

MINUTES OF THE 11th BOARD OF REPRESENTATIVES
STAMFORD, CONNECTICUT
Minutes of July 12, 1971

A regular Monthly Meeting of the 11th Board of Representatives of the City of Stamford, Connecticut, was held on Monday, July 12, 1971 in the Board's Meeting Rooms, Municipal Office Building 429 Atlantic Street, Stamford, Connecticut.

The meeting was called to order by the President, Charles J. Heinzer, III at 9.10 P.M. after a caucus by the respective parties.

INVOCATION was given by Rev. T. C. Swackhamer, First United Methodist 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. There were 31 present and 9 absent at the calling of the roll. However, one Member submitted his resignation and the vacancy was filled, resulting in a final roll call of 32 present and 8 absent.

The absent Members were:

Handy Dixon (D) 2nd District
Edward P. Dombroski (D) 3rd District
Robert M. Durso (D) 5th District
William D. Murphy (D) 6th District
George Ravallese (D) 8th District
Sidney M. Sherer (R) 16th District
Watson M. Horner (R) 19th District
John J. Breese (R) 20th District

RESIGNATION of William H. Puette (R) 18th District and replacement

THE PRESIDENT called for nominations to fill the above vacancy.

MR. SCHADE presented the name of JAMES P. BOYLE (R), 46 Wedgemere Road in nomination to fill the above vacancy.

MR. DeFOREST presented the name of JOHN B. KETCHAM (R), a Stamford native, to fill the above vacancy.

THE TELLERS distributed paper ballots, with a resulting VOTE of 18 votes for Mr. Boyle and 13 votes for Mr. Ketcham.

THE PRESIDENT declared Mr. Boyle elected to fill the seat in the 18th District. He administered the oath of office to Mr. Boyle, who thereupon assumed his seat as a Member of the 11th Board.

ACCEPTANCE OF MINUTES - Meeting of June 7, 1971.

Minutes of July 12, 1971

There being no corrections or additions, the Minutes of the above meeting were accepted.

COMMITTEE REPORTS:

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

STEERING COMMITTEE REPORT

Meeting held Monday, June 28, 1971

A meeting of the Steering Committee of the Board of Representatives was held on Monday, June 28, 1971 in the Republican Caucus Room of the Board.

The Meeting was called to order by the President and Chairman, Charles J. Heinzer, III. The following representatives were present: Thomas A. Morris, Anthony D. Truglia, Lois Pont-Briant, John L. DeForest, Daniel R. Russbach, Watson M. Horner, John J. Breese, George E. Russell, Joseph S. Bitetto, L. Reed Clark, Stephen E. Kelly, Frederick E. Miller, John J. Boccuzzi, Gerald J. Rybnick, Robert B. Exnicios, Edward K. Scofield, George V. Connors and John H. Roos.

(1) Mayor's Appointments:

The appointment of Janita Lange, Planning Board Alternate was ORDERED ON AGENDA, replacing Samuel Bernstein who was appointed as a regular member of the PLANNING BOARD.

REFERRED TO APPOINTMENTS COMMITTEE and ORDERED ON AGENDA

(2) Additional Appropriations:

All additional appropriations approved by the Board of Finance at their Regular Meeting held Thursday June 10, 1971 and as transmitted to Mrs. Farrell by their Clerk on June 16, 1971, were ORDERED ON THE AGENDA under FISCAL COMMITTEE, with all items in excess of \$2,000 referred to a Secondary Committee.

- (3) \$43,450.00 - BOARD OF EDUCATION - For Intrusion Alarms at 21 schools and Boiler Alarms at 23 schools - (Letter from Dr. Porter, Supt. of Schools dated 3/12/71 - Also see Mayor's letter of 3/17/71) (Recommitted to Committee on 5/3/71 and held in Committee 6/7/71)

Above also referred to EDUCATION, WELFARE & GOVERNMENT COMMITTEE - ORDERED ON AGENDA under Fiscal Committee

- (4) \$23,736.26 - DEPARTMENT OF LAW, Code 110.0901, Professional Services - (To pay Atty. Eugene Gordon, Labor Negotiator and other miscellaneous appraisal fees - (Mayor's letter 5/7/71) (Held in Committee 6/7/71)

ORDERED ON AGENDA under Fiscal Committee - also referred to PERSONNEL COMMITTEE

- (5) \$79,155.00 - DEPARTMENT OF PUBLIC WORKS for the following: (Mayor's letter undated but received 4/28/71) (Held in Committee 6/7/71)

Code 620.0103 - Incinerator & Sewage Treatment Plant,	
Overtime -----	\$24,361.00
624.0103 - Division of Collection-Overtime -----	54,794.00
	<u>\$79,155.00</u>

ORDERED ON AGENDA under Fiscal Committee - Also referred to PUBLIC WORKS COMMITTEE

- (6) \$237,377.00 - PUBLIC WORKS DEPARTMENT - Various Accounts
(Mayor's letter 4/12/71 - REDUCED by Board of Finance from original request of \$470,044.00) as follows: (Held in Committee 6/7/71)

Code 602.0501 - Administration - Telephone & Telegraph -----	\$3,758.00
" 606.0601 - Highways - General Materials & Supplies -----	39,000.00
" 616.0000 - Street Lighting -----	39,000.00
" 620.0620 - Incinerator-Sewage Treatment Plant, Removal of Sludge & Ashes -----	45,000.00
" 620.1201 - Incinerator-Sewage Treatment Plant, Maintenance of Equipment -----	5,911.00
" 621.1201 - Multi-Purpose Incinerator, Maintenance of Equipment -----	2,993.00
" 622.1501 - Pumping Stations - Light, Heat & Power -----	5,715.00
" 624.0617 - Collection - Fill for Land Reclamation -----	48,000.00
" 625.1401 - Dyke Park Landfill - Rental of Equipment -----	18,000.00
" 653.0000 - Repairs -----	30,000.00
	<u>\$237,377.00</u>

ORDERED ON AGENDA under Fiscal Committee - Also referred to PUBLIC WORKS COMMITTEE

- (7) \$24,000.00 - MAYOR'S OFFICE - Code 108.0901 Drug Liberation Program, Stamford Area - (Mayor's letter of 6/2/71)

NOT ordered on AGENDA

- (8) \$5,700.00 - Membership dues in SWRPA - Code 135.2102 Dues & Subscriptions for next Fiscal Year 1971-1972 - (Deleted in Budget) - (Mayor's letter 5/18/71)

NOT ordered on AGENDA

- (9) \$2,000.00 - HUMAN RIGHTS COMMISSION - Code 192.0101, Salaries - (To restore salary cut to Executive Director from \$14,178.40 to \$16,178.00 in order to give him the same benefits extended to other City employees under his supervision)

ORDERED ON AGENDA under Fiscal Committee - Also referred to PERSONNEL COMMITTEE

Minutes of July 12, 1971

- (10) \$559.00 - COMMISSION ON AGING - Code 195.5203 for Program Services - (Mayor's letter of 6/1/71)

ORDERED ON AGENDA under Fiscal Committee

- (11) \$1,600.00 - HEALTH DEPARTMENT - Code 510.2201 New Equipment - (To use Grant from State to purchase Laboratory Equipment) - (Mayor's letter of 6/2/71)

ORDERED ON AGENDA under Fiscal Committee

- (12) \$10,098.80 - HEALTH DEPARTMENT - Code 510.0101, Salaries 1971-1972 Operating Budget to cover deficit due to late signing of Public Nurses' Contract - (Mayor's letter 6/3/71)

ORDERED ON AGENDA under Fiscal Committee - Also referred to PERSONNEL COMMITTEE

- (13) \$77.50 - HEALTH DEPARTMENT - Code 510.2201, New Equipment (To use gift from Lions Club) - (Mayor's letter of 6/1/71)

ORDERED ON AGENDA under Fiscal Committee

- (14) \$60,200.00 - Resolution amending 1971-1972 Capital Projects Budget for STORM DRAINS, to correct drainage problem in area of Minivale Road and Hilltop Ave. caused by construction of Sterling Farms Golf Course and appropriation of above sum therefor - (Mayor's letter of 5/27/71)

ORDERED ON AGENDA under Fiscal Committee - Also referred to PUBLIC WORKS COMMITTEE

- (15) \$2,000.00 - FAIR RENT COMMISSION, Code 198.0101, Salaries - 1971-1972 Operating Budget - (To grant salary increase to the Acting Director of the Commission from \$10,584 to \$12,584, now paid as a Field Investigator) - (Mayor's letter of 5/26/71) (Also to extend fringe benefits to this employee)

NOT ordered on AGENDA

- (16) \$10,000.00 - BOARD OF EDUCATION - For the "Right to Read and Reading" Program under State Grant, Title II, Elementary & Secondary Education Act - To be distributed in amount of \$2,000 each to: Rogers, John J. Ryle, Springdale, Turn-of-River and Willard Schools (Requested in letter dated 5/26/71 from Miss Helen Tobin, Deputy Supt. of Schools)

ORDERED ON AGENDA under Fiscal Committee - Also referred to EDUCATION, WELFARE & GOVERNMENT COMMITTEE

Minutes of July 12, 1971

- (17) \$1,000.00 - BOARD OF EDUCATION - To be received as a Grant from State of Connecticut under the Adult Basic Education Act for the 1970-1971 Fiscal Year for the Adult Basic Education Program - (Letter dated 5/12/71 from Miss Helen Tobin, Deputy Supt. of Schools)

ORDERED ON AGENDA under Fiscal Committee

- (18) \$376,682.23 - To meet contractual agreements, recently negotiated, as follows: City Contracts: \$151,090.18 and Board of Education: \$225,592.05 - (Listed by Code Numbers in attachment to Mayor's letter dated May 13, 1971)

ORDERED ON AGENDA under Fiscal Committee - Also referred to PERSONNEL COMMITTEE

- (19) \$62,438.00 - HEALTH DEPARTMENT, Code 515.0913 Air Pollution Grant In order to institute a continual Air Pollution Program for the City - (Mayor's letter of 6/8/71)

ORDERED ON AGENDA under Fiscal Committee - Also referred to HEALTH & PROTECTION COMMITTEE

- (20) \$25.00 - HEALTH DEPARTMENT, Code 510.0920 - Gifts & Donations to Purchase an Item for the Drug Program - (Mayor's letter of 6/7/71)

ORDERED ON AGENDA under Fiscal Committee

- (21) \$400,000.00 - Resolution amending 1970-71 Capital Projects Budget, to Project to be known as "ADDITION TO CIRCUIT COURTHOUSE" to be located on present site on Hoyt Street and appropriation of aforesaid sum therefor - (Mayor's letter of 4/7/71)

ORDERED ON AGENDA under Fiscal Committee - Also referred to PUBLIC WORKS COMMITTEE

- (22) \$62,000.00 - BOARD OF EDUCATION - To cover anticipated deficit in CAFETERIA PROGRAM for the year 1970-71 - (See letter from Dr. Joseph Porter dated 4/15/71, requesting \$240,000.00 which amount was REDUCED by the Board of Finance on 6/23/71 to \$62,000.00 which they claim will see them through the summer, with the aid of Federal money, which the Board of Education is getting)

ORDERED ON AGENDA under Fiscal Committee - Also referred to EDUCATION, WELFARE & GOVERNMENT

Minutes of July 12, 1971

- (23) Final adoption of Ordinance "DECLARING IT A HEALTH HAZARD WHEN VACANCY RATE IN HOUSING FALLS BELOW 3% AND THAT ANY PERSON BECOMING A STAMFORD RESIDENT DURING THIS TIME SHALL NOT BE ELIGIBLE FOR WELFARE BENEFITS NOR SHALL BE ABLE TO RECEIVE SUCH BENEFITS-
(Adopted for publication 6/7/71; published 6/10/71; re-published because of error again on 6/16/71)

ORDERED ON AGENDA UNDER LEGISLATIVE & RULES COMMITTEE

- (24) Requesting WAIVER OF BUILDING PERMIT FEE for construction by TEMPLE BETH EL of new Temple facilities on Roxbury Road -
(Requested in letter dated 5/21/71 from Peter J. Weissman, Atty.)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (25) Requesting WAIVER OF BUILDING PERMIT FEE in connection with expansion of ST. JOHN'S TOWERS on west side of Atlantic Street on what is presently the YMCA and Sherman property - (Requested in letter from E. Gaynor Brennan, Jr., their attorney, dated 6/7/71)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (26) Proposed Ordinance "CONCERNING THE ESTABLISHMENT OF A CULTURAL COMMISSION" consisting of 5 Members, pursuant to enabling legislation passed in the last session of the General Assembly -
(Mayor's letter dated 6/21/71)

NOT ordered on AGENDA

Mr. Heinzer and Board Member Russbach were in accord as to this Item not being put on the Agenda since they felt Stamford is not in need of another City Commission.

- (27) Proposed Ordinance requesting PROPERTY TAX EXEMPTION FOR CHILD GUIDANCE CLINIC OF GREATER STAMFORD, INC., and a rebate of real property taxes paid on certain property for the period from September 1, 1970 through June 30, 1971, in amount of \$235.17 - (Submitted in letter dated 4/12/71 from firm of Cross Brodrick & Chipman, and signed by Richard G. Brodrick) - (Held in Committee on 5/3/71, and again on 6/7/71)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (28) Proposed amendment to Code of General Ordinances in regard to MAINTENANCE OF ANIMALS AND FOWL and PERMITTANCE OF ACCUMULATION OF OFFAL OR MANURE IN SUCH MANNER AS TO CREATE CONTAMINATION OF WELLS AND LAKES - (Submitted by John L. DeForest, 19th District Representative on 1/18/71; ordered NOT placed on Agenda by order of Steering Committee on 2/16/71; ordered on Agenda 4/19/71) - (Held in Committee 5/3/71 and 6/7/71)

NOT ORDERED ON AGENDA

Minutes of July 12, 1971

- (29) Proposed Resolution "CONCERNING THE CREATION OF A FIVE MAN COMMISSION ON MENTAL RETARDATION" for the City of Stamford -
(See Minutes of 5/4/70, Page 7272; 7/6/70 Page 10/5/71, Page 7495 and 1/11/71 Page 7612) - (Held in Committee 4/5/71, 5/3/71 and 6/7/71)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (30) Letter dated 4/19/71 from James J. Sotire, Building Official and Zoning Enforcement Officer, submitting an amendment to Ordinance 199 Supplemental "CONCERNING THE ESTABLISHMENT OF FIRE DISTRICTS FOR THE CITY OF STAMFORD" enacted Sept. 26, 1970 -
(Held in Committee 5/3/71 and 6/7/71)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (31) Letter from Stamford Fair Housing Committee dated 5/21/71, submitting "PROPOSED HOUSING ORDINANCE FOR STAMFORD TO PREVENT THE DEMOLITION OF HOUSING DEVELOPMENTS CONTAINING SOUND HOUSING UNITS" - (Held in Committee 6/7/71)

The above was NOT ORDERED ON AGENDA as it was considered to be undesirable proposal for an Ordinance.

- (32) Proposed Ordinance "TO DEFINE PARENTAL NEGLECT OF MINORS AND PENALTY THEREFOR" - (Proposed by Robert Exnicios, 1st District Representative - Held in Committee 4/5/71, see Page 7745 of Minutes; held in Committee 5/3/71 and 6/7/71)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (33) Concerning firm doing Tax Assessments and refusal of some housewives to allow them to enter home - (Held in Committee 6/7/71)

This item was NOT ordered on the AGENDA as the Committee felt no one should be in a position to force his way into a person's home and that such action had never been taken in previous years in Stamford.

- (34) Concerning TOWING AWAY OF VEHICLES INVOLVED IN ACCIDENTS - (See #14 on Page 7750 of Minutes of 4/5/71)

NOT ORDERED ON AGENDA

- (35) HEARING ON STAMFORD WATER COMPANY RATE INCREASE - To be held Friday, July 2, 1971, at 9.30 A.M. in the Auditorium of the Health Dept., 229 North Street, Stamford (Per notice dated 6/22/71 from Dr. Franklin M. Foote, State Commissioner of Health)

ORDERED ON AGENDA under HEALTH & PROTECTION COMMITTEE

Minutes of July 12, 1971

- (36) Letter dated 6/22/71 from River Bend Association Inc., representing approximately 200 homeowners in the Cold Spring Road area, complaining of the median divider which has been installed on the Washington Avenue Blvd. north of Bridge Street and the absence of traffic lights

ORDERED ON AGENDA under HEALTH & PROTECTION, also referred to PLANNING & ZONING COMMITTEE

- (37) Petition received 6/14/71, presented by George Connors, 8th District Representative, complaining about vandalism to boats moored at the Cummings Beach Marina and asking for adequate police protection.

ORDERED ON AGENDA under HEALTH & PROTECTION COMMITTEE

- (38) Report from Health Department on complaint of City Sewage Back-Up on AMELIA PLACE - (See Minutes of 5/3/71 Page 7805)

ORDERED ON AGENDA under HEALTH & PROTECTION COMMITTEE

- (39) Acceptance of RAPIDS ROAD (certified for acceptance by City Engineer dated 6/7/71)

ORDERED ON AGENDA under PLANNING & ZONING COMMITTEE

- (40) Letter from Atty. Saul Kwartin dated 6/3/71, attaching petition signed by residents of FOREST LAWN AVENUE, NORTH FOREST LAWN AVENUE, PARAGON LANE and others directly involved, complaining about the CLOSING OF ACCESS FROM FOREST LAWN AVENUE TO WASHINGTON AVENUE and requesting a meeting as soon as possible to discuss this matter with an appropriate committee of the Board - (See Resolution No. 755 adopted 5/3/71, Page 7803 of Minutes)

ORDERED ON AGENDA under PLANNING & ZONING COMMITTEE - Also referred to HEALTH & PROTECTION COMMITTEE

- (41) APPEAL FROM ZONING BOARD'S DECISION on Appl. 70-030 amending Zoning Regulations under Section 12, Subsection B by deleting last sentence referring to closeness to residential property of parking lots, entitled "AUTOMOBILE PARKING AND LOADING SPACE", approved by Zoning Board on 5/26/71 and filed with Office of Board of Representatives on 6/15/71 under Section 553.2 of Charter

(NOTE: Must be acted upon by Board of Representatives at or before its second regular meeting following referral. Failure to approve or disapprove constitutes approval of Zoning Board's decision.

