

MINUTES OF FEBRUARY 7, 1972
12th BOARD OF REPRESENTATIVES
STAMFORD, CONNECTICUT

A regular monthly meeting of the 12th Board of Representatives of the City of Stamford, Connecticut, was held on Monday, February 7, 1972, in the Board's Meeting Rooms, Municipal Office Building (2nd floor), 429 Atlantic Street.

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

INVOCATION was given by Rev. Raymond Scott, First Presbyterian Church.

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

ROLL CALL:

ROLL CALL was taken by the Clerk. There were 35 members present and 5 absent at the calling of the roll. However, shortly afterward, there was a resignation and Mr. Miller arrived later in the meeting, resulting in a final roll call of 37 present and 3 absent.

RESIGNATION - JAMES P. BOYLE (R), 18th District Representative and Replacement

THE PRESIDENT read the resignation of James P. Boyle (R), 18th District Representative at this time and asked for nominations to fill the vacancy.

MR. SCHADE, remaining Representative from the 18th District, offered the name of WILLIAM F. ROWAN (R), 202 Club Road, as replacement to fill the vacancy created by Mr. Boyle's resignation. Mr. Rowan was unanimously elected as a member of the 12th Board from the 18th District.

THE PRESIDENT administered the Oath of Office to Mr. Rowan, who thereupon assumed his seat as a Member from the 18th District.

MR. BOCCUZZI, Chairman of the Fiscal Committee, asked the President to name a replacement for Mr. Boyle on his Committee.

MR. COLASSO, Chairman of the Sewer Committee, also requested that the President name a replacement on his Committee for Mr. Boyle.

THE PRESIDENT referred these to MR. MORRIS, Minority Leader, to name the replacements.

COMMITTEE REPORTS:

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

STEERING COMMITTEE REPORT
Meeting held Monday, January 24, 1972

A meeting of the Steering Committee was held on Monday, January 24, 1972 in the Board of Representatives' Meeting Rooms, Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut.

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The Meeting was called to order by the Chairman and President of the 12th Board, George V. Connors. All Members were present, with the exception of Mr. Kelly. Mr. LiVolsi, the Counsel for the Board, was also present, as were representatives from the news media.

The following matters were discussed and acted upon:

(1) Mayor's Appointments

All of the Mayor's appointments to various City Boards received to date, were ORDERED PLACED ON THE AGENDA and REFERRED TO THE APPOINTMENTS COMMITTEE:

- (2) Additional Appropriations approved by Board of Finance at their adjourned meeting held Wednesday, January 19, 1972 were REFERRED TO THE FISCAL COMMITTEE, with items in excess of \$2,000 referred to a secondary committee, and ORDERED ON THE AGENDA.

- (3) \$1,950.00 - TRANSFER TO MAYOR'S OFFICE - Code 108.5805, Performing Arts, from SUNDRIES ACCOUNT #998.0000 - For the purpose of funding the 1971-1972 Operating Budget of the Stamford Symphony Orchestra, Inc. - (Requested in Mayor's letter of 11/16/71)

(Note: See Code 725.5901 "Cultural Groups" in Operating Budget for 1971-1972 and Minutes of May 13, 1971, Page 7852 when Budget was adopted - this item was denied by the Board of Representatives on 5/13/71, but above portion approved as a transfer by Board of Finance on 12/9/71)

ORDERED PLACED ON AGENDA under FISCAL COMMITTEE

- (4) \$108,000.00 - Proposed Resolution amending 1970-1971 Capital Projects Budget by transferring above sum from Project known as "ELEMENTARY SCHOOL #3" to be used for additional parking at WESTHILL HIGH SCHOOL, by acquiring a 3 acre parcel of land from St. Leo's R. C. Church Corporation, by condemnation, if necessary (To be known as the Land Bank Account)
(Mayor's letter of 12/22/71) - (See Minutes of Sept. 7, 1971, page 7971 when this was denied)

A motion was made, seconded and CARRIED that the above item NOT BE PLACED ON THE AGENDA for the reason that it was previously rejected and is not a location that is favored by the people living in the District affected.

- (5) \$50,000.00 - CTE REVOLVING FUND - Code 108.0901 (Mayor's letter of 5/5/71) (Approved by Board of Finance 12/9/71) - (Held in Committee at Jan. 10, 1972 Board Meeting)

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

Minutes of February 7, 1972STEERING COMMITTEE REPORT (CONT'D)

- (6) Letter dated 1/12/72 from Corporation Counsel J. Robert Bromley, to George V. Connors, President, regarding a dition which transpired at the 1/10/72 Board Meeting on the \$50,000 requested for the CTE Revolving Fund and misunderstanding regarding alleged references made to an "opinion from the Corporation Counsel" on this matter.

This was discussed at some length, after Mr. Connors read the above letter to the members. MR. FOX, Chairman of the Legislative & Rules Committee, explained there was a misunderstanding on this and that the Committee intended to ask for a ruling from the Corporation Counsel, but it had not been done up to the night of the Board meeting. Further discussion on this was deferred to Executive Session.

- (7) \$115,759.00 - BOARD OF EDUCATION - Grant to be received from Federal Government, under Title IV of the Civil Rights Act of 1964 for Project EEI-71-5005, "Problems of School Desegregation" - (Deferred by Board of Finance 7/8/71, but approved 8/20/71 - This was DENIED by the Board of Representatives on Sept. 7, 1971 - See Minutes - Pages 7969-70-71 for details)

(NOTE: Corporation Counsel states in his letter to the President, dated 1/13/72 that the Board of Education has largely disbursed these funds and that the 11th Board, by adopting Resolution No. 648 on 12/8/69 has given "blanket" approval to the disbursement of these funds)

ORDERED ON AGENDA under FISCAL COMMITTEE and also REFERRED TO EDUCATION, WELFARE & GOVERNMENT COMMITTEE.

- (8) \$2,882.71 - BOARD OF EDUCATION - To be received by City from the State as 100% reimbursed Federal funds for "Consumer and Home Economics Education Program" for fiscal year 1971-1972 to cover cost of teaching equipment & supplies & travel to approved conferences, for various schools, as outlined in letter dated Oct. 28, 1971 from Helen A. Tobin, Acting Supt. of Schools - NOTE: This was deferred by the Board of Finance on 11/12/71 and approved 12/9/71 and ordered NOT placed on the Board of Representatives' Agenda by action of Steering Committee on 12/27/71.

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

- (9) Final adoption of Ordinance "Concerning Authorization of Easements from the City of Stamford to the Hartford Electric Light Company and the Stamford Water Company for the purpose of providing electrical and water distribution facilities for Elementary School #2 (Davenport Ridge Elementary School), Newfield Avenue, Stamford, Connecticut" - (Adopted for publication 1/10/72; published 1/14/72)

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STEERING COMMITTEE REPORT (CONT'D)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (10) Request in letter dated 12/11/71 for TAX ABATEMENT on second half of taxes for RECTORY for the TRINITY EPISCOPAL CHURCH located at 60 Campbell Drive, purchased July 9, 1971, being substitution for former Rectory at 1327 Rockrimmon Road - (Letter from Burt D. Millan, Treasurer, Trinity Episcopal Church, 20 Brookdale Road) - (Requires an Ordinance similar to No. 227)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (11) Proposed Ordinance under provisions of Public Act #47 - "APPROVING THE ESTABLISHMENT OF A TRANSIT AUTHORITY" - (Mayor's letter of Sept. 24, 1971 to Board and letter to PUC dated 12/20/71)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (12) Proposed Resolution "AUTHORIZING THE MAYOR OF THE CITY OF STAMFORD TO OBTAIN URBAN MASS TRANSPORTATION FUNDS FOR A TRANSIT STUDY"- (Mayor's letter of 1/19/72) - (Also before Board of Finance, but not acted upon as yet)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (13) Proposed Resolution concerning "NATIONAL FLOOD INSURANCE" - Being further assurance by Stamford as a prerequisite for insurance eligibility under Sec. 1910.3 of Dept. of Housing & Urban Development regulations for National Flood Insurance and as approved pursuant to Resolution #784 adopted by 11th Board on 11/8/71 - (Mayor's letter of 1/19/72)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (14) Proposed Resolution "CONCERNING AUTHORIZATION OF THE FILING OF AN APPLICATION TO STATE OF CONNECTICUT DEPARTMENT OF ENVIRONMENTAL PROTECTION AND TO THE U.S. DEPT. OF INTERIOR, BUREAU OF OUTDOOR RECREATION FOR A GRANT TO ACQUIRE LAND FOR PARK AND OPEN SPACE, LOCATED ON 9.7 ACRES, LEVINE TRACT (FORMERLY FINCH'S ESTATE)" - (Land located at intersection of Long Ridge, Stillwater and Roxbury Roads - Total estimated acquisition cost approx. \$322,000) - (Requested in Mayor's letter of 1/19/72)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (15) Letter to Steering Committee from Planning & Zoning Director, Walter A. Wachter, dated 1/11/72, requesting passage of an Ordinance by the Board of Representatives establishing a Flood Encroachment line for property of Anne B. Porcelli, under provisions of Special Act #768 of 1969 Legislature in order to make restrictions binding - (Also see letter dated Oct. 21, 1971 to Steering Committee from Louis J. Casale, Jr. Chairman of Flood & Erosion Control Board)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

Minutes of February 7, 1972STEERING COMMITTEE REPORT (CONT'D)

- (16) Letter dated 12/15/71 from Daniel Russbach, 17th District Representative, requesting that the Board of Representatives DECLARE A MORATORIUM ON NEW CONSTRUCTION OF APARTMENTS AND OFFICE BUILDINGS (OTHER THAN URC) UNTIL SUCH TIME AS THE SECONDARY SEWAGE TREATMENT PLANT IS COMPLETED AND WORKING PROPERLY, AND THAT NO VARIANCES BE ALLOWED TO REDUCE THE NUMBER OF PARKING SPACES PERMITTED UNDER EXISTING ZONING

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE - Also referred to the PLANNING & ZONING COMMITTEE

- (17) Proposed Resolution requesting the STERLING FARMS GOLF COMMISSION to provide a year round active recreational program, as approved by the Board of Representatives, and to provide for the abolition of the Commission if they fail to abide by this resolution after a reasonable period of time - (Presented by Anthony D. Truglia, at Jan. 10, 1972 Board Meeting and referred to the Steering Committee)

REFERRED TO LEGISLATIVE & RULES COMMITTEE - NOT ORDERED ON AGENDA

- (18) Letter dated 1/24/72 from Daniel Russbach to George Connors, President, requesting consideration to adopt an Ordinance requiring that 14 days after a Union or other employee bargaining group accepts a contract, that the contents of the contract be published, thus notifying the public before final ratification by the Board of Representatives

ABOVE ALSO REFERRED TO LEGISLATIVE & RULES COMMITTEE and PERSONNEL COMMITTEE for study and possible recommendations for Board action.
NOT ordered placed on Agenda.

- (19) Request from Daniel Russbach to change name of park in Springdale to the MICHAEL J. DROTAR PARK

Referred to the LEGISLATIVE & RULES COMMITTEE and PARKS & RECREATION COMMITTEