kind" but very definitely says "in cash".

MR. MURPHY said this should have come to his committee - the CDAP Committee.

MR. MORRIS said it would appear that if it did not go through the Fiscal Committee and did not go to Mr. Murphy's Committee that it should be TABLED.

THE PRESIDENT said he would entertain a motion to recommit to Steering Committee, but not to table.

MR. MORRIS MOVED this be sent back to Committee. Seconded and CARRIED by a vote of 21 in favor and 13 opposed. (machine vote)

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Concerning DEBRIS FEE SCHEDULE - (See Minutes of 9-8-70, page 7421; Minutes of 10-5-70, page 7491; Minutes of 11-9-70, page 7515, #10) - (Also, letter dated 12-29-70 to Public Works Commissioner from Walter Flaherty, Jr., requesting a meeting with the Stamford Refuse Collectors Association and members of various committees of the Board of Representatives)

MR. SCOFIELD said his Committee met in the Municipal Office Building on January 25, 1971 with Representatives Bitetto, Durso, Exnicios, Caporizzo, Rybnick, Sherer and Scofield present, along with the Commissioner of Finance George Aretakis and the Commissioner of Public Works Walter Maguire.

MR. SCOFIELD said they also met with a representative of SACIO and Mr. Norman Wager, former Supt. of Sanitation to review the Corporation Counsel's opinion which states that a user's fee is legal. He said the fact that a statement was made for Federal funds, which included a user's fee in the Minutes of September 1966, which included a request from the Board of Finance that a user fee be approved, to make the operation of the multi-purpose Incinerator self sufficient. He said they discussed the fact that less than 7% of the debris going to Dyke Park for the multi-purpose Incinerator comes from households. He said the Incinerator would not have had to be built, except for the fact of industrial waste. He said the user's fee will be a deterrent to the indiscriminate disposal of waste and in the long run will better the ecology of the area.

He said based on this, the Committee came out in favor of an Ordinance and a resolution by a vote of 4 in favor, one against and one abstention. He read the Ordinance and the resolution and said he would like to consider them together. He said the Ordinance is a general statement and the resolution states the fee.

He read the Ordinance:

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Anyone desiring to participate in and use the facilities of any sanitary land fill operation or the multi-purpose Incinerator by dumping demolition material and other debris therein, which material and debris originated in the City of Stamford, shall apply to the Commissioner of Public Works of the City of Stamford for permission to do so; whereupon the Commissioner shall issue such permit.

Every vehicle used in depositing said materials shall be weighed and shall pay a dumping fee which shall be based upon the number of pounds of material actually dumped, which dumping fee shall be established by the Commissioner of Public Works and shall be approved by the Board of Representatives.

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The laying and depositing of appropriate materials and the payment of fees therefor shall be under the supervision of the Commissioner of Public Works and he may promulgate such rules and regulations as he may deem necessary.

The material to be dumped shall, at all times be under the supervision of the Commissioner who shall specify the nature and content of all such material that may lawfully be dumped. He shall be responsible to oversee and regulate all dumping operations and shall exercise due care to protect adjacent waterways from debris emanating from this operation.

Ordinance No. 150 Supplemental is hereby repealed.

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

MR. SCOFIELD read his proposed resolution:

RESOLVED that the Commissioner of Public Works is empowered to charge a rate of \$7 per ton for said debris. Debris is defined as all wastes, other than household refuse (garbage). Hence, debris would, for the purpose of this Ordinance and Resolution, include all industrial wastes, demolition matter and trash from construction sites.

MR. SCOFIELD said he proposed that this Board adopt the Ordinance for publication and the following resolution.

THE PRESIDENT said he thinks we should hold the resolution until after final adoption of the Ordinance. He said you should not pass the resolution first.

MR. SCOFIELD said he just wants to make sure that it is known publicly.

THE PRESIDENT said the resolution should be held until after final adoption of the Ordinance which cannot come for 30 days.

MR. BITETTO MOVED TO TABLE the Ordinance. He objected to the fact that no one has a copy of it. He said he feels there are many ramifications here that have not brought out in the light, such as the fact that many small business people have not had an opportunity to be heard before the Committee. Seconded and CARRIED by a machine vote of 18 in favor and 13 opposed.

CONCERNING RECOMMENDATIONS OF SPECIAL COMMITTEE INVESTIGATING RAPIDS ROAD

MR. TRUGLIA asked if anything has been done about putting some of the recommendations of the Special Committee investigating the Rapids Road matter into effect by the Commissioner of Public Works.

MR. SCOFIELD said his committee is in favor of all the recommendations that were made and he wrote a letter to the Mayor, asking for information as to whether his Administration is implementing these recommendations, and has not heard from him as yet.

Minutes of February 1, 1971SEWER COMMITTEE:

MR. BITETTO said his Committee met on January 27, 1971 at 8 P.M. in the Municipal Office Building and present were Representatives Scofield, Russbach, Ravallese, Rybnick and the Commissioner of Public Works, Walter Maguire and Mr. Epifanio from the Board of Education, and two members of the Sewer Commission.

He turned the report over to Mr. Russbach who explained the discussion that was held at the meeting regarding the Board's position opposing the force main system as opposed to a gravity system. He said he indicated that the Board would support any recommendation for permanent sewers but is still opposed to the use of a force main.

(30 members now present at 12:15 A.M.)

MR. BITETTO continued with his report.

MR. CONNORS said last month at the special meeting he tried to introduce a resolution and was ruled out of order, but fortunately most all of the members signed it and he delivered it up to the Governor's office and he now has it. He said it shows that we here in Stamford are behind our Mayor as far as the tie in with Darien is concerned and we are not opposed to it.

MR. KETCHAM rose on a point of information to the Chairman of the Sewer Committee, or whoever might be able to answer it. He said according to the newspapers apparently the Sewer Commission is going to take this money out of the Highview Avenue account and build this force main and then we are going to be called on to appropriate money to replace the \$300,000 or whatever is taken out of the Highview Avenue account, to build that up so that Springdale can have their sewers. He asked what have we proved in the last year, if we are still going to pay for it?

MR. BITETTO said right now the Sewer Commission is supposed to be going to the Planning Board to request the necessary funds to sewer the Highview Avenue project, so that Springdale and Highview Avenue will have their sewers.

MR. MORRIS said he has a question - Mr. Bitetto was talking about building in connection with sewers.

MR. BITETTO said they called in the Commissioner of Public Works in regard to the matters of the complication first with the Third High School and then with the Stillwater School, as many of us know, there has been an inadequacy on the part of the Board of Education for funding their sewer necessary to the construction of the Board of Education building and presently are about to start the Newfield School. He said in talking to the Commissioner of Public Works and asking questions of the City Engineer, they find that there is much lack of communications, and also money being spent without the communications between the Public Works Commissioner who, under the Charter, and the City Engineer, should be involved with any construction of the City of Stamford. He said there

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are two things involved here - one, a procedural one for handling these matters and should be spelled out correctly in a manual, not only just for today, but the future handling of any Capital Projects, buildings, etc., in the City of Stamford.

HEALTH & PROTECTION COMMITTEE:

MR. RUSSELL reminded the members that there is going to be a public hearing with the Public Utilities Commission here at 10:30 A.M. on Monday, February 8, 1971. He said this is very important because when the Committee held their hearing, a great many people showed concern about the condition of our water supply and the fact that there is a contemplated raise of some 24% in the water rates.

PARKS & RECREATION COMMITTEE:

MR. KELLY said a meeting of his Committee was held on February 1st (this evening) and the members attending were: Mrs. Varney, Mr. Clark, Mr. DeForest, Mr. Ravallesse and Steve Kelly. He reported on the following:

Facility Use Fee for 1971 - \$3.00 per day, per car, for weekdays only, non-resident parking in restricted areas - (Addition as requested in letter of 12-10-70 from Ed Connell)

MR. KELLY said most of the metropolitan communities are doing this on the basis that there are plenty of empty spaces on week days and it brings in revenue. He said it could be tried on an experimental basis, subject to its revocation any time taht it seems to be failing. Also, if this Board approves, it could allow the Park Department to try it but would not make it compulsory.

MR. KELLY MOVED for approval of this request. Seconded.

MR. SCOFFIELD asked if this will require the hiring of additional personnel?

MR. KELLY said it will not.

MR. EXNICIOS spoke in opposition. He said perhaps we will get some small amount of revenue, but more likely it's possible that we might get undesirables on our beaches. He said these beaches have been paid for subsidized by the taxpayers of the City of Stamford and their children can go down there without their parents on week days during the summer. He said he would suggest that we do NOT allow people who are not taxpayers to use our beaches, regardless of whether they pay \$3.00 or \$30.00

MRS. PONT-BRIANT said she concurs with Mr. Exnicios and intends to vote against this. She said once it is known that non residents are allowed on our beaches, by word of mouth, they will flock here. She said she is definitely opposed to it.

MRS. SHERMAN said she agrees with the previous speakers. But, if you are going to try to raise funds this way, at least make the fee high enough, so in that way you might eliminate som undesirables.

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MR. BITETTO said he also agrees and said "let's be selfish" and keep the beaches for Stamford.

MR. RUSSBACH said he also agrees.

THE PRESIDENT said if there are any more speakers just say they concur, as it is getting close to one o'clock.

MR. JOHN BOCCUZZI said he also concurs, because he does not think that the Park Department will be able to supervise all the areas in all the parks. He said just last summer he found a bus in Southfield Park from BROOKLYN! He said if they can't protect us from things like this, how are they going to manage to protect us from an influx of undesirables.

VOTE taken on Mr. Kelly's motion to approve these fees. LOST

URBAN RENEWAL COMMITTEE:

MR. KETCHAM presented his Committee report. He said the Committee met on Thursday, January 28, 1971 at 8 P.M. in the Board room, and present were Representatives Costello, DeForest and Ketcham. Also present were representatives from the URC. He said a general discussion was held regarding the Urban Renewal program and no new information was developed - we still know that the program is broke, we have not received a cent from the Federal Government in the past year and we don't know when we are going to get any money from the Federal Government.

He said the Committee announced that since the URC have publicized their desire to wring twelve million dollars additional from the taxpayers and citizens of Stamford, starting with three million this year, it might be advisable for them - between now and Budget time - to shed a little light on the general situation.

He said he now intends to take unprecedented action by defending the URC. He said some of the members of his committee have received a number of telephone calls and questions from various interested citizens who have remarked that in view of the acute housing situation in the City of Stamford, why is it that the St. John's Towers, now completed, had not been fully occupied over the last couple of months.

He said he wants them to know that this is not the fault of the Urban Redevelopment Commission because they have absolutely nothing to do with the occupancy of St. John's Towers - that is within the province of the Spring Realty Company, who is screening these people and it is their job and not the Urban Redevelopment Commission. He said the Spring Realty Company is a subsidiary of the F. D. Rich Company.

SPECIAL COMMITTEE TO INVESTIGATE CIVIL SERVICE & PERSONNEL DEPARTMENT PROCEDURES

MRS. PONT-BRIANT said now that everybody has gone home, she will make her report. She presented the following report:

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A meeting was held of the Special Investigating Committee on December 15, 1970 in the Board of Representatives' room. Present were the following: Edward Scofield, Joseph Bitetto, Gerald Rybnick, John Boccuzzi, Robert Costello, Thomas Morris and Mrs. Pont-Briant, Chairman.

The purpose of this meeting was to look into the steps leading up to Mr. Stanley Czupkowski acceptance as a supernumerary Fireman with the Stamford Fire Department. Mr. E. Gaynor Brennan represented the Fire Commission.

Facts gathered by our committee were as follows:

The Fire Commission can only appoint regular Firemen and cannot rule on appointments as supernumeraries. The Fire Commission members were fully aware of the May incident regarding Mr. Czupkowski and the Police Department.

Prior to this meeting, the Chairman (Mrs. Pont-Briant) had questioned Mr. Barker, Personnel Director, as to personnel procedures regarding supernumery Firemen - they are as follows:

Finances are available when the request is made for filling vacancies. They advertise and screen for the tests, give the tests, then there is a physical examination, screening in order of examination results, he then presents the list to the Fire Commission, of the name, address, and phone number.

Mrs. Pont-Briant said she asked specifically about the screening of Mr. Czupkowski. Mr. Barker said he had investigated the matter, but was assured by Chief Kinsella and Mr. Thomas Mayers that no criminal charges had been made and nothing was pending. On this basis he certified his standing - on the basis of his examination.

Forty-four persons applied for the examination and 26 appeared to take the exam on September 9, 1970. Fourteen were certified as eligible on October 26th. Mr. Czupkowski was one of 14 considered eligible and was sworn in on November 7, 1970. Then an agility test was given the 14 supernumerary Firemen and Mr. Czupkowski passed this test also.

The fire Commission have relied on the City and State Prosecutor and they have stated that there was no criminal intent. A Supernumerary Fireman may be by-passed twice when making a permanent appointment. The third time, a valid reason has to be given.

Conflict of interest question regarding Mr. John Fusaro, a Fire Commission member, and Mr. Czupkowski a client of his.

Mr. Fusaro was NOT present when Mr. Czupkowski was interviewed by the Fire Commission and has stated that he no longer represents him. A presentation of the facts uncovered constitutes our Committee report.

Lois Pont-Briant
Chairman

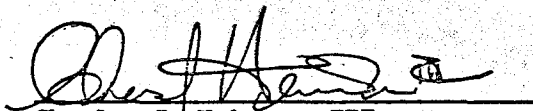
Minutes of February 1, 1971ADJOURNMENT:

Because of the lateness of the hour, a motion was made, seconded and CARRIED to adjourn the meeting at 12:45 A.M.



Velma Farrell
Administrative Assistant
(Recording Secretary)

vf

APPROVED:

Charles J. Heinzer, III
President
11th Board of Representatives

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

VF