

MINUTES OF THE 11th BOARD OF REPRESENTATIVES  
STAMFORD, CONNECTICUT  
Meeting of August 2, 1971

A regular Monthly Meeting of the 11th Board of Representatives of the City of Stamford, Connecticut, was held on Monday, August 2, 1971 in the Board's Meeting Room. Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut.

The Meeting was called to order by the President, Charles J. Heinzer, III, at 8.45 P.M. after a Caucus by the respective parties.

INVOCATION was given by Rev. Father Michael Simerick, St. Mary's Russian Orthodox Assumption 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 28 present and 12 absent at the calling of the Roll, however, one Member arrived late and two Members resigned and were replaced, resulting in a final Roll Call of 31 present and 9 absent.

The absent Members were:

- John Boccuzzi (D) 2nd District
- Edward Dombroski (D) 3rd District
- Anthony Truglia (D) 5th District
- Theodore Boccuzzi (D) 9th District
- Richard Bieder (D) 11th District
- Edith Sherman (R) 11th District
- Sidney Sherer (R) 16th District
- Kim Varney (R) 16th District
- John DeForest (R) 19th District

MAYOR'S ANNUAL REPORT TO BOARD OF REPRESENTATIVES:

MR. MILLER rose on a matter of information. He said he does not see on our Agenda, and would like to inquire whether the Mayor, as is customary at this time of year, is going to address the Board of Representatives this evening.

THE PRESIDENT said not to his knowledge - that we haven't received any communication from him.

MR. MILLER said he would like to call to the President's attention Sec. 303.1 of the Charter which states "The Mayor shall make a written report to the Board of Representatives at its regular meeting in the first month of each fiscal year and the state and condition of the municipality as to its government, finances, expenditures and improvements, with such recommendations in relation thereto as he may deem proper. The Clerk of the Board of Representatives shall furnish one copy of the report to each Member of the Board of Representatives and to each Member of the Board of Finance". He said it has always been customary in the past for the Mayor to appear at the July meeting and they had hoped he would appear in August and as far as he knows, none of the Members have received a written report. He said speaking for the Democratic side of the aisle, they do feel that the Mayor should observe the Charter.

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MR. RUSSELL said the Mayor has said he intends to report to this Board at their September meeting.

MR. CONNORS said he has been a Member of the Board since 1949 and to his knowledge every Mayor since then has reported to the Board of Representatives normally in the month of July. He said he knows there is a great deal of paper work involved, but this is something that has always been taken care of previous to July 1st of the fiscal year and isn't something that can be done in one week, but requires a lot of preparation. He said he agrees with Mr. Miller that this Report should have been made.

RESIGNATIONS - WATSON HORNER (R) 19th District, and replacement

THE PRESIDENT called for nominations to fill the above vacancy in the 19th District.

MRS. PONT BRIANT presented the name of ARTHUR H. BAUM (R) 43 Tanglewood Lane in nomination for the above vacancy, on behalf of Mr. DeForest who is out of the country on vacation in Africa.

MR. BAUM was elected to fill the vacancy by unanimous vote, the Clerk casting a ballot in favor.

THE PRESIDENT administered the Oath of Office to the newly elected Representative from the 19th District and Mr. Baum assumed his seat on the Board.

RESIGNATION - CLINTON SPRINGER (R) 13th District, and replacement.

THE PRESIDENT read the resignation of Mr. Springer at this time and for the reason that this is his District, he offered the name in nomination of BERTRAM A. FRIEDMAN (R) as replacement for Mr. Springer in the 13th District.

MR. FRIEDMAN was elected to fill the vacancy in the 13th District, the Clerk casting one ballot in favor, making the vote unanimous.

THE PRESIDENT administered the Oath of Office to the newly elected Representative from the 13th District and Mr. Friedman assumed his seat on the Board.

PAGES:

ANTHONY TRUGLIA  
CATHY HEINZER  
VINCENT CASSONE

The PRESIDENT announced there are now 31 present and 9 absent. (Mr. Durso arrived at this time).

COMMITTEE REPORTS:

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

Minutes of August 2, 1971STEERING COMMITTEE REPORT  
Meeting held Monday, July 19, 1971

A meeting of the Steering Committee of the Board of Representatives was held on Monday, July 19, 1971, in the Republican Caucus Room of the Board.

The meeting was called to order by the Chairman and President, Charles J. Heinzer, III, at 8 P.M.

The following people were present: Charles Heinzer, III, Chairman; Joseph Bitetto, Daniel Russbach, John Roos, Fred Miller, Peter Chirimbes, William Caporizzo, Robert Exnicios, Tony Truglia, Handy Dixon, Thomas Morris, John Boccuzzi, Lois Pont Briant, Gerry Rybnick, Steve Kelly, George Russell. Also present was the Corporation Counsel, J. Robert Bromley and Frank LiVolsi, Jr.

The following matters were acted upon:

(1) Additional Appropriations:

All fiscal items previously approved by the Board of Finance were REFERRED TO the FISCAL COMMITTEE and ORDERED ON THE AGENDA, with items in excess of \$2,000 referred to a Secondary Committee. .

- (2) \$5,700.00 - Membership Dues in SWRPA - Code 135.2102 Dues and Subscriptions for fiscal year 1971-1972 (Deleted in Budget) - (Mayor's letter of 5/18/71)

The above matter was NOT ordered on the Agenda, but was referred to the FISCAL COMMITTEE.

- (3) \$108,000 - Proposed Resolution amending 1970-1971 Capital Projects Budget by adding project to be known as "WESTHILL HIGH SCHOOL SITE, ST. LEO'S CHURCH PROPERTY, ROXBURY ROAD" and financing said Project by the TRANSFER of above sum from Project known as "ELEMENTARY SCHOOL #3" - (Mayor's letter of 4/14/71)

and:

Resolution "AUTHORIZATION TO PROCEED WITH THE ACQUISITION, BY CONDEMNATION, IF NECESSARY, OF PROPERTY ON ROXBURY ROAD OWNED BY ST. LEO'S ROMAN CATHOLIC CHURCH CORPORATION, AS ADDITIONAL LAND FOR THE SITE OF WESTHILL HIGH SCHOOL"- (Also incorporated in above Mayor's letter of 4/14/71)

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

- (4) \$24,000.00 - MAYOR'S OFFICE - Code 108.0901 Drug Liberation Program, Stamford area - (Mayor's letter 6/2/71)

ORDERED ON AGENDA under FISCAL COMMITTEE - Also referred to SPECIAL COMMITTEE ON DRUG ABUSE

- (5) VETOED Ordinance No.216 entitled: "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" (Veroed by Mayor Julius Wilensky in letter 7/10/71 Under Sec. 204.1a of Charter)



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Mr. Bromley, Corporation Counsel, addressed the Committee on the above matter, and explained that the Mayor has suggested a substitute Ordinance to be adopted in place of the one vetoed by him. He pointed out certain pitfalls that adoption of the original Ordinance would incur.

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (6) Letter from Vivian Vitale, Chairman, Stamford "Let's Vote 18" undated but received 7/19/71 - Requesting a special voter making session be held on Sunday, August 22, 1971

No action taken on above - noted and filed.

- (7) Letter of Resignation from Watson M. Horner (R) 19th District Representative:

ORDERED ON AGENDA as first order of business

- (8) Concerning Public Act No. 494 - "CONCERNING THE TERM OF TOWN CLERKS" (Also includes the Registrars of Voters) - Submitted by Joseph Bitetto (R) 14th District Representative - Enabling Act providing for the increase of term of office of the above from 2 yrs. to 4 yrs. by adoption of an Ordinance.

The above matter was NOT ordered placed on the Agenda. Several people spoke in opposition.

- (9) Request for VOTER MAKING SESSIONS to be held in August - (Requested by Handy Dixon (D) 2nd District Representative)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (10) Request for a comprehensive list of all City personnel released as of June 30, 1971; their specific duties and salaries, in order to study the effect of the action taken by the Board in reducing salaries at the time of the adoption of the 1971-72 Budget

REFERRED TO PERSONNEL COMMITTEE - Not ordered on Agenda

- (11) Concerning investigation into reason why the "A" and "C" Districts pay higher rates than other Districts when the benefits are no more - (Requested by Mr. Morris (R) 15th District Representative)

The Chairman suggested that an Ordinance be presented on the above matter, to which Mr. Morris agreed.

- (12) Concerning methods used by Tax Assessors in visiting various homes during time of tax reassessment

REFERRED TO LEGISLATIVE & RULES COMMITTEE - Not on agenda



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- (13) Request for a report on operation of the Garbage Collections, and reason why there are so many Supervisors for such few men and reasons why the department operates at such a loss with many lost man hours and methods of paying overtime

THE PUBLIC WORKS COMMITTEE was requested to look into the operation of the Garbage Collection Service and see if it could not be improved in order to save the City from paying out so much in overtime.

- (14) Proposed Ordinance "CONCERNING EXCHANGE OF EASEMENTS BETWEEN THE CITY OF STAMFORD AND LEE H. GRAY, ET AL - (Mayor's letter of 6/29/71)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (15) 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, 6/7/71 and 7/12/71)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (16) Final adoption of Ordinance rescinding previous Ordinance No. 199 entitled: "CONCERNING THE ESTABLISHMENT OF FIRE DISTRICTS FOR THE CITY OF STAMFORD" enacted 9/26/70 - (Submitted in letter dated 4/19/71 from James J. Sotire, Building Official and Zoning Enforcement Officer) (Approved for publication 7/12/71 and published 7/16/71)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (17) 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; also held in Committee 5/3/71, 6/7/71 and 7/12/71)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (18) Proposed Ordinance "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) - (Held in Committee 7/12/71)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE - Also referred to URC Committee

- (19) Request for a WAIVER OF BUILDING PERMIT FEE FOR YMCA FACILITY AT CORNER OF BELL AND SOUTH STREETS - (Letter from Attorney Richard Tobin, dated 6/25/71)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

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

ORDERED ON AGENDA under HEALTH & PROTECTION COMMITTEE

- (21) Health Dept. Report on complaint of City Sewage Back-up on AMELIA PLACE

For the reason that the above complaint has been referred to the Mayor and the Public Works Department, who are trying to straighten out the problem with STELMA, it was NOT ordered on the Agenda.

- (22) 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 Board of Representatives on 6/15/71 under Section 553.2 of Charter - (Held in Committee 7/12/71 awaiting check on signatures to petition - Must be acted upon at or before 2nd regular meeting following referral)

Above Zoning Appeal ORDERED ON AGENDA under PLANNING & ZONING COMMITTEE - Also referred to LEGISLATIVE & RULES COMMITTEE.

- (23) Resolution approving report of Commissioner of Finance on ROAD IMPROVEMENTS TO BE CARRIED OUT ON UNACCEPTED PORTION OF BARNCROFT ROAD, pursuant to Chapter 64 of Charter of the City of Stamford, in revised amount of \$12,970.00 to be charged to residents and total cost to be \$29,300.00 - (Submitted in letter dated 7/15/71 from Commissioner of Finance)

The following communications were noted and filed:

- (24) Financial Report from PARKING AUTHORITY, submitting Balance Sheet as of June 30, 1971; operation report, month of June 1971 and Accumulative Report - Period: July 1, 1970 through June 30, 1971
- (25) Letter from Retirement Services Officer explaining reason for delay in submitting Annual Report.
- (26) Letter dated 6/28/71 from Warren Knapp, Sr., CONA Co-Chairman, supporting request for removal of MEDIAN DIVIDER ON WASHINGTON AVENUE BOULEVARD north of Bridge Street.
- (27) Letter dated 6/28/71 from Mrs. Barbara Nyberg, 148 Franklin Street, Pearl River, New York, regarding the "PINK TENT" Festival and suggesting another way to handle this annual event.

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

Charles J. Heinzer, III, Chairman  
Steering Committee

Minutes of August 2, 1971FISCAL COMMITTEE:

MRS. PONT-BRIANT explained she had been on vacation and Mr. Exnicios acted as Vice Chairman and will give the Committee Report.

MR. EXNICIOS said the Fiscal Committee met on Wednesday, July 28th with the following members present: Messrs. Rybnick, John Boccuzzi, Joseph Morabito, Clinton Springer and himself as Vice Chairman. He reported on the following items:

- (1) \$77.80 - TRANSFER - From Code 998.0000 "SUNDRIES" to Code 104.0101, Salaries, BOARD OF SELECTMEN - For purpose of paying the Selectmen at new rate of \$38.46 per month each, for period through November 30, 1971 - (Mayor's letter of 5/27/71 to Board of Finance)

MR. EXNICIOS MOVED for approval of the above request. He explained that, as everyone knows, the job of Selectmen has been eliminated as of November 30th. Seconded and CARRIED with one "no" vote, (Mrs. Pont-Briant)

MRS. PONT BRIANT explained her reason for voting in opposition. She said the Selectmen have been in before for two prior increases which were not granted.

- (2) \$40,000.00 - BOARD OF EDUCATION - For Intrusion Alarms at 21 schools - (Letter from Dr. Porter, Supt. of Schools, dated 3/12/71 - Also, see Mayor's letter of 3/17/71)

MR. EXNICIOS said this has been reduced from the original request of \$43,450.00 and they have eliminated the Boiler Alarms at 23 schools. He said most boilers have alarm systems, which they pointed out, to which they agreed. He said the Committee agreed that these alarms are very important. However, he said, the Board of Education for several months has been reluctant to give them a set of specifications that met with the Committee's approval. He said for the reason that the Committee felt the specifications were very proprietary in nature they did not want to grant money for this type of specification. He MOVED for approval of the above request.

MR. CLARK said this should be labeled "School Board wins again". He said they did make some progress, because they did get different bidders this time, with additional specifications. But, to the best of his knowledge, the specifications are still written in such a way as to eliminate the possibility for an equally efficient, but less expensive system and for this reason he is voting against it.

MR. ROOS said we are all for intrusion alarms and he would personally regret the long delay, but would like to say that there are other systems which are equally as good. He said he feels our Police Department is fully capable of handling the monitoring and in other systems it costs \$25,000 plus the monitor. However, he said he will vote in favor of this, as we



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need these intrusion alarms, but would certainly hope that the future cost of this system will be given consideration. He said at \$25,000 over a period of some ten years is \$250,000 and he hopes that they will keep this in mind when they decide.

MR. MILLER said the Education, Welfare & Government Committee met on this and approved the appropriation.

After some further debate, a VOTE was taken on the requested appropriation and CARRIED with one "no" vote.

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

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

MR. EXNICIOS MOVED for approval of the above request. Seconded. LOST by a machine vote of 17 in favor, 12 opposed, 2 abstentions.

- (4) \$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)

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

- (5) \$62,000.00 - BOARD OF EDUCATION - To cover anticipated deficit in CAFETERIA PROGRAM for the year 1970-1971 - (See letter from Dr. Porter dated 4/15/71 requesting \$240,000 which was REDUCED to \$62,000 by the Board of Finance on 6/23/71, which they claim will see them through the summer, with the aid of Federal money that the Board of Education will receive)

MR. EXNICIOS MOVED for approval of the above request. Seconded.

MR. RUSSBACH said he equates this in the same light as trying to bail out Lockheed Aircraft and what we are doing is throwing good money at bad management and any program that is unable to support itself should be abolished and yet the School Board comes up with new and absurd solutions to the problem. He said they, knowing that the operation is in the "red"

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turn around and hire a firm and guarantee them a \$50,000 profit. Then, he said, they propose to hire a Director of Food Services at a salary of \$18,000 to \$24,000 a year. He said how can they possibly justify creating a new position in the school system whose starting salary equals that of a cabinet member and ranges up to the Mayor's salary? He said he cannot see how such a program can be justified when the program is in the red and the position amounts to nothing more than a civilian version of a mess sergeant. He asked why he should have to pay for his child to eat lunch when others get it free? He said the taxpayers have to pay for the deficit whether it is on a local, state or a federal level. He said many families not only receive free breakfast, free lunch, food stamps and welfare subsidies for food, why should it be necessary to also give them free lunches and free breakfasts when they also receive subsidies for food? He said he objects to the Board of Education getting involved in welfare and then duplicating what is being given by welfare. He said this is a give-away program which people of modest means are being forced to subsidize in order to give others a free ride on our backs. He said the law says we should not discriminate, and if this is true, then all children should be getting free lunches, or the whole program should be abolished. He said the average taxpayer is sick and tired of having his pockets picked in order to support give away programs. He said he, for one, is in favor of abolishing the entire program.

MR. MILLER said all he wants to say is that the Education, Welfare & Government Committee approves this appropriation.

MR. BITETTO said it is a public fact that this whole program is \$240,000 in the red and now they are back asking us to give them another \$62,000 to make ends meet just to the end of the fiscal year. He said he has to agree with Mr. Russbach, and there must be something radically wrong and why don't they count the meals they give out free into the income column and deduct the cost of it and then you will have a fiscally sound program and just be honest about the deficit, rather than go under the apprehension that we need better controls and better management. He said if you are going to give it away there is not going to be anything left to pay bills with.

MR. EXNICIOS said he would like to point out that the Board of Education did have a Food Evaluation Committee who gave them a report on what they are planning on doing for next year. He said they have admitted that last year they had a bad contract and they have gotten into the red, and now need \$62,000 to close their books out in the black.

THE PRESIDENT called for a vote on Item #5. A machine vote was taken and the motion was LOST by a vote of 12 yes and 17 no, with 2 abstentions.

- (6) \$117.00 - PERSONNEL COMMISSION - For reclassification of position of Retirement Services Officer from Grade S-15 at \$10,190.00 to MARCOM Grade A-1, Step 5 at \$10,307.00, effective July 5, 1971  
(Mayor's letter of 6/29/71)

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MR. EXNICIOS said the above matter is not properly before us for the reason that the Board of Finance have not acted on it as yet.

- (7) \$498,650.00 - BOARD OF EDUCATION - Resolution No. 765 - Approving an amendment to the 1969-1970 Capital Projects Budget by authorizing TRANSFER OF above sum from the 1969-1970 Capital Projects Budget. Project known as "ELEMENTARY SCHOOL #3" to Project in the 1971-1972 Capital Projects Budget, known as "ELEMENTARY SCHOOL #2" (Davenport Ridge School) in order to supplement appropriation for construction of that school --- (Letter from Miss Helen Tobin Deputy Supt. of Schools, dated 6/25/71)

MR. EXNICIOS explained that the Fiscal Committee at the time of the Budget hearings eliminated money from Elementary School #2 and suggested to the Board of Education that they come back with a transfer from Elementary School #3, which is somewhat off in the distant future and this is 1969-1970 money. HE MOVED for approval of the following resolution; seconded by Mr. Miller, who said the Education, Welfare & Government Committee concurs in approval. CARRIED unanimously:

RESOLUTION NO. 765

AMENDING 1969-1970 CAPITAL PROJECTS BUDGET BY AUTHORIZING TRANSFER OF \$498,650.00 FROM THE 1969-1970 CAPITAL PROJECTS BUDGET, KNOWN AS "ELEMENTARY SCHOOL NO. 3" TO PROJECT IN 1971-1972 CAPITAL PROJECTS BUDGET KNOWN AS "ELEMENTARY SCHOOL NO. 2" (Davenport Ridge School)

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of the City of Stamford, to amend the 1969-1970 Capital Projects Budget by transferring the sum of \$498,650.00 in the 1969-1970 Capital Projects Budget known as "ELEMENTARY SCHOOL NO. 3" to Project in 1971-1972 Capital Projects Budget known as "ELEMENTARY SCHOOL NO. 2" in accordance with the provisions of Section 611.5 of the Stamford Charter.

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- (8) \$108,000.00 - BOARD OF EDUCATION - Proposed Resolution amending 1970-1971 Capital Projects Budget by adding project to be known as "WESTHILL HIGH SCHOOL SITE, ST. LEO'S CHURCH PROPERTY, ROXBURY ROAD," to be used to purchase a three acre parcel from St. Leo's Church for necessary automobile parking at the Westhill High School, said Project to be financed by the TRANSFER of above sum from Project known as "ELEMENTARY SCHOOL #3" - (Mayor's letter of 4/14/71) - (Approved by Board of Finance 4/19/71)

and:



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Proposed Resolution "AUTHORIZATION TO PROCEED WITH THE ACQUISITION BY CONDEMNATION, IF NECESSARY, OF PROPERTY ON ROXBURY ROAD OWNED BY ST. LEO'S ROMAN CATHOLIC CHURCH CORPORATION AS ADDITIONAL LAND FOR THE SITE OF WESTHILL HIGH SCHOOL" - (Also incorporated in above Mayor's letter of 4/14/71) - (See Minutes of 5/3/71, pages 7772-7773)

MR. EXNICIOS said there is some question on the above two resolutions. He said the request was accompanied by a map showing the piece of property on Roxbury Road and it is his understanding that in the Steering Committee Meeting this was not supposed to be on the Agenda unless there was a different parcel of land. He asked the President to rule on this.

THE PRESIDENT suggested the speaker ask for a SUSPENSION OF THE RULES which requires a two-thirds vote to carry.

MR. EXNICIOS MOVED for SUSPENSION OF THE RULES in order to bring up the two resolutions as stated on the Agenda. Seconded and LOST by a vote of 17 yes, 11 no and 3 abstentions. (Insufficient vote)

(9) \$8,962.00 - For MICROFILM CENTER to be set up and staffed, to include a microfilm camera, one or two reader-printers and files to maintain all City Records, to be allocated as follows:  
(Mayor's letter of 6/2/71)

Code 114.2201 - New Equipment -----	\$5,462.00
Code 114.0601 - General Material and Supplies -----	500.00
Code 114.0102 - Part-time help for 9/1/71 to end of fiscal year -----	3,000.00
	<u>\$8,962.00</u>

MR. EXNICIOS MOVED for approval of the above request. Seconded by Mr. Miller, who reported that his Committee - the Education, Welfare & Government Committee, concurs. CARRIED with one "No" vote.

(10) \$24,000.00 - MAYOR'S OFFICE - Code 108.0901, Drug Liberation Program, Stamford area - (Mayor's letter 6/2/71)

MR. EXNICIOS MOVED for approval of the above request. He said the Director of the Drug Liberation Program, George Allen, and some of his associates, including Dr. Mastranangelo and Dr. Yerber, spoke to the Committee and made an excellent presentation and the Committee felt if this will help to alleviate the drug program in Stamford, it is worth a try. He said other cities are also participating - Greenwich is contributing \$13,000 - New Canaan and Darien are each contributing \$6,500. He said these other towns have not, as yet, appropriated the money, but Mr. Allan assured him that as soon as Stamford contributes their \$24,000 that they will also contribute their fair share. Seconded by Mr. Morris, who said the Drug Abatement Committee also agrees to go along.

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Mr. Connors said he wished the Members had been in Hartford today when the Republicans voted against all this "drug stuff" - 96 to 56.....

MR. RUSSELL suggested that Mr. Connors is not speaking to the question and what he is saying has nothing to do with the item before us.

THE PRESIDENT said the speaker is finished.

MR. CONNORS said he is NOT finished.

THE PRESIDENT RULED Mr. Connors out of order.

MR. CONNORS appealed from the Ruling of the Chair. A machine vote was taken with a tie vote of 14 in favor and 14 opposed. The President broke the tie by voting in favor of his own ruling.

- (11) \$24,741.81 - BOARD OF EDUCATION - To provide salary increases, salary for two days, as a result of the September 1970 teachers' strike, and additional uniform allowances, to 21 SCHOOL NURSES, retroactive to July 1, 1970, as a result of the recently negotiated contract between the City of Stamford, the Board of Education and the CONNECTICUT NURSES' ASSOCIATION - (No letter on this, but was approved by the Board of Finance at their May 13, 1971 meeting)

MR. EXNICIOS MOVED for SUSPENSION OF THE RULES in order to bring the above matter on the floor. Seconded and CARRIED.

MR. EXNICIOS MOVED for approval of the above appropriation. Seconded by Mr. Roos, who said the Personnel Committee also approves. CARRIED.

LEGISLATIVE & RULES COMMITTEE:

- (1) Vetoed Ordinance No. 216 entitled: "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" -- VETOED by Mayor Julius Wilensky in letter to President Charles Heinzer, III, dated 7/16/71, in which he suggests a substitute Ordinance be presented to the Board -- (See Section 204.1a of Charter)

MR. CHIRIMBES said this Ordinance was originally presented by Mr. Morris and he yielded the floor to him.

RECESS CALLED (To consider above vetoed Ordinance) (at 9.40 P.M.)

A recess was called at this time at the request of Mr. Morris.

The recess being declared over, and the Members took their seats at 9.45 P.M.

MR. MORRIS said the Corporation Counsel was going to add another section to the previous Ordinance No. 216, but was unable to do so because of illness.

Concerning excerpt from Minutes of August 2, 1971:

(10) \$24,000.00 - MAYOR'S OFFICE - Code 108.0901, Drug Liberation Program, Stamford area - (Mayor's letter of 6/2/71)

See Page 7937 of Minutes:

THE PRESIDENT RULED Mr. Connors out of order.

MR. CONNORS appealed from the Ruling of the Chair. The Chair's ruling was upheld by a machine vote. First a tie vote of 14 in favor and 14 opposed, with the President breaking the tie by voting in favor of his own ruling, resulting in a vote of 15 in favor of the President's ruling and 14 opposed.

THE PRESIDENT asked if there is any further discussion on Item #10.

MRS. PONT BRIANT asked a question - is this similar to the drug program now being conducted by the Health Department?

MR. MORRIS replied it was similar -- a sort of "umbrella" agency and they are all going to work together.

MR. DURSO spoke in favor of the appropriation.

MR. SCHADE MOVED the question. Seconded and CARRIED.

THE PRESIDENT called for a vote on the main question. Voice vote taken and CARRIED unanimously.



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He said upon advice of the Corporation Counsel, a revised version of the Ordinance is now being presented, which will become a new Ordinance. HE MOVED for approval of the following Ordinance, waiving prior publication. CARRIED by a vote of 29 in favor and 2 opposed:

ORDINANCE NO. 219 SUPPLEMENTAL

DECLARING IT A HEALTH HAZARD WHEN VACANCY RATE IN HOUSING FALLS BELOW 2% 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 2%, it shall be deemed to constitute a health hazard; and that any person who shall apply for welfare assistance who has not resided within the City of Stamford for one year prior to the date of said application, shall be ineligible for any assistance during the existence of said health hazard. However, the Department of Public Welfare shall be authorized to provide necessary temporary assistance or care until arrangements are made for said applicant's return.

This Ordinance shall take effect upon its adoption.

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- (2) Proposed Ordinance "CONCERNING EXCHANGE OF EASEMENTS BETWEEN THE CITY OF STAMFORD AND LEE H. GRAY, ET AL" - (Mayor's letter of 6/29/71)

The above matter was held in Committee

- (3) 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 7/12/71)

The above matter was held in Committee.

- (4) Final adoption of Ordinance No. 220 - Rescinding previous Ordinance No. 199 entitled: "CONCERNING THE ESTABLISHMENT OF FIRE DISTRICTS FOR THE CITY OF STAMFORD", enacted 9/26/70 -- (Submitted in letter dated 4/19/71 from James J. Sotire, Building Official & Zoning Enforcement Officer) - (Approved for publication 7/12/71 Board Meeting; published 7/16/71)

MR. CHIRIMBES asked Mr. Scofield to explain the background of this proposed Ordinance.

MR. SCOFIELD explained our previous Ordinance on this is in conflict with the State Building Code and they have ruled that no City can be more stringent than this uniform Code; hence the Building Officer Mr. Sotire, has requested that we adopt this Ordinance, which would place the R-2 and R-5 Multi-Family

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Residences outside the Fire Districts and allowing them to be of frame construction. He said this is following a National trend, and not just a State trend, so this is in the best interests of good construction.

MR. CHIRIMBES MOVED for final adoption of the following Ordinance. Seconded and CARRIED by a vote of 18 in favor, 10 opposed and 3 abstentions:

ORDINANCE NO. 220 SUPPLEMENTALCONCERNING THE ESTABLISHMENT OF FIRE DISTRICTS FOR THE CITY  
OF STAMFORD (Rescinding previous Ordinance No. 199 enacted  
9/26/70)

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Pursuant to and in conformity with Section 301.0 Fire District sub-divisions 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 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 - Central 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 include 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.

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- (5) Proposed Ordinance No. 221 - "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; also held in Committee 5/3/71, 6/7/71 and 7/12/71)

MR. CHIRIMBES asked that Mr. Exnicios submit the Ordinance, as he was the one who proposed it.

MR. EXNICIOS said the Ordinance has been revised from the form in which it was originally submitted. However, he said the revisions have been minor, and upon discussion with the Board Counsel, he has made the changes and they now feel it will make the Ordinance a legal one. He said everyone has a copy of this new revised Ordinance on their desks. He read the following Ordinance and MOVED for its adoption, waiving prior publication. Seconded and CARRIED unanimously:

ORDINANCE NO. 221 SUPPLEMENTALTO DEFINE PARENTAL NEGLECT OF MINORS

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

SECTION 1 - This Ordinance shall be known and may be cited as the Stamford Parental Neglect of Minors Ordinance.

SECTION 2 - DEFINITIONS

(1) "Parental Neglect" - It shall be unlawful for the parent of any minor to fail to exercise reasonable parental control which results in the minor to commit any criminal act or become delinquent in accordance with the Connecticut General Statutes as it pertains to Juveniles.

(2) "Parent" - Mother, father, legal guardian and any other person having the care or custody of a minor or such other adult with whom a minor may be found residing.

(3) "Minor" - Any juvenile under the age of 16 residing with the parent as defined in this Ordinance.

(4) "Criminal Acts" - Shall be those acts which violate the Statutes of the State of Connecticut or the Ordinances of the City of Stamford.

(5) "Habitual Offender" - One who commits two (2) or more criminal acts within a twelve (12) month period.

SECTION 3 - PENALTY

The parent of a habitual offender may be deemed guilty of parental neglect and shall upon conviction thereof be subject to a fine of not more than \$500.00, sentenced to a term of not more than 90 days in jail or placed upon probation of any one or combination of same with the discretion of the Court.



Minutes of August 2, 1971SECTION 4 - SEPARABILITY

If any section, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses and phrases of this Ordinance, or the Ordinance as an entirety, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of such section, sentence, clause or phrase.

SECTION 5 - ORDINANCES REPEALED

All Ordinances, and parts of Ordinances, in conflict with the provisions of this Ordinance are hereby repealed.

This Ordinance shall become effective on the date of its enactment.

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- (6) Proposed Ordinance "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 - Held in Committee 7/12/71)

MR. CHIRIMBES said Mr. Hibben of the URC appeared before his Committee and explained the whole situation and told them there are about 176 families still to be placed, and this is very much needed. Mr. Chirimbes read the following proposed Ordinance and MOVED for publication. Seconded and CARRIED:

PROPOSED ORDINANCE

TO PROVIDE PRIORITY FOR FAMILIES DISPLACED BY URBAN RENEWAL  
AND OTHER GOVERNMENTAL ACTION IN NON-PROFIT SPONSORED  
HOUSING

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

Pursuant to Section 204 of the Stamford Charter, non-profit housing sponsors and developers shall observe a practice for according a priority for the occupancy of non-profit housing which is based upon the following tenant selection criteria:

Priorities for occupancy are to be accorded to families displaced by urban renewal and other governmental action, and tenant selection criteria shall apply in such a way as to give effect to considerations of income, family size, credit and such other considerations as may be required by Federal law or regulation.

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

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- (7) Request for a WAIVER OF BUILDING PERMIT FEE for YMCA facility at Corner of Bell and South Streets - (Letter from Atty. Richard Tobin, dated 6/25/71)

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

- (8) Request for VOTER MAKING SESSIONS to be held in August

MR. CHIRIMBES said he has never received anything in writing on the above request. He said he followed this up and spoke to the Town Clerk, who is in charge of voter making sessions and he spoke to the Mayor requesting the two dates - August 21st and 28th. In the meantime he said he got in touch with Mr. Dixon and asked him if he has heard anything and up to the present time he has not received anything in writing. He said he does not believe this is properly before the Board as there is no appropriation requested. He said he held it open, hoping that something would show up at the last minute. He asked Mr. Dixon if he has anything to add.

MR. DIXON said he has been in touch with the Mayor's office and talked with Mr. Gerry Leonard and has talked with Mr. Ralph Murray (Chairman of Board of Finance) and with Mr. Woodrow Glover and many other interested people on this subject and has been informed by the Mayor's office and Mr. Murray that insofar as they are not requesting any funds, that it is not necessary for this Board to act on any funds. He said the Human Rights Commission will pay the expenses. He said he has a copy of a letter addressed to Mr. Heinzer and they are only requesting the two dates mentioned - the 21st and 28th of August. He said he sees no reason why this Board cannot act on their request for the reason that no funds are involved. He said in talking with these gentlemen, who saw no need to request funds.

THE PRESIDENT said he is a little confused and asked the speaker if the Human Rights Commission has funds appropriated in their budget for this.

MR. DIXON said he has been informed by the Human Rights Commission that they DO have funds that can be used for this, left over from the 1970-1971 budget.

MR. MILLER said there was a problem with two requests to hold special voter making sessions.

THE PRESIDENT asked if the Legislative & Rules Committee has a report on this.

MR. CHIRIMBES said he has nothing, as it was not presented properly before his Committee.

THE PRESIDENT informed Mr. Miller if he wished to move to bring it out of Committee, that he may do so.

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MR. MILLER said since it is on the Agenda, that it is in order.

THE PRESIDENT said not as long as the Committee is holding it in Committee.

MR. MILLER MOVED to bring this out of Committee. Seconded.

MR. DIXON said several organizations have been working on this with the two dates in mind. He said first they had in mind to work as individual groups but have since coordinated their efforts and the Human Rights Commission is the coordinating group. He said there are many groups that want to see this done on the two dates, and if this is not done, there will be some very disappointed people throughout Stamford.

THE PRESIDENT said the question now before the Board is to bring it out of Committee and he cannot speak to the ~~main~~ question.

MR. MILLER said, as he had previously stated, there were two separate requests -- one involving these two dates, and one involving another date. He said it appears that the people involved went to the wrong place with their request. He said we are at a time when we are trying to extend the franchise to as many as possible. He said he understands that there are funds with the Human Rights Commission, which could be transferred to the Registrars of Voters who must hire people to help with voter registration. He said it was impossible to have a meeting of the Board of Finance over the week-end as it was impossible to get a quorum because so many of the Members were on vacation. He said as far as the State Statute governing this is concerned - Sec. 9-19 of the Election Laws - that it is not necessary when we approve a date for an additional voter making session, that we also tie up with it an appropriation of money.

THE PRESIDENT asked the Members to please confine their discussion as to whether or not to take this out of Committee and then the main discussion can take place.

MR. RUSSBACH MOVED THE QUESTION. Seconded and CARRIED.

VOTE to remove from Committee. LOST by a vote of 11 yes and 19 no, one abstention.

SEWER COMMITTEE:Concerning Storm Drains being Connected into the Sanitary Sewer Lines in Shippan

MR. MORRIS said the above matter has been brought to his attention and he would ask Mr. Bitetto to obtain whatever information he can on this and if this is true, it is creating quite a problem for the City and he just hopes it isn't true.

THE PRESIDENT asked Mr. Bitetto to look into this and he said he would.



Minutes of August 2, 1971Hiring Engineering Firm to re-survey sewerage in Springdale

MR. RUSSELL said he would also like the Sewer Committee to look into the above.

HEALTH & PROTECTION COMMITTEE:

MR. CLARK said he has a brief report on the following matters:

(1) Lights under Thruway near R.R. Station

MR. CLARK said the Committee is still trying to do something about the above matter and hopes to be able to report by next month.

(2) Water Problem at AMELIA PLACE

MR. CLARK said they discussed this with the Mayor about five days ago who requested that the matter be tossed back to him personally to take care of. He said he hopes they will soon have something favorable to report.

(3) Petition (received 6/14/71) presented by George Connors, 8th District Representative, complaining about VANDALISM TO BOATS MOORED AT CUMMINGS BEACH MARINA and requesting adequate police protection

MR. CLARK said his Committee, along with Steve Kelly of the Parks & Recreation Committee, have an Ordinance which they wish to present, which is similar to others.

THE PRESIDENT said this has not been in the Legislative & Rules Committee and should go to the Steering Committee for proper referral first.

MR. KELLY objected, saying we have to stop this vandalism.

MR. CONNORS said this is very important.

THE PRESIDENT suggested a motion be made for suspension of the rules if it is a matter of major importance.

MR. CONNORS MOVED for suspension of the rules to consider the following proposed Ordinance. Seconded and CARRIED:

(4) Proposed Ordinance "CONCERNING CURFEW AT CUMMINGS PARK AND BEACH"

MR. KELLY read the following Ordinance and MOVED for its adoption, waiving prior publication. Seconded and CARRIED unanimously:

ORDINANCE NO. 222 SUPPLEMENTAL

CONCERNING CURFEW AT CUMMINGS PARK AND BEACH

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Section 21-9 of the Code of General Ordinances is amended by adding thereto the following:

Notwithstanding the foregoing, it shall be unlawful for any unauthorized person or persons, to come onto, to congregate or to use for any purpose whatsoever, any part of the land now owned by the City of Stamford, Connecticut, located on Shippan Avenue and known as "Cummings Park and Beach", adjacent to the waters of Long Island Sound, between the hours of 12 midnight 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 days (30 days) in jail, a fine of One Hundred Dollars (\$100.00) or both.

This Ordinance shall take effect upon its adoption.

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(5) Concerning Resolution No. 762 adopted at the July 12, 1971 Board Meeting - "REMOVING MEDIAN DIVIDER ON WASHINGTON BOULEVARD, FOREST LAWN AVENUE NORTH"

MR. BITETTO MOVED for SUSPENSION OF THE RULES to consider the following resolution which was adopted at the July 12, 1971 Board Meeting. Seconded and CARRIED.

MR. BITETTO MOVED for reaffirmation of the following resolution. Seconded and CARRIED unanimously:

RESOLUTION NO. 762

REMOVING 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.

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Minutes of August 2, 1971PLANNING & ZONING COMMITTEE:

MR. EXNICIOS, Vice Chairman, reported in the absence of the Chairman, Mr. DeForest, who was on vacation. He said the Committee held a meeting on Friday, July 30th and present were Messrs. Roos, Guroian and himself. He reported on the following items:

- (1) 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 - (Must be acted upon at or before second regular meeting of Board of Representatives following referral. Failure to approve or disapprove constitutes approval of Zoning Board's decision.)

MR. EXNICIOS said his Committee discussed this at great length and are quite familiar with the problem and some of them are quite sympathetic with the Appellants. He said they felt, in reading the letter from the Attorney from the Board, that it should not come before the Planning & Zoning Committee. However, in order to give the Board Members an opportunity to speak on this matter, it is being reported out of Committee, but WITHOUT a recommendation, because of the time limitation which requires that action be taken tonight.

MR. CHIRIMBES, Chairman of the Legislative & Rules Committee, said the vote was 5 to 1 to bring this out and accept the signatures.

THE PRESIDENT called for an affirmative motion that the appeal be granted and the Zoning Board's decision overruled.

MR. MILLER said he SO MOVES. Seconded.

MR. SCHADE called attention to Subsection B under Section 12 that was deleted: "In all zones such space shall be freely accessible at all times and shall not be closer than three feet to any property line or closer than five feet to any building used for residential purposes." He said he cannot understand why the Zoning Board wants to delete this, because no reason was given and it is obvious that the deletion of this can bring about a very serious health hazard and vehicles can be parked very close, right up to residential property lines and carbon monoxide fumes and other irritants, with perhaps deadly effects can adversely affect anyone within a close range and he feels that a buffer zone of three feet to any property line and five feet to residential property lines should be observed for the benefit of the City of Stamford.

MR. EXNICIOS said the Committee listened to both the proponents and opponents of this Appeal. He said, speaking as an individual, the regulations as written, are somewhat unrealistic and unworkable and very badly worded. He



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said he believes that the people from the Mid Ridge Civic Association agree with this, and in fact have proposed a substitute regulation. He said the Zoning Officer of the City has told them that he also favors a change and is in the process of presenting this to the Zoning Board for their action. He said the one problem is, if we overturn the decision of the Zoning Board, that Building Permits for a period of time will probably have to be suspended, particularly in the URC area and he must point out that we MUST get URC going. He urged that the Board uphold the decision of the Zoning Board for the reasons he just stated.

MRS. PONT BRIANT asked a question. She asked if the Board overturns this tonight, then it goes back to the way it was. She asked if this is correct.

MR. EXNICIOS said this is correct.

MR. MORRIS said it now appears that the Zoning Enforcement Officer has now reconsidered and he thinks what we should do is to uphold the people on their appeal and it would then revert back to the way it was and he can see no problems with URC, as it is not going to be built within a month or so. He said then they can come in with their new amendment which most likely will be acceptable to the people who are now protesting this. He said he thinks this is the way to do it.

MR. ROOS said he agrees but there is one question here which we have not mentioned, and that is the legality of it -- and that is, is this properly before us? He said we have a petition with many signatures on it which could turn out to be invalid. He said what bothers him is we had the same type of situation with a previous appeal - the one on the Town Fair Tire Center - which was declared not properly before the Board at the April 5, 1971 Board Meeting (See page 7734 of Minutes). He said once more we are confronted with the same type of poorly engineered petition, which is practically the same situation that existed in April. He said he does not know whether or not we have a right to consider this petition, unless we are sure the petition is proper and legal.

MR. MURPHY said he is a Member of the Legislative & Rules Committee that voted that the petition did not have the legal number of 300 signatures needed under the provisions of the Charter. He said he voted to uphold the requirements of the Charter as he thinks he should, although his sympathy was with the Appellants. He said it is too bad, but they just didn't have enough names on the petition, as the Corporation Counsel has implied in his letter.

MR. CHIRIMBES said his Committee voted 5 to 1 and Mr. Murphy had the privilege of making a minority report. First, he said our legal counsel did a check on the petition and they took it and attached is a list of 30 names which are questioned as not being owners of property. He said he also has another list and all owners of property did not sign - 70 on that list. He said he also has another list which said "not legible". He said the Committee took these lists and looked over them and they felt that there was a question both ways and they decided to accept it. He said tonight they checked some more signatures and had a separate meeting tonight before the Board Meeting

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and concurred again by a vote of 5 to 1.

He said he has a letter which is dated Feb. 18, 1971 to the Stamford Zoning Board, signed by James E. Hagen, Chairman of the Planning Board:

Gentlemen:      Re: APPL. 70-030 - Zoning Board - To amend Sec. 12 -  
                              Automobile Parking & Loading Space, Subsection B

The Planning Board has instructed me to advise you that at its meeting held on February 16, 1971, it reviewed the above subject application referred to the Planning Board under provisions of Chapter 124 of the General Statutes, Section 8-3a, Revision of 1959, and the members present voted unanimously to recommend disapproval of the proposed amendment to the Zoning Regulations of the City of Stamford, as submitted by the Zoning Board, unless questions presented below of concern to the Planning Board can be satisfactorily answered:

The members of the Planning Board believe there would be possible problems regarding fire protection by deletion of the present required distance from automobile parking space to the walls of residential buildings, which might hamper maneuverability of firemen and equipment such as hose, ladders and so forth, in the case of a fire when cars are parked close to or next to the building walls.

Of lesser impact of effect possibly would be the deletion of required distance from automobile parking space to a property line, because with the overhang of cars would there not be occasion for neighbors to frequently complain of encroachment of cars over boundary line and ultimately blaming the Zoning Regulations.

The Board also noted there would be little or no space for planting if the aforesaid distance requirements are deleted, which would come under the heading of aesthetics, but nevertheless is of importance.

If the above questions can be resolved to the satisfaction of the Zoning Board, particularly the Planning Board's concern caused by the proposed deletion of a provision which would then allow parking right next to the walls of residential buildings, the Planning Board would withdraw its objections.

Very truly yours,  
STAMFORD PLANNING BOARD

(signed) James E. Hagen, Chairman

JEH:Im

MR. RUSSBACH said there is one point and that is, the Board of Representatives is a legislative body and the primary function of a legislative body, among other things, is to represent the people. He said he does not understand why we always make it so difficult for the people whom we represent to be properly represented. He said it seems as if the burden of proof is always

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on them, and all the burdens of these decisions are always dumped back on the people. He said we always give the City the benefit of the doubt on all questions when we, as representatives of the people, should be giving them the benefit of the doubt. He advised taking the side of the people whom this Board represents and give them the benefit of the doubt. He said the Legislative & Rules Committee has ruled that these signatures are valid, and let us proceed on that basis.

MR. SCOFIELD said since we are supposed to abide by the Charter which requires the signature of 300 home owners, he would like to ask (through the Chair) the Chairman of the Legislative & Rules Committee - that counting all possible legible signatures - do you have 300 property owners on the petition?

MR. CHIRIMBES said in his opinion -- they were told there were 275 signatures that are not questioned. He said in his opinion they feel this is adequate.

MR. DURSO said he is quite confused on this matter - if we are to overturn the ruling of the Zoning Board - are we going back to an unenforceable provision for the Zoning Enforcement Officer, when he claims he was unable to enforce the regulations the way it was.

MR. RUSSELL said he would like to make it clear that the Committee believes they have at least 300 valid signatures as called for in the Charter, in their opinion. He said he says this because if it does go into litigation, that is one of the first arguments that will be given - that there is no question as far as the Committee is concerned, that in their opinion, that they had at least 300 signatures. He said the Committee does not have to verify every signature and there is nothing that says that they do have to. He said in over 15 years they have been trying to find out who is the responsible body to prove whether or not the signatures are valid ones, from the Corporation Counsel to the Zoning Board, the Planning Board .....

MR. DURSO rose on a POINT OF ORDER. He said he does not want to appear rude, but he did ask a question and George Russell is talking about something else - he said he asked the Chairman of the Committee a question and would like to get an answer. He said are we going to go back to a regulation that was unenforceable?

MR. EXNICIOS said in the opinion of the Zoning Enforcement Officer that is correct - that in his words, he feels it is unenforceable.

MR. CHIRIMBES said he does not know how long this Zoning Regulation has been on the books, but it is ridiculous to amend it now.

MR. GUROLAN MOVED THE QUESTION. Seconded and CARRIED.

THE PRESIDENT said the vote will now be on the main question of the Appeal.

A ROLL CALL VOTE was requested. There being a sufficient number, one was taken.



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THE PRESIDENT explained the vote. He said a "yes" vote is a vote to uphold the Appeal and overturn the Zoning Board's decision and a "no" vote is in support of the Zoning Board's decision.

The motion was CARRIED by a vote of 27 in favor, one "no" vote and 3 abstentions. (The President does not vote, except in the event of a tie)  
The ROLL CALL vote follows:

THOSE VOTING IN FAVOR

BAUM, Arhtur (R)  
BITETTO, Joseph (R)  
BOYLE, James (R)  
BREESE, John (R)  
CAPORIZZO, William (R)  
CHIRIMBES, Peter (R)  
CLARK, Reed (R)  
CONNORS, George (D)  
COSTELLO, Robert (D)  
DIXON, Handy (D)  
DONAHUE, Alphonsus (D)  
DURSO, Robert (D)  
FRIEDMAN, Bertram (R)  
GUROIAN, Armen (D)  
KELLY, Stephen (D)  
MILLER, Frederick (D)  
MORABITO, Joseph (D)  
MORRIS, Thomas (R)  
PERILLO, Alfred (D)  
PONT-BRIANT, Lois (R)  
RAVALLESE, George (D)  
ROOS, John (R)  
RUSSBACH, Daniel (R)  
RUSSELL, George (R)  
RYBNICK, Gerald (D)  
SCHADE, Richard (R)  
SCOFIELD, Edward (R)

THOSE VOTING IN OPPOSITION

EXNICIOS, Robert (R)

ABSTENTIONS

COMERFORD, Richard (D)  
HEINZER, Charles (R) - President  
MURPHY, William (D)

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THE PRESIDENT said the Zoning Board's decision has been overturned.

- (3) Resolution No. 766 approving report of Commissioner of Finance on ROAD IMPROVEMENTS TO BE CARRIED OUT ON UNACCEPTED PORTION OF BARNCROFT ROAD, pursuant to Chapter 64 of Charter of the City of Stamford, in revised amount of \$12,970.00

(Submitted in letter dated 7/15/71 from Commissioner of Finance) (NOTE: After above report is accepted by adoption of appropriate resolution, next step requires an appropriation of \$29,300.00 which is done by adoption of a resolution amending the 1971-72 Capital Projects Budget, requiring a prior approval of Planning Board and Board of Finance)

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MR. EXNICIOS said the above matter is being held in Committee.

MR. RUSSELL MOVED to bring this out of Committee. Seconded and CARRIED with a few "no" votes.

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

RESOLUTION NO. 766

APPROVING REPORT OF COMMISSION OF FINANCE CONCERNING IMPROVEMENTS  
TO BE CARRIED OUT ON UNACCEPTED PORTION OF BARNCROFT ROAD IN ORDER  
FOR IT TO BE ACCEPTED AS A CITY STREET PER SECTION 29.50 OF CODE  
OF GENERAL ORDINANCES OF STAMFORD AND SECTION 640 OF THE STAMFORD  
CHARTER

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford that the report of the Commissioner of Finance to the Board of Representatives, dated July 15, 1971, regarding the improvements to be carried out on unaccepted portion of BARNCROFT ROAD is hereby approved; and

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

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

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PARKS & RECREATION COMMITTEE:

MR. KELLY said he will have to ask for suspension of the rules in order to introduce the following and he SO MOVED. Seconded and CARRIED:

Concerning request for WAIVER OF VENDOR'S FEE FOR OPERATION OF  
REFRESHMENT CONCESSION AT BABE RUTH TOURNAMENT ON AUGUST 12-19th, 1971

MR. KELLY MOVED for approval of the above. He explained that time is of the essence in this case. He explained it has been requested by Mr. Connell, Supt., Department of Parks in letter dated 7/30/71 and that it is a non-profit operation and surplus will go to help defray tournament expenses. Seconded and CARRIED unanimously.

EDUCATION, WELFARE & GOVERNMENT COMMITTEE:

MR. MILLER, Chairman, said he has a brief report - that at the last meeting of the Steering Committee, Mrs. Pont Briant asked that a complaint relating to Sunset Home be looked into because there were complaints from the area residents. He said he spoke to Mr. DeVos, once on the 'phone and on Friday

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afternoon he spent two hours with Mr. DeVos and two ladies who represent the Rockridge Civic Association - Mrs. Brooks and Mrs. Eppinger. He said this Association is an association of home owners surrounding Sunset Home and the Smith House. He said not all of the problems have been resolved - they had many questions and are going to report back to their Association. He said they were very thorough and Mr. DeVos was very candid with his answers. He said most of the questions centered about Sunset Home which seems to be the problem and all he can say now is that there is no plan to move Sunset Home or to change its function because it has been there for several decades and is there to stay. He said the people in the area are concerned about the effect of having this facility in the area and the affect it will have on their children and rightly so. He said there are a few people at Sunset Home who have drinking problems and are alcoholics, but on the other hand, Mr. DeVos does not accept anyone who is a known drug addict and he does not accept anyone who has a history of molesting children or anything of that nature.

URBAN RENEWAL COMMITTEE:Concerning Housing in Urban Renewal Area

MR. CHIRIMBES brought up the matter of several letters he has written. He said he wants to know why NEW HOPE, PARCEL #41 should not revert to F.D. Rich for instant housing on which they have an option, which was supposed to be 30 days back in 1970. He said he also sent a letter on March 24th for the above parcel #41 to Mr. Heinzer, which evidently got mislaid, which is in great detail. He said he is going to put the onus on this Board that the reason no housing is being built is because this Board is not taking action. He said he has written a letter to the Department of Housing and Urban Development - Mr. Larry Thompson, Area Director. He read the letter at this time in which he asks what is holding this up for over five years.

MR. SCOFIELD said he feels the same way as does Mr. Chirimbes regarding Parcel #41. He said both he and Mr. Roos attended a meeting on July 23rd and asked the same questions - when is this going to start and they said they were awaiting an amended application and that it should be forwarded by August 1st. However, he said he understands that the application has not yet been forwarded. HE MOVED this be referred to the Steering Committee.

THE PRESIDENT suggested that Mr. Scofield remind us at the next meeting of the Steering Committee that this matter should be referred to the URC Committee and Public Housing & General Relocation Committee.

SPECIAL COMMITTEE TO INVESTIGATE CIVIL SERVICE & PERSONNEL DEPARTMENT PROCEDURES (Appointed August 3, 1970)COMMITTEE REPORT ON EMPLOYEE ATTITUDE SURVEY QUESTIONNAIRE

MRS. PONT BRIANT said it has taken her Committee many months to come up with this report which she read at this time:

NOTE: For the reason that the report is very comprehensive in nature, covering 11 pages, it is on file in the office



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of the Board of Representatives. Copies have been sent to all interested persons and by the Mayor to all Department heads). (The report is also attached to the Minutes).

MRS. PONT BRIANT said on the basis of the replies the Committee received, they are hereby submitting this Committee report on the Employee Attitude Survey delivered to all City employees. MR. ROOS MOVED for acceptance of her Committee report.

MR. MILLER seconded the motion and commended Mrs. Pont Briant on a very fine report.

The Committee report was accepted by unanimous vote.

MR. CLARK asked if there will be a follow-up on the Committee recommendations.

MRS. PONT BRIANT said she has been in touch with Mrs. Frisbie, Chairman of the Personnel Commission, who has promised to report back on their reaction to the recommendations of the Committee.

PETITIONSConcerning Recent Opening of WILLOW STREET

MR. MILLER said everyone has on his desk a petition concerning the recent opening of Willow Street, extending over the Rippowam River to West Main Street. He said this was protested by 23 residents of the street by the Pulaski Democratic Club which has its Headquarters on Clinton Avenue adjacent to this street. He said it was also protested by both representatives from the 6th District - Mr. Costello and Mr. Murphy. He said he is in possession of a communication to the Mayor from the Corporation Counsel regarding the opening of this portion of Willow Street and in this communication Mr. Bromley does state that Ordinance No. 144 Supplemental requires transfer of jurisdiction between City agencies and he states also that a request for this transfer must be made to the Board of Representatives. He said the people in the area do not want this transfer because they do not want this street opened until traffic lights are available and it is his understanding that they won't be available until at least the middle of September. He said on the other hand, if the Mayor did not seek this transfer by our Board, why was the street opened, and since it has been opened illegally, why isn't it now closed? He said we think on this side of the aisle that the Mayor ought to observe the law.

MR. MILLER submitted the petition to the Steering Committee with the hope that it would appear on the Steering Committee Agenda and be referred to both the Public Works Committee and the URC Committee.

THE PRESIDENT asked the Speaker just what he is seeking.

MR. MILLER said he would like for the two Committees just named to investigate and find out just why this street is being allowed to remain open when it has not been opened through the proper procedure.

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MR. COSTELLO said both he and Mr. Murphy feel that the Mayor was acting very hastily in cutting ribbons and opening this Street and for the health and safety of these people, it should be closed.

MR. RUSSELL said it seems like everyone is blaming the Mayor and all he did was to cut a ribbon. He said perhaps it should be checked into as to whether it was prematurely opened by a month or two, but for the safety of the residents, it should be checked. He said he can't see blaming the Mayor because all he did was to cut a ribbon and he is not the one that opens up streets. He said he is sure that there was more than one individual and one department involved in the opening of this street.

MR. MILLER said he spoke to the Mayor on the telephone the day before he cut the ribbon and he seemed quite ready to take the responsibility for the opening of Willow Street and made it quite clear that he intended to open the street.

OLD BUSINESS:Audit Report for Housing Authority

MRS. PONT BRIANT said she had requested the above audit report. She said Mr. Cuscuna was in Washington last week and the audit report has not been received. She said as Chairman of the Fiscal Committee she has asked Mr. McAvoy to contact the State auditors direct if he can't obtain satisfaction from Mr. Cuscuna. She said she will keep in contact to see this is done.

Concerning Termination of Employees' Services by the City

MRS. PONT BRIANT said Mr. Truglia has asked for a report on those employees whose services had been terminated by the City. She said she has requested this from Mr. Aretakis and can give a very short briefing. She said he directed this to the Mayor:

"In response to your request, I am pleased to report that City departments coped with the salary reductions as follows:

There were nine terminations, six of which were temporary appointments and three were permanent.

One person accepted a re-assignment to another department - the Board of Education..

Eleven full time employees - four had been temporary, six were permanent and one permanent part-time were terminated, but accepted similar positions on the seasonal payroll of the City.

The new positions of Deputy Corporation Counsel and Data Processing Programmer will be hired in October rather than in July.

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Approximately 30 vacant positions throughout the City departments will not be filled or were left open on the rosters.

Approximately 200 summer positions were not filled because of reductions or transfers from part-time or seasonal accounts.

In Project Music, the instructors were cut from \$8.00 to \$7.00 per hour.

The Mayor absorbed the cut within his Department.

Numerous departmental requests were initiated for transfers to the Salary Account in order to meet salary commitments.

The action taken by the City Departments was in compliance with the May 20, 1971 letter of the Corporation Counsel.

Public Works Highway terminations - one temporary. Two temporary were re-hired as seasonal help.

The Collection Department - three temporary were terminated. Five permanent were terminated but were re-hired as seasonal.

Building Inspection - one permanent clerical was terminated.

Engineering - one temporary Engineering Aide was terminated. One permanent part-time was re-hired as seasonal. Two temporary were re-hired as seasonal.

Planning Board - one permanent was re-hired by the Board of Education.

Assessor's office - one permanent was terminated.

Tax Collector - one permanent was re-hired as seasonal.

Bureau of Accounts, General Accounting - one temporary was terminated!

Welfare Department - one permanent was terminated."

MRS. PONT BRIANT said in reference to the Collection Department, it is her understanding that letters have been sent out to 12 employees who have been chronic "stay outers" or chronic "sick leaves". If they don't shape up, it leaves ground work for the City to dispense with their services at which time the 9 permanent terminations would be re-hired in their place. She said seniority received priority. She said the above is in answer to Mr. Truglia's request.

NEW BUSINESS:

Change of Meeting Date for September Meeting to day after Labor Day - Tuesday, September 7, 1971

MR. EXNICIOS asked when the Meeting Date will be for the September meeting.



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THE PRESIDENT said that will be up to the Board and his own preference would be for Tuesday, September 7th, because to wait another week, would bring it too late in the month and we would be jamming right into another Steering Committee Meeting.

It was decided to hold the September Board Meeting on TUESDAY, SEPTEMBER 7, 1971.

Lack of Sidewalks in TOQUAM SCHOOL area

MR. RUSSELL brought up the above matter and said there is very heavy traffic in the area where children have to walk to school in the road, which is narrow, thus creating a dangerous condition for the children, many of whom are in the first and second grades. He said something should be done for the protection of these children. He said the safe sidewalks usually come along a long time after the school has been built and in the meantime these children have to walk in the street.

The above matter was referred to the PUBLIC WORKS COMMITTEE.

Concerning Charges made by Coalition of Neighborhood Associations Regarding CDAP

MR. MORABITO spoke about the above matter. He said copies of these charges have been given to each member of the Board. He said if the allegations in this letter are proven true and subsequent admission by the executive branch to the truth of these facts certainly points to that possibility, then it logically follows that there has been a deliberate and calculated attempt to nullify a decision by the Board of Representatives and usurpation of our powers.

He said the possibility that unauthorized documents and misinformation has been filed with CDAP in Hartford and even the possibility of HUD and HEW is a most serious matter. He said since this has been brought to the attention of this Board, should they refuse to investigate these charges, this Board could unwittingly become a party to obtaining State and Federal funds under false pretenses. He said we must preclude this possibility.

He said in view of the seriousness of this matter the one most anxious to have an investigation should be the accused. He said if the administrative branch has not been guilty of any irregularities, then this would be the best way of clearing them of any charges made against them. He said this body being the legislative branch of the City government, are bound by oath to represent their constituents and to uphold and adhere to any and all provisions of the Charter.

He said it appears that an investigation may prove that the powers granted to this body has been seriously questioned by another branch of government. He said this Board has no recourse but to investigate. HE MOVED that the

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President be authorized to appoint a Committee within one week's time to fully investigate the charges as outlined in the CONA letter and report its progress to this Board at its next meeting and further than any known legal assistance be made available to this Committee by the Counsel for the Board of Representatives. Seconded.

MR. SCOFIELD said he thinks this definitely bears investigating, but as long as we have a CDAP Committee.....

THE PRESIDENT said in order to save discussion and without amending the motion, the CDAP Committee is the Committee that he will appoint for this task if the motion is carried.

After considerable further discussion, a VOTE was taken on the motion and CARRIED unanimously. (29 now present)

It was also voted to approve whatever spending of funds is necessary by the Committee under Section 206 of the Charter.

ADJOURNMENT:

On motion, duly seconded and CARRIED, the meeting was adjourned at 12.20 A.M.



Velma Farrell  
Administrative Assistant  
(Recording Secretary)

APPROVED:



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

NOTE: WSTC broadcast from 10.50 PM  
to 11.14 PM as they broadcast  
the Met's Game first.

VF