ORDERED ON AGENDA under PLANNING & ZONING COMMITTEE

Minutes of July 12, 1971

- (42) Letter dated 6/17/71 from Commissioner of Finance concerning ROAD IMPROVEMENTS - BARNCROFT ROAD under Chapter 64 of Charter, submitting a REVISED estimate of costs to owners on said Road for a total of \$17,531.00 (as previously quoted in letter dated Oct. 2, 1970 in amount of \$22,031.00)

ORDERED ON AGENDA under PLANNING & ZONING COMMITTEE

- (43) Concerning NIGHT BASKETBALL - (Request in letter of 6/17/71 to Supt. of Board of Recreation from Mundy Redfern for lights to be turned on in various parks)

NOT ORDERED ON AGENDA

- (44) Concerning request for consideration to allow the Pop Warner Bantam Football League to remain playing its schedule at Cubeta Stadium (Letter dated 6/15/71 to Director of Wright Technical School from President of League)

NOT ORDERED ON AGENDA

- (45) Re-submission of COLLECTIVE BARGAINING CONTRACT - CAFETERIA WORKERS BOARD OF EDUCATION - (Rejected by Board of Representatives at June 7, 1971 meeting: signed May 11, 1971 - To take effect July 1, 1970 to and including June 30, 1972)

ORDERED ON AGENDA under PERSONNEL COMMITTEE

- (46) Letter dated June 3, 1971 from Arthur Cuscuna, Executive Director of CITY HOUSING AUTHORITY - ESTIMATE OF ANNUAL PAYMENTS IN LIEU OF TAXES AT \$687.00, with ANNUAL AMOUNT OF TAXES WHICH WOULD BE LEVIED WERE THE PROPERTY PRIVATELY OWNED AT \$6,672.00

After the above was ORDERED ON THE AGENDA under PUBLIC HOUSING & GENERAL RELOCATION COMMITTEE, Mr. Thomas A. Morris, 15th District Representative informed the Members he had been made aware that there has been an embezzlement in that Department in an amount of \$17,000 to \$19,000. This situation has been going on since 1967 and Mr. Morris suggested to let the Fiscal Committee become an Investigating Committee and an auditor should be brought in to investigate this.

- (47) Proposed Resolution TO PROVIDE PRIORITY FOR FAMILIES DISPLACED BY URBAN RENEWAL AND OTHER GOVERNMENTAL ACTION IN NON-PROFIT SPONSORED HOUSING - (Mayor's letter 6/3/71)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (48) Letter dated 6/28/71 from Mr. Warren M. Knapp, Sr., 61 Cold Spring Road, Stamford, Conn. and addressed to Charles Heinzer, III, President re: C.O.N.A. supporting the 6/22/71 request of the River Bend Association Inc. for installation of traffic lights and removal of the median divider on the Washington Ave. Boulevard north of Bridge Street

Above was NOTED AND FILED.

Charles J. Heinzer, III, Chairman
Steering Committee

Minutes of July 12, 1971APPOINTMENTS COMMITTEE:

MR. RUSSBACH, Chairman, presented his Committee report, and presented the following appointment:

PLANNING BOARD ALTERNATETERM ENDING:

JANITA LANGE (R)
27 Bonair Avenue
(Replacing Samuel Bernstein,
who was appointed a regular
member of Planning Board)

VOTE: 27 yes Dec. 1, 1975
 4 no
 1 abstention

FISCAL COMMITTEE:

MRS. PONT BRIANT, Chairman, reported on the following:

- (1) \$43,450.00 - BOARD OF EDUCATION - For Intrusion Alarms at 21 schools and Boiler Alarms at 23 Schools - (Letter from Dr. Porter, Supt. of Schools, dated 3/12/71 - Also, see Mayor's letter of 3/17/71 - (Recommitted to Committee on 5/3/71, held in Committee 6/7/71)

MRS. PONT BRIANT said her Committee met with about 8 vendors and the Purchasing Agent to discuss the various types of Intrusion Alarms that it is possible to use. She said they are submitting their specifications to Mr. Clements and Mr. Benevelli, which in turn will be presented to the Fiscal Committee and then be put out to bid, but not given out until the money has been appropriated, because it is the intention of the Fiscal Committee to approve some type of alarms.

- (2) \$18,736.26 - DEPARTMENT OF LAW, Code 110.0901, Professional Service
(To pay Attorney Eugene Gordon, Labor Negotiator and other miscellaneous appraisal fees - (Mayor's letter of 5/7/71 - Held in Committee 6/7/71)

MRS. PONT BRIANT said the Fiscal Committee REDUCED this to the above figure from the \$23,736.26 which appears on the Agenda, because this was just an estimated figure and the Committee would rather wait for the final bill. She MOVED for approval of the reduced amount. Seconded by Mr. Roos, who said the Personnel Committee concurs in approval. CARRIED.

- (3) \$79,155.00 - DEPARTMENT OF PUBLIC WORKS for the following: (Mayor's letter, undated, received 4/28/71) - (Held in Committee 6/7/71)

The amounts were as follows:

Code 620.0103 - Incinerator & Sewage Treatment Plant,	
Overtime -----	\$24,361.00
" 624.0103 - Division of Collection, Overtime ---	54,794.00
	\$79,155.00

Minutes of July 12, 1971

The above matter was approved by the Fiscal Committee but the Public Works Committee did not report it out of Committee as no meeting was held. It was therefore held in Committee for another month.

- (4) \$189,377.00 - PUBLIC WORKS DEPARTMENT, Various Accounts -
(Mayor's letter 4/12/71 - (REDUCED by Board
of Finance from original request of \$470,044.00)
(Held in Committee 6/7/71)

Code 602.0501 - Administration-Telephone & Telegraph -----	\$3,758.00
" 606.0601 - Highways-Gen.Materials & Supplies -----	39,000.00
" 616.0000 - Street Lighting -----	39,000.00
" 620.0620 - Incinerator-Sewage Treatment Plant, Removal of Sludge & Ashes-----	45,000.00
" 620.1201 - Incinerator-Sewage Treatment Plant, Maintenance of Equipment -----	5,911.00
" 621.1201 - Multi-Purpose Incinerator, Maintenance of Equipment -----	2,993.00
" 622.1501 - Pumping Stations - Light, Heat & Power -----	5,715.00
" 624.0617 - Collection - Fill for Land Reclamation -----	48,000.00
	<u>\$189,377.00</u>

The above appropriation was APPROVED. However, two items were DELETED from the above request - one for Code 625.1401 in the amount of \$18,000.00 for Dyke Park Land Fill - "Rental of Equipment" and another for Code 653.0000 in the amount of \$30,000.00 for "Repairs". The vote on the deletion for the first item was carried with two no votes. The vote on the deletion of the second item was carried with a vote of 18 in favor and 13 opposed, this reducing the appropriation to \$189,377.00 from the request of \$237,377.00 which appeared on the Agenda.

- (5) \$2,000.00 - HUMAN RIGHTS COMMISSION - Code 192.0101 - Salaries -(To
restore salary cut to Executive Director from \$14,178.40
to \$16,178.00 in order to give him the same benefits
extended to other City employees under his supervision)

MRS. PONT BRIANT reported that the Fiscal Committee voted 3 to 2 for rejection of this item. She MOVED for approval of the request, with the recommendation of the Fiscal Committee for rejection.

THE PRESIDENT said since a two-thirds vote is required to carry, the motion has to be with the recommendation for approval, even though the Fiscal Committee recommends rejection.

MR. ROOS, Chairman of the Personnel Committee, seconded the motion and concurred with the action taken by the Fiscal Committee.

MR. JOHN BOCCUZZI spoke in favor of the appropriation. He said he believes that the Executive Director is very capable and puts in a lot of time, is very fair and he said he does not think we should single one person out to make a direct cut in their salary. He said originally the Fiscal Committee

Minutes of July 12, 1971

did not recommend a cut in this account at all, but during Budget time, this cut was made on the floor. He said he recommends approval of this salary restoration.

MR. GUROIAN spoke in favor of the reduction. He said this \$2,000 is clearly an increase. He said don't forget to bear in mind that the original ceiling on this particular position was \$10,000. and as a representative of the taxpayers, he is opposed to such a drastic salary increase, because at this time the taxpayer is "taking it on the chin" and for this reason he is opposed to this appropriation, and to the big spenders of other people's money.

MRS. SHERMAN spoke in favor of the restoration of the cut. She said she believes that every department head's salary had to be reinstated because of contractual rules. She said this particular man has proven his capability in a very sensitive area of this City and believes he is being done an injustice by being singled out as one individual to cut his salary when every other one was reinstated.

MR. SPRINGER said at the time the Operating Budget for 1971-72 was before the Fiscal Committee, they eliminated the 3% increments. He asked if this \$2,000 figure includes the 3% or does it return this salary to that which was recommended by the Fiscal Committee to the Board?

MRS. PONT BRIANT said it would return it to the salary as listed in the Budget book and the 3% figure was supposed to be applied to any salary which had that increment in it and this does not have an increment in it.

MR. RUSSBACH said, as usual, he is the "dirty guy" because he is the one at the time of the adoption of the Budget made the request for the salary reduction. He said this particular agency is one of the worst examples of Bureauocracy run wild. He said why are we so concerned about restoring a salary cut of \$2,000 for a position when this position at a salary of over \$16,000 has received a 60% salary increase in three years - from 1968. He said even in the City of Stamford to go from \$10,000 to \$16,000 in three years - to say the least - astronomical. He said and now we have an Assistant Director job which is paid over \$12,000 a year and this position did not exist in 1968 when we voted to hold the salary level for the Director at \$10,000. Furthermore, he said \$12,000 is the figure at which this Director was hired and has been in the job a little more than a year and one half and the position, without this additional \$2,000 has received a \$2,000 salary increase during that time.

He said why do we need an Assistant at \$12,000 which is more than the Director received in 1969? He said he wonders if this Board is also aware that the two Field Investigators who are not supposed to be Civil Service, are now Civil Service employees and entitled to all benefits under that system as well. He said at the time this agency was created they were happy to find this was one area where this Board could hold the

Minutes of July 12, 1971

line and had the right to do so. He asked how he can explain to his constituents when many of them are out of work and many in danger of the same - there will be very little sympathy coming from them. He said and what about many of the other City employees who have been laid off? He said their reaction will be "he's lucky to be working and at \$16,000 a year overpaid as well". He said there is a time and place for everything and now is not the time to worry about salary restoration for a single overpaid position.

MRS. PONT BRIANT said some of the positions within that account were not Civil Service and later on were made Civil Service. She said in the original Ordinance back in 1967-68 it only refers to the Human Rights Director as not being Civil Service, but states that the others may be and if she is in error she wishes to make the correction.

MRS. PONT BRIANT MOVED to AMEND to approve \$941.60 instead of the \$2,000 for the purpose of reinstating the 8% salary increase that was granted the position of Human Rights Director as of February 1, 1971 by this Board. She said her feeling is that we cannot cut an employee an amount that this Board has previously granted him and as of 2/1/71 he was included in a "package" with everyone and at that time the Board could have taken that position out and decreased it, but we did not, and granted an 8% salary increment as an entire "package" and with this amendment we would be reinstating the increase this Board approved in February.

THE PRESIDENT corrected the motion to be to REDUCE the requested amount from \$2,000 to \$941.60 as an amendment to the previous motion. Seconded and CARRIED with several "no" votes.

A machine vote was requested. The motion FAILED to carry by a vote of 19 in favor and 12 opposed. THE PRESIDENT said it requires a two-thirds vote to carry.

(6) \$559.00 - COMMISSION ON AGING - Code 195.5203 for Program Services -
(Mayor's letter of 6/1/71)

MRS. PONT BRIANT MOVED for approval of the above request. Seconded and CARRIED.

(7) \$1,600.00 - HEALTH DEPARTMENT - Code 510.2201 - New Equipment - (To
use Grant from State to purchase Laboratory equipment -
(Mayor's letter of 6/2/71)

MRS. PONT BRIANT MOVED for approval of the above request. Seconded and CARRIED.

(8) \$10,098.80 - HEALTH DEPARTMENT - Code 510.0101, Salaries - 1971-1972
Operating Budget, to cover deficit due to late signing
of Public Nurses' Contract -- (Mayor's letter of 6/3/71)

Minutes of July 12, 1971

MRS. PONT BRIANT MOVED for approval of the above request. Seconded by Mr. Roos, who said the Personnel Committee concurs in approval. CARRIED.

- (9) \$77.50 - HEALTH DEPARTMENT - Code 510.2201 - New Equipment - (To use gift from Lions Club) - (Mayor's letter of 6/1/71)

MRS. PONT BRIANT MOVED for approval of the above request. Seconded and CARRIED.

- (10) \$35,000.00 - Resolution No. 760 amending 1971-1972 Capital Projects Budget for STORM DRAINS, to correct drainage problem in area of Minivale Road and Hilltop Avenue caused by construction of Sterling Farms Golf Course and appropriation of above sum therefor - (Mayor's letter 5/27/71)

MRS. PONT BRIANT said the Fiscal Committee has REDUCED this from the \$60,200.00 which appears on the Agenda. SHE MOVED for approval of the reduction. Seconded and CARRIED.

She said in addition to this the Finance Board has attached a rider, which she will include in the Resolution.

MRS. PONT BRIANT MOVED for approval of the following resolution. Seconded by Mr. Caporizzo who said the Public Works Committee concurs. CARRIED unanimously:

RESOLUTION NO. 760

AMENDING 1971-1972 CAPITAL PROJECTS BUDGET FOR "STORM DRAINS" TO CORRECT DRAINAGE PROBLEM IN AREA OF MINIVALE ROAD AND HILLTOP AVENUE, CAUSED BY CONSTRUCTION OF STERLING FARMS GOLF COURSE AND APPROPRIATION OF \$35,000.00 THEREFOR

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford, to amend the 1971-1972 Capital Projects Budget by adding to project in said Budget, known as "STORM DRAINS" the sum of \$35,000.00 in accordance with the provisions of Section 611.5 of the Stamford Charter and appropriation of aforesaid sum therefor, in order to correct a drainage problem created in the area of Minivale Road and Hilltop Avenue by the construction of the Sterling Farms Golf Course; and

BE IT FURTHER RESOLVED that the Corporation Counsel be requested to study the possibility of taking legal action against the Architect, the Engineer and/or the Contractor engaged by the Stamford Golf Authority for the construction of the Sterling Farms Golf Course in an effort to recover all or part of the damages sustained by the property owners in the area of Minivale Road and Hilltop Avenue, which have necessitated the aforementioned Capital Project.

Minutes of July 12, 1971

MR. SCHADE MOVED to AMEND that the final payment of \$35,000 to the contractor be withheld until it can be determined who is at fault for the drainage problem. Seconded.

MR. RUSSELL expressed a doubt that this might hold up the work to be done, because a very bad drainage situation exists and only last week when the Golf course was opened up somebody left the sprinklers on a little too long and there was a drainage problem just from them alone. He said the contractor might not want to even do the work if there is any doubt as to whether or not he is going to be paid, because he won't want to get involved with litigation with an independent contractor. In that case, the job certainly won't get done this year. He said he thinks the rider that the Board of Finance put on should take care of it without the need for any additional safeguard and all this will do is create additional problems and hold up work on this project which should be finished this summer.

MR. BITETTO said there is always a provision in the contract with the City which states that the final payment - that any liabilities or claims against the City that remain unsatisfied then the City has the right to withhold that portion of the final payment.

VOTE on Mr. Schade's motion - CARRIED.

- (11) \$10,000.00 - BOARD OF EDUCATION - For the "Right to Read and Reading" Program under State Grant, Title II, Elementary and Secondary Education Act - To be distributed in amount of \$2,000 each to: Rogers, John J. Ryle, Springdale, Turn-of-River and Willard Schools (Requested in letter dated 5/26/71 from Miss Helen Tobin, Deputy Supt. of Schools)

The above matter was held in Committee.

- (12) \$1,000.00 - BOARD OF EDUCATION - To be received as a Grant from State of Connecticut under the Adult Basic Education Act for the 1970-1971 fiscal year for the Adult Basic Education Program - (Letter dated 5/12/71 from Miss Helen Tobin, Deputy Supt. of Schools)

MRS. PONT BRIANT MOVED for approval of the above request. Seconded and CARRIED.

- (13) \$376,682.23 - To meet Contractual Agreements, recently negotiated, as follows: CITY CONTRACTS: \$151,090.18 and BOARD OF EDUCATION: \$225,592.05
(Listed by Code numbers in attachment to Mayor's letter of May 13, 1971) - Corrected Code Numbers listed below:

Minutes of July 12, 1971

106.0101	-- Board of Representatives -----	\$ 1,204.21
108.0101	-- Mayor's Office -----	1,725.00
110.0101	-- Law Department -----	1,835.01
112.0101	-- Town Clerk -----	3,778.00
114.0101	-- Commissioner of Finance -----	760.92
116.0101	-- Bureau of Accounts & Records -----	3,910.92
117.0101	-- Data Processing -----	-0-
118.0101	-- Bureau of Purchases -----	2,337.92
126.0101	-- Central Services -----	6,134.82
126.0103	-- Central Services -----	1,964.82
134.0101	-- Planning Board -----	4,635.14
138.0101	-- Zoning Board -----	1,193.26
140.0101	-- Zoning Board of Appeals -----	588.50
144.0101	-- Assessors Office -----	6,450.00
146.0101	-- Tax Collector -----	5,040.00
190.0101	-- Sewer Commission -----	706.08
190.0114	-- Sewer Commission -----	95.00
192.0101	-- Human Rights Commission -----	2,857.00
195.0101	-- Commission on Aging -----	960.00
198.0101	-- Fair Rent Commission -----	1,301.00

410.0101	-- Welfare Department -----	9,515.00
430.0101	-- Sunset Home -----	4,680.00
430.0111	-- Sunset Home (Differential) -----	320.00
440.0101	-- Smith House (Salaries) -----	36,140.94
440.0103	-- Smith House (Overtime) -----	9,250.00
440.0111	-- Smith House (Differential) -----	13,475.00
440.2501	-- Smith House (Uniforms) -----	3,450.00

510.0101	-- Health Department -----	6,735.60
511.0101	-- Housing Code Enforcement Task Force -----	-0-
512.0101	-- School Health Program -----	-0-
520.0101	-- Dog Warden -----	632.00
560.0101	-- Civil Defense -----	1,705.20

720.0101	-- Park Department -----	15,054.86
730.0101	-- Board of Recreation -----	113.98
740.0101	-- Hubbard Heights -----	2,540.00

TOTAL ----- \$151,090.18

MRS. PONT BRIANT MOVED for approval of the above request. Seconded by Mr. Roos who said the Personnel Committee concurs. CARRIED unanimously.

(14) \$62,438.00 - HEALTH DEPARTMENT - Code 510.0913 Air Pollution Grant - In order to institute a continual Air Pollution Program for the City - (Mayor's letter of 6/8/71)

Minutes of July 12, 1971

MR. SCHADE MOVED to AMEND that the final payment of \$35,000 to the contractor be withheld until it can be determined who is at fault for the drainage problem. Seconded.

MR. RUSSELL expressed a doubt that this might hold up the work to be done, because a very bad drainage situation exists and only last week when the Golf course was opened up somebody left the sprinklers on a little too long and there was a drainage problem just from them alone. He said the contractor might not want to even do the work if there is any doubt as to whether or not he is going to be paid, because he won't want to get involved with litigation with an independent contractor. In that case, the job certainly won't get done this year. He said he thinks the rider that the Board of Finance put on should take care of it without the need for any additional safeguard and all this will do is create additional problems and hold up work on this project which should be finished this summer.

MR. BITETTO said there is always a provision in the contract with the City which states that the final payment - that any liabilities or claims against the City that remain unsatisfied then the City has the right to withhold that portion of the final payment.

VOTE on Mr. Schade's motion - CARRIED.

- (11) \$10,000.00 - BOARD OF EDUCATION - For the "Right to Read and Reading" Program under State Grant, Title II, Elementary and Secondary Education Act - To be distributed in amount of \$2,000 each to: Rogers, John J. Ryle, Springdale, Turn-of-River and Willard Schools (Requested in letter dated 5/26/71 from Miss Helen Tobin, Deputy Supt. of Schools)

The above matter was held in Committee.

- (12) \$1,000.00 - BOARD OF EDUCATION - To be received as a Grant from State of Connecticut under the Adult Basic Education Act for the 1970-1971 fiscal year for the Adult Basic Education Program - (Letter dated 5/12/71 from Miss Helen Tobin, Deputy Supt. of Schools)

MRS. PONT BRIANT MOVED for approval of the above request. Seconded and CARRIED.

- (13) \$376,682.23 - To meet Contractual Agreements, recently negotiated, as follows: CITY CONTRACTS: \$151,090.18 and BOARD OF EDUCATION: \$225,592.05
(Listed by Code numbers in attachment to Mayor's letter of May 13, 1971) - Corrected Code Numbers listed below:

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560.0101	-- Civil Defense -----	1,705.20

720.0101	-- Park Department -----	15,054.86
730.0101	-- Board of Recreation -----	113.98
740.0101	-- Hubbard Heights -----	2,540.00

TOTAL ----- \$151,090.18

MRS. PONT BRIANT MOVED for approval of the above request. Seconded by Mr. Roos who said the Personnel Committee concurs. CARRIED unanimously.

(14) \$62,438.00 - HEALTH DEPARTMENT - Code 510.0913 Air Pollution Grant - In order to institute a continual Air Pollution Program for the City - (Mayor's letter of 6/8/71)

Minutes of July 12, 1971

MRS. PONT BRIANT MOVED for approval of the above request. She said this Grant has already been approved by the Federal Government. Seconded by Mr. Clark, Chairman of the Health & Protection Committee, who said his Committee concurs. CARRIED unanimously.

- (15) \$25.00 - HEALTH DEPARTMENT - Code 510.0920 - Gifts & Donations to purchase an item for the Drug Program - (Mayor's letter of 6/7/71)

MRS. PONT BRIANT MOVED for approval of the above request. Seconded and CARRIED unanimously.

- (16) \$400,000.00 - Resolution No. 761 amending 1970-1971 Capital Projects Budget, for Project to be known as "ADDITION TO CIRCUIT COURTHOUSE" to be located on present site on Hoyt Street and appropriation of aforesaid sum therefor - (Mayor's letter of 4/7/71)

MRS. PONT BRIANT MOVED for approval of the following resolution. Seconded and CARRIED by a vote of 31 in favor and one abstention (Mr. Bieder):

RESOLUTION NO. 761

AMENDING 1970-1971 CAPITAL PROJECTS BUDGET, FOR PROJECT TO BE KNOWN AS "ADDITION TO CIRCUIT COURT HOUSE" TO BE LOCATED ON PRESENT SITE ON HOYT STREET, AND APPROPRIATION OF \$400,000.00 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, in accordance with the provisions of Section 611.5 of the Stamford Charter, by adding thereto a Project in the amount of \$400,000.00 to be known as "ADDITION TO CIRCUIT COURT HOUSE" in order to provide for an addition of 9,000 square feet, to be located on the present site on Hoyt Street and the appropriation of aforesaid sum therefor.

- (17) \$62,000.00 - BOARD OF EDUCATION - To cover anticipated deficit in CAFETERIA PROGRAM for the year 1970-1971 - (See letter from Dr. Joseph Porter dated 4/15/71 requesting \$240,000 which amount was REDUCED by the Board of Finance on 6/23/71 to \$62,000.00 which they claim will see them through the summer, with the aid of Federal money which the Board of Education is getting)

The above matter was held in Committee.

Minutes of July 12, 1971

- (18) \$1,825.00 - (Mayor's letter of 6/23/71) - To TRANSFER aforesaid sum in order to pay for BUS SERVICE rendered in connection with President Nixon's visit to Stamford on October 12, 1971, as follows:

FROM: Code 511.1701 - Health Department Task Force,	
Transportation -----	\$325.00
Code 511.0902 - Health Department Housing Code,	
Transportation -----	1,500.00
	<u>\$1,825.00</u>

TO: Code 108.0801 - Mayor's Office, Transportation --\$1,825.00

MRS. PONT BRIANT MOVED for suspension of the rules in order to bring the above request on the floor. Seconded and CARRIED.

MRS. PONT BRIANT MOVED for approval of the above request. Seconded and CARRIED.

- (19) \$400.00 - Transfer from SUNDRIES Account to Code 108.2201, Youth Employment Services Stamford (YESS) (Under provisions of Sec. 656 of Charter)

MRS. PONT BRIANT MOVED for SUSPENSION OF THE RULES in order to bring the above matter on the floor.

MACHINE VOTE TAKEN on above motion - LOST by a vote of 17 to 14.

(20) Concerning SETTING OF MILL RATE

MRS. PONT BRIANT said there has been a question by Mr. John Boccuzzi in regard to the method of setting the mill rate. She said she is in the process of obtaining the Grand List which is being given to the Fiscal Committee and she has spoken to Mr. Murray and a meeting will be set up early in August which meets with Mr. Boccuzzi's approval.

She said a booklet, showing how the mill rate is set up and how it is charged to each District in Stamford, will be ready at the end of the month, and is being prepared by Mr. McDonald, the Controller.

(21) Concerning TAXING IN THE "C" AND "A" DISTRICTS

MR. MORRIS asked if the Fiscal Committee is going to look into the discrepancy in the taxing in the "C" and the "A" Districts, the so-called "Sewer Projects" that take care of road re-building, storm drains, etc.

MRS. PONT BRIANT said the answer would be "yes" and she will send him an invitation when they have the meeting, so he can attend.

Minutes of July 12, 1971(22) Alleged Discrepancies in the Stamford Housing Authority

MRS. PONT BRIANT said her Committee was requested by the Steering Committee to look into the above matter and as of July 9, 1971, Mr. Rybnick and herself as representatives of the Fiscal Committee, went to the Housing Authority and met with Mr. Cuscuna and in addition to which they took Mr. McAvoy, the Internal Auditor of the City with them. She said the State Auditors are in there and they have completed their audit and are in the process of formulating a report which will be out this week and this report will be available to the Fiscal Committee. She said she also asked that Mr. McAvoy be allowed to ask questions of either the State Auditors and/or the Housing Authority at his discretion with a meeting with the Fiscal Committee, after which they will take action.

(23) Personnel Released from City Employ as of June 30, 1971

MR. TRUGLIA said at the Steering Committee meeting he requested the names of all personnel who were released from City employ as of June 30th and he thought this matter had been assigned to the Fiscal Committee. He asked what was the outcome.

MRS. PONT BRIANT said she remembers his question and she intends to obtain the information but with over 20 items referred to her Committee she failed to get this done.

LEGISLATIVE & RULES COMMITTEE:

In the absence of Mr. Horner, Mr. DeForest gave the Committee report.

MR. DeFOREST said the Legislative & Rules Committee met on Wednesday, June 30th with the following members present: Mrs. Sherman, Mr. Schade, Mr. Murphy, Mr. Comerford and Mr. DeForest, Vice Chairman, acting for Mr. Horner who was out of the City on business. He said Mr. LiVolsi from the Office of the Corporation Counsel was also present.

- (1) Final adoption of Ordinance No. 216 "DECLARING IT A HEALTH HAZARD WHEN VACANCY RATE IN HOUSING FALLS BELOW 3% AND THAT ANY PERSON BECOMING A STAMFORD RESIDENT DURING THIS TIME SHALL NOT BE ELIGIBLE FOR WELFARE BENEFITS NOR SHALL BE ABLE TO RECEIVE SUCH BENEFITS."

(Adopted for publication 6/7/71; published 6/10/71; re-published because of error again on 6/16/71)

MR. DeFOREST said this was thoroughly discussed and it was decided to ask the Office of the Corporation Counsel, through Mr. LiVolsi, whether or not this Ordinance is legal. He said they got a reply in which he said that he felt that these questions which we are asking were rather "moot" ones because of the recently passed State law which he feels may pre-empt the proposed Ordinance, i.e., requiring a one year residency

Minutes of July 12, 1971

before anyone may acquire welfare benefits." However, he said this does not satisfy the majority of the Committee who wish to present the proposed Ordinance for final adoption. He thereupon read the following Ordinance and MOVED for final adoption, as amended by the Committee, which was CARRIED with one "no" vote (Mr. Bieder):

ORDINANCE NO. 216 SUPPLEMENTAL

DECLARING IT A HEALTH HAZARD WHEN VACANCY RATE IN HOUSING FALLS BELOW 3% AND THAT ANY PERSON BECOMING A STAMFORD RESIDENT DURING THIS TIME SHALL NOT BE ELIGIBLE FOR WELFARE BENEFITS NOR SHALL BE ABLE TO RECEIVE SUCH BENEFITS

BE AND IT IS HEREBY ORDAINED BY THE CITY OF STAMFORD THAT:

Whenever the vacancy rate in housing, as reported by the Director of Health, shall fall below three per cent (3%), it shall be deemed to constitute a health hazard, and that any person who shall become a resident of the City of Stamford during the time that such health hazard persists, shall not be eligible for welfare benefits nor shall he receive any until the vacancy rate shall rise above 3%.

This Ordinance shall take effect upon its adoption.

At the request of Mrs. Sherman, the letter from the Office of the Corporation Counsel was read into the record by Mr. DeForest, as follows:

"Dear Mr. Horner:

In response to the question raised by the Legislative & Rules Committee regarding final adoption of the Ordinance dealing with eligibility for welfare benefits, it seems that those questions now become moot in view of the recently passed State law which may preempt the proposed Ordinance requiring a one-year residency before one may collect welfare benefits.

Local welfare agencies are now beginning to enforce the new Act and are not paying welfare benefits to people who have not been a resident of Connecticut for one year.

In my opinion, the way the Ordinance now reads "One who moves into Stamford when the vacancy rate is below 3% may never be eligible for welfare benefits, even if the vacancy rate goes above 3%. However, an individual who moves into Stamford the day AFTER the vacancy rate goes above 3%, may be eligible for welfare benefits."

(Signed) Frank W. LiVolsi, Jr."

Minutes of July 12, 1971

THE PRESIDENT asked Mr. DeForest if the above letter was the reason for the amendment and he said it was.

- (2) Request for WAIVER OF BUILDING PERMIT FEE for construction by Temple Beth El of new Temple facilities on Roxbury Road - (Requested in letter dated 5/21/71 from Peter J. Weissman, Attorney)

MR. DeFOREST MOVED for approval of the above request. Seconded and CARRIED with one abstention (Mr. Bieder).

- (3) Request for WAIVER OF BUILDING PERMIT FEE in connection with expansion of ST. JOHN'S TOWERS on west side of Atlantic Street on what is presently the YMCA and Sherman property - (Requested in letter from E. Gaynor Brennan, Jr., their attorney, dated 6/7/71)

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

Mr. Bieder and Mr. Theodore Boccuzzi left at this time. THE PRESIDENT said there are now 30 Members present.

- (4) Ordinance No. 217 requesting PROPERTY TAX EXEMPTION FOR CHILD GUIDANCE CLINIC OF GREATER STAMFORD, INC., and a rebate of real property taxes paid on certain property for the period from September 1, 1970 through June 30, 1971 in amount of \$235.17 - (Submitted in letter from Cross, Broderick & Chipman, and signed by Richard G. Broderick) - (Held in Committee on 5/3/71 and again on 6/7/71)

MR. DeFOREST presented the following Ordinance and MOVED for final adoption, waiving pre-publication (requires a two-thirds vote). Seconded and CARRIED by unanimous vote:

ORDINANCE NO. 217 SUPPLEMENTAL

PROPERTY TAX EXEMPTION FOR CHILD GUIDANCE CLINIC OF GREATER STAMFORD, INC., UNDER THE PROVISIONS OF SECTION 12-81b OF CONNECTICUT GENERAL STATUTES

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Pursuant to Section 12-81b of the General Statutes of Connecticut, that part of the property of the Child Guidance Clinic of Greater Stamford, Inc., an eleemosynary institution located at 101 West Broad Street, Stamford, Connecticut, which was leased by it to Alrend Aluminum Products Corp. until September 1, 1970 and which thereafter has been used by Child Guidance Clinic of Greater Stamford, Inc. for its charitable purposes, be

Minutes of July 12, 1971

exempted from taxation on the List of September 1, 1969 as of September 1, 1970, and on the List of September 1, 1970; and

The Commissioner of Finance be and is hereby authorized and directed to reimburse the Child Guidance Clinic of Greater Stamford, Inc. in the amount of \$235.17 for real property taxes paid for said property on the List of September 1, 1969 prorated as of September 1, 1970.

This Ordinance shall take effect upon its adoption.

- (5) Proposed Resolution "CONCERNING THE CREATION OF A FIVE MAN COMMISSION ON MENTAL RETARDATION" for the City of Stamford - (See Minutes of 5/4/70, Page 7272; 7/6/70 Page 7376; 10/5/71 Page 7495 and 1/11/71 Page 7612) - (Held in Committee 4/5/71, 5/3/71 and 6/7/71)

The above matter was held in Committee.

- (6) Letter dated 4/19/71 from James J. Sotire, Building Official and Zoning Enforcement Officer, submitting an amendment to Ordinance No. 199 Supplemental, "CONCERNING THE ESTABLISHMENT OF FIRE DISTRICTS FOR THE CITY OF STAMFORD", enacted 9/28/70 - (Held in Committee 5/3/71 and 6/7/71)

MR. DeFOREST said his Committee met with Mr. Sotire and the reason for the adoption of this Ordinance is that our Ordinances must conform with the State. He presented the following proposed Ordinance and MOVED for approval for publication. Seconded and CARRIED:

PROPOSED ORDINANCE

CONCERNING THE ESTABLISHMENT OF FIRE DISTRICTS FOR THE CITY OF STAMFORD -- (Rescinding previous Ordinance No.199, enacted September 26, 1970)

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Pursuant to and in conformity with Section 301.0 Fire District Subdivisions of the State of Connecticut Basic Building Code, there is hereby created Fire District Subdivisions for the City of Stamford for the purpose of control of use and construction of buildings.

Fire District No. 1 - Fire District No. 1 shall comprise the areas housing highly congested business, commercial, manufacturing and industrial uses or in which such uses are developing. The limits of such areas are described as all properties situated within the following

Minutes of July 12, 1971

zones as listed in the Zoning Regulations of the City of Stamford.

- IP-D - Designed Industrial Park District
- M-D - Designed Industrial District
- M-G - General Industrial District
- M-L - Light Industrial District

Fire District No. 2 - Fire District No. 2 shall comprise the areas housing residential uses (use Groups L-1 and L-2), together with retail stores, business and amusement centers, or in which such uses are developing; and the limits of such areas are described as all properties situated within the following zones as listed in the Zoning Regulations of the City of Stamford.

- CC-S - Central City District South
- C-D - Designed Commercial District
- B-D - Designed Business District
- C-S - Shorefront Commercial District
- C-I - Intermediate Commercial District
- CC-N - Central City District North
- C-G - General Commercial District
- C-L - Limited Business District
- C-N - Neighborhood Business District
- R-D - Designed Residence District
- R-MF - Multiple Family Residence District

Outside Fire Limits - All other zones not included in Fire Districts Nos. 1 and 2 shall be designated as Outside Fire Limits.

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

- (7) Proposed Ordinance "TO DEFINE PARENTAL NEGLECT OF MINORS AND PENALTY THEREFOR" - (Proposed by Robert Exnicios, 1st District Representative) - (Held in Committee 4/5/71, see Page 7745 of Minutes; held in Committee 5/3/71 and 6/7/71)

The above matter was held in Committee.

- (8) Proposed Resolution to "PROVIDE PRIORITY FOR FAMILIES DISPLACED BY URBAN RENEWAL AND OTHER GOVERNMENTAL ACTION IN NON-PROFIT SPONSORED HOUSING" - (Mayor's letter of 6/3/71)

The above matter was held in Committee.

HEALTH & PROTECTION COMMITTEE:

- (1) HEARING ON STAMFORD WATER COMPANY RATE INCREASE - Held Friday, July 2, 1971 at 9.30 A.M. in Auditorium of Health Dept., 229 North Street, Stamford - (Per notice from State Commissioner of Health, Dr. Franklin H. Foote)

Minutes of July 12, 1971

MR. CLARK, Chairman, reported on the above hearing. He said Mrs. Sherman attended the hearing as did Frank LiVolsi, our Counsel and former Board Member, Alan Ketcham and himself. He said the hearing was an all day affair with a great deal of testimony. He said one of the things which was very disappointing was the fact that very little attention was given to the potable condition of the water.

He said Dr. Foote is supposed to give a decision within 60 days.

- (2) Letter dated 6/22/71 from RIVER BEND ASSOCIATION INC., representing approximately 200 homeowners in the Cold Spring Road area, complaining of the MEDIAN DIVIDER which has been installed on the WASHINGTON AVENUE BOULEVARD north of Bridge Street and the absence of traffic lights

MR. CLARK said the Health & Protection Committee met with the Planning & Zoning Committee and heard the people from the River Bend Association, together with others from that area who were interested in the Median Divider on Washington Avenue. He said the Committee felt this was more the concern of the Planning & Zoning Committee and deferred to them for a recommendation. He turned the floor over to Mr. DeForest, Chairman of the Planning & Zoning Committee, who spoke on the matter.

MR. DeFOREST presented his Committee report on this matter. He said today Mr. Bitetto who is very much concerned over this problem met with Major McDonald and the Mayor, together with several other City officials. He said he would like to defer to Mr. Bitetto at this time as to what exactly transpired this afternoon.

MR. BITETTO reported on today's meeting - he said at two o'clock this afternoon he met with Major McDonald of the Police Department, Hawley Oefinger, the Communications Officer on the site in question and reviewed the matter. He said their feelings were that a meeting should be held with the Mayor, the City Engineer and the Public Works Commissioner. He said he wanted to resolve this matter because of the "essence of time" and the problem at hand, and called the Public Works Commissioner who referred him to the Mayor. He said he thereupon called the Mayor and he responded very quickly and in ten or fifteen minutes was at the site with him and alongside of him was the Traffic Director, Mr. Olshesky. He said they walked up and down the Median Divider and the Mayor spoke to a few of the residents (the main people not being present who they talked to the other night). He said the Mayor did not agree with their thinking or his (Mr. Bitetto). He said he feels that there are some ramifications deeply involved in this problem - one that the people of that area have been living with this problem since the inception of this phase of the road which is approximately about very close to two years. He said they have had all sorts of problems and have coped with them when along came the median divider and "all Hell broke loose". He said he was accused of many things,

Minutes of July 12, 1971

amongst them being dereliction of his responsibility as a Representative. He said he feels as he felt the night of the Committee Meeting, that it would be in good conscience to respond to those people's action because those people are aggrieved, not only from the responsibility of emotions, but practical reasons, because they have had some of their properties taken from the frontages of their houses - there are two streets in question which are dead-end streets and have access to the Boulevard, with a median divider in the middle of it and all they can do is go either north or south in any one direction at a time, which means that when the TOPICS Report is instituted on Summer Street which is a parallel street to Washington Boulevard, the people will be hemmed in. He said those who signed the petition of which there were over 200 of them and he feels it is his responsibility to pursue with a resolution which he is now presenting for acceptance.

MR. BITETTO MOVED for the adoption of the following Resolution. Seconded:

RESOLUTION NO. 762REMOVING MEDIAN DIVIDER WASHINGTON BOULEVARD, FOREST
LAWN AVENUE NORTH

BE IT RESOLVED that the Board of Representatives of the City of Stamford, upon a petition of approximately 200 residents and property owners on and near Washington Boulevard and the street formerly known as "North Forest Lawn Avenue" and "Paragon Lane" that the City of Stamford and the Public Works Department take what steps are necessary to remove the median divider located on Washington Boulevard, between the Southern corner of Forest Lawn Avenue to that southern corner of Cold Spring Road, to that point where the same divider joins with the existing traffic island at the junction of Washington Boulevard and Cold Spring Road; and

BE IT FURTHER RESOLVED, that all necessary steps be taken to alter the egress and ingress onto that portion of Washington Boulevard in question.

MR. SCOFIELD said two years ago he tried to stop the second step of this highway until it got re-designed to the point where it would be feasible. He said he thinks this whole thing is a fiasco and he does not go along with spending thousands of dollars of public money to putting in a divider and then take it out without a letter from the Traffic Director and the City Engineer, saying that this is going to be suitable for long range planning. He said he thinks the Mayor is now planning to extend this road, which should have been planned from the beginning - to past Olin Mathieson. He said it will probably be taken over by the State within five or six years because they are obligated to having a North-South road connecting the Merritt Parkway with the Thruway, which will probably require taking a number of homes within the area in question.

Minutes of July 12, 1971

He said we can't go around playing Traffic Engineer and thinks that no one on this Board is qualified to make this type of decision. He said if we have nothing from the Traffic Engineer or the City Engineer recommending that we remove this divider, then we have no reason playing with this kind of thing at all. He said he feels that we can live with this another month if we have to and there may be a better solution - perhaps cutting through Paragon or Forest Lawn, which has been recommended a couple of times, which would relieve the situation. He said he must agree that the whole thing is a mess and there is no question about that.

However, he said he is very much opposed to this resolution, because he does not think this Board should try to act as Traffic Engineer - that it should be left up to those who know more about it.

MRS. PONT BRIANT said she agrees with Mr. Scofield and thinks this should wait until the next Board Meeting. She said she believes we should first obtain the views of those who are better informed on traffic matters before acting, as the August meeting is only three weeks away.

MR. GUROIAN said as a Member of the Planning and Zoning Committee he has often seen home owners looking to this Board for rectification of injustices done. He said the Mayor's latest retort was that there are only a few people involved and no changes should be made, which he thinks is wrong.

MR. DeFOREST said he has a question to ask of Mr. Bitetto. He wanted to know if he based his opinion on information he has been given by the Police Department.

MR. BITETTO said in all fairness the Police made an examination of the area in question and were ready to sit down and meet with the City Engineer and the Commissioner of Public Works. He said upon his contacting the people, the results were that the Mayor negated everything and he feels any action that he takes now is the responsibility of the Board of Representatives and the Mayor doesn't give a damn -- he feels that what is there is safe. He said when he asked him would he like to live on that street and he didn't answer and walked away. He said time is of the essence and August 1st is the acceptance date of the road and there will be a final surfacing of the road within a week or two and the road will be accepted by the City on August 1st and to wait until our next meeting on August 2nd would be a further waste of the taxpayers' money. He said these people will take a taxpayers' suit, if necessary, to arrive at the conclusions they feel are right.

MR. RUSSBACH said in one sense he agrees with Mr. Scofield, but he hates to see the taxpayers' money wasted. He said he thinks the main problem is the faulty design on Washington Avenue and is one reason he voted against it. He said he feels the paramount thing is safety and accessibility. He asked Mr. Bitetto if this is the final determination to this problem that his constituents want.

Minutes of July 12, 1971

MR. BITETTO said "yes" -- that and the traffic light that has been promised.

MR. RUSSBACH said on this basis, and if this is what the people of this district want, and is proper for them, he can see no reason why we should not vote for Mr. Bitetto's resolution.

MR. RUSSELL said he thinks we should wait and look into this a little further and not jump into it without weighing all the various aspects of the situation and getting more advice. He said the "die was cast" long before Mayor Wilensky took office and he inherited this as it is and it is unfortunate at this late date to find all these problems. HE MOVED this be returned to Committee for further study. Seconded and LOST by a machine vote of 20 no votes and 7 yes votes.

After considerable further discussion, MR. CHIRIMBES MOVED THE QUESTION which was seconded and CARRIED.

VOTE taken on Mr. Bitetto's resolution. CARRIED with one "no" vote (Mrs. Pont Briant).

Mr. Chirimbès was excused at this time.

(3) Petition received 6/14/71 - presented by George Connors, 8th District Representative, complaining about vandalism to boats moored at the Cummings Beach Marina and asking for adequate Police protection

The above matter was held in Committee.

(4) Report from Health Dept. on complaint of City Sewage Back-Up on AMELIA PLACE - (See Minutes of 5/3/71 Page 7805)

The above matter was held in Committee for the reason that they are awaiting more information from Mr. Dixon who was absent tonight.

PLANNING & ZONING COMMITTEE:

(1) Acceptance of RAPIDS ROAD - (certified for acceptance by City Engineer in letter dated 6/7/71)

MR. DeFOREST MOVED for acceptance of the following road as a City street. Seconded and CARRIED:

RAPIDS ROAD - Extending northeasterly from Cedar Heights Road to a permanent turnaround, as shown on Map No. 6521 and 6557 on file in the City & Town Clerk's Office. Length: approximately 647 ft.

Minutes of July 12, 1971

- (2) Letter from Atty. Saul Kwartin, dated 6/3/71, attaching Petition signed by residents of FOREST LAWN AVENUE, NORTH FOREST LAWN PARAGON LANE and others directly involved, complaining about the CLOSING OF ACCESS FROM FOREST LAWN AVENUE to WASHINGTON AVENUE and requesting a meeting as soon as possible to discuss this matter with an appropriate Committee of the Board - (See Resolution No. 755, adopted 5/3/71 Page 7803 of Minutes)

MR. DeFOREST said this above matter was already discussed under the Health & Protection Committee.

- (3) APPEAL from ZONING BOARD'S DECISION ON APPLICATION 70-030 amending Zoning Regulations under Section 12, Subsection B, by deleting last sentence referring to closeness to residential property of parking lots entitled "AUTOMOBILE PARKING AND LOADING SPACE" approved by Zoning Board on 5/26/71 and filed with Office of Board of Representatives on 6/15/71 under Section 553.2 of Charter

NOTE: Must be acted upon by Board of Representatives at or before it's second regular meeting following referral. Failure to approve or disapprove, constitutes approval of Zoning Board's decision.

MR. DeFOREST said there is a petition which contains some 400 names which was submitted to us, which was turned over to the Corporation Counsel for his decision as to whether or not this whole matter is legally before us and whether or not these signatures were valid to the point of having the required 300. He said it was told to him orally that there were not that many - not the required 300, but he has not seen it in writing and therefore cannot honor that. However, he said he would like to comment that there seems to be a great problem among a great many people in Stamford regarding this business of petitions - the general public does not appear to know just how to go about it. He said he thinks there should be in some office in this City a form which explains in detail exactly just what is required - what kind of signatures and how they should be signed, etc. and when there is multiple ownership, how does that affect the petition. He asked that this be referred to the Legislative & Rules Committee to work this problem out.

THE PRESIDENT said this would be referred to the Steering Committee.

- (4) Letter dated 6/17/71 from Commissioner of Finance concerning ROAD IMPROVEMENTS - BARNCROFT ROAD, under Chapter 64 of Charter, submitting a REVISED estimate of costs to owners on said road for a total of \$17,531.00 (as previously quoted in letter dated 10/2/70 in amount of \$22,031.00)

MR. DeFOREST said the above matter is getting historic and has been kicking around for four or five years. He turned the matter over to Mr. Springer.

Minutes of July 12, 1971

MR. SPRINGER MOVED for approval of the following resolution which he read at this time. Seconded and CARRIED:

RESOLUTION NO. 763

CONCERNING ROAD IMPROVEMENTS ON BARNCROFT ROAD, UNDER PROVISIONS OF CHAPTER 64 OF CHARTER AND RECOMMENDING THAT THE CITY ABSORB THE FULL COST OF DRAINAGE AND DRAINAGE PROBLEMS, THEREBY REDUCING ESTIMATED COST TO OWNERS OF SAID STREET TO APPROXIMATELY \$12,031.00 FROM PREVIOUSLY ESTIMATED COST OF \$17,531.00 AS SUBMITTED IN LETTER FROM COMMISSIONER OF FINANCE, DATED JUNE 17, 1971

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford to recommend to the Commissioner of Finance that the City absorb the full cost of drainage and drainage problems, thus reducing the estimated cost to the owners of said street to approximately \$12,031.00 rather than the \$17,531.00 suggested in the letter from the Commissioner of Finance dated June 17, 1971 concerning road improvement on Barncroft Road.

PARKS & RECREATION COMMITTEE:

MR. KELLY said his Committee held a meeting on Friday evening July 9, 1971 at 7.30 P.M. in the Republican Caucus Room, with George Ravallesse and Steve Kelly present.

(1) Ordinance No. 218 - "CONCERNING CURFEW AT SOUTHFIELD PARK"

MR. KELLY said the Representatives from the Second District requested that something be done to give better protection to Southfield Park and beach, which is continually being vandalized. He said Mr. Connell proposed an Ordinance and a letter explaining why the Park Department cannot afford to provide Police protection between the hours of 10 P.M. and 6 A.M.

MR. KELLY MOVED for SUSPENSION OF THE RULES in order to bring up the following Ordinance. Seconded and CARRIED.

THE PRESIDENT asked if this Ordinance has been referred to the Legislative & Rules Committee. MR. KELLY replied "no" and that it was prepared by Mr. Connell.

MR. KELLY MOVED for approval of the following Ordinance, waiving prior publication. Seconded and CARRIED unanimously:

ORDINANCE NO. 218 SUPPLEMENTAL

CONCERNING CURFEW AT SOUTHFIELD PARK

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Section 21-9 of the Code of General Ordinances is amended by adding there-

Minutes of July 12, 1971

to the following:

Notwithstanding the foregoing, it shall be unlawful for any unauthorized person to come on to, to congregate or to use for any purpose whatsoever, any part of the land now owned by the City located on Southfield Avenue and known as "Southfield Park" adjacent to the waters of Long Island Sound, between the hours of 9.30 P.M. and 5.30 A.M. Each violation of this Section shall be deemed a separate offense and shall be punishable by not more than thirty (30) days in jail, a fine of One Hundred Dollars (\$100.00) or both.

This Ordinance shall take effect upon its adoption.

(2) Concerning Hiring Night Watchmen at Southfield, Cummings and Cove Island Marinas

MR. KELLY said the cost of hiring night watchmen at the above Marinas for the April-November season on the basis of seven nights a week from 10 P.M. to 6 A.M. would be approximately \$25,000 and because of budgetary restrictions the Park Department is unable to furnish this type of protection. He said perhaps those who rent these Marinas can come up with some sort of volunteer basis of providing protection to the boats. He said the rentals only come to around \$2,500 which only defrays a small part of the maintenance cost. He said the best thing we can do is have the police go down there more often than they now do.

(3) Night Basketball and Lights for same

MR. KELLY said a request has been received by Mr. Hunt, Supt. of Recreation, to provide lights for night games. He said he checked into it and was informed that the fees for playing at night under the lights is \$2.00 and this does not pay the expenses when the upkeep and maintenance charges are figured out. He said these fees must be collected until other arrangements can be made. He said at the present time the only place where lights can be installed in a park suitable for basketball would be at Cummings Park, which is not too close to residences, as is at the South End Community Center, Ryle School, Southfield Village and other sections of the City. He said the time is ripe for lights to be installed at Cummings Park at both the Tennis and the Basketball Courts.

(4) Concerning proposed Resolution No. 764 to Transfer Jurisdiction of City-owned Land to Department of Parks & Trees from the Public Works Department - (Requested in Mayor's letter of 2/19/71) - (See Minutes of 4/5/71, Page 7720, Item #19 and Page 7757, Item #1) - (Held in Committee 4/5/71)

MR. KELLY read a letter from Mr. Connell on the above matter as to how they propose to make this tract of land into a park. He said this can be transferred under the provisions of Ordinance No. 144.

Minutes of July 12, 1971

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

RESOLUTION NO. 764

APPROVING THE TRANSFER OF JURISDICTION OF CITY-OWNED TRACT OF LAND FROM THE PUBLIC WORKS DEPARTMENT, CITY OF STAMFORD, TO THE DEPARTMENT OF PARKS AND TREES

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford, that under the terms of Ordinance No. 144 Supplemental the administrative jurisdiction over a city-owned tract of land herein-after described is hereby transferred from General Government and/or the Department of Public Works to the Department of Parks & Trees.

The tract is as follows:

That city-owned area bounded on the north by property of the American Cyanamid Company's Stamford Rubber Supply Company; on the west by the East Branch of Stamford Harbor; on the east by Shippan Avenue; and on the south by all or some of the following properties as listed in the Grand List:

- #52 West Side Shippan Avenue, Elsie L. Redin
- #53 West Side Shippan Avenue, Robert B. Homiak
- #54 West Side Shippan Avenue, Daniel Sabia, et al
- #55 Domenick W. Cotrone, West Side Shippan Avenue
- # 2 North Side Lindstrom Road, Kingsley Gillespie
- # 3 North Side Lindstrom Road, John W. Herman

(5) Concerning Use of CUBETA STADIUM by Pop Warner Bantam Football Teams and Midget Football Teams

MR. KELLY said it has been decided to let the Midget teams have the use of Cubeta Stadium on Sunday afternoons, using only 80 yds. of the regular playing field, and the Bantam League will be granted the use of Rippowam Field for the rest of the season.

He said he received a copy of a letter from the Mayor's office regarding a request of the State Legislature for the introduction of a Bill at their next session, for the return of the jurisdiction over Cubeta Stadium from the State to the City of Stamford in order that the City can retain control over the use of the Stadium.

PERSONNEL COMMITTEE:

Re-Submission of COLLECTIVE BARGAINING CONTRACT - CAFETERIA WORKERS BOARD OF EDUCATION - (Rejected by Board of Representatives at 6/7/71 meeting; signed May 11, 1971 - To take effect July 1, 1970 to and including June 30, 1972)

Minutes of July 12, 1971

MR. ROOS, Chairman, gave his Committee report. He said a meeting was held on Thursday, July 8th and present were: Mrs. Varney, Mrs. Pont Briant, Mr. Ravallese, Mr. Costello and himself. He said they considered the above re-negotiated contract. He said it keeps the present prevailing hourly rate and meets the objections that the Committee had against some of the contract provisions. He said it is a good contract and a credit to both the negotiating teams.

MR. ROOS MOVED for approval of the contract. Seconded and CARRIED unanimously.

COMMUNICATIONS FROM OTHER BOARDS AND INDIVIDUALSRESIGNATION - WATSON M. HORNER (R) 19th District Representative

MR. DeFOREST presented a resignation from Mr. Horner at this time, to be effective August 2, 1971.

Proposed Ordinance to Create a FOUR YEAR TERM for the TOWN AND CITY CLERK under provision of PUBLIC ACT NO. 494 "An Act Concerning the Term of Town Clerks"

MR. BITETTO said he would like to submit the above. The President suggested it be held for the Steering Committee.


Concerning the Prevention of the Showing of X and R Rated Movies in Open Air Theatres

MR. TRUGLIA said he has asked Mr. LiVolsi to research the possibility of an Ordinance on the above matter.

Referred to the Steering Committee.

ADJOURNMENT:

On motion, duly seconded and CARRIED, the Meeting was adjourned at 12 midnight.


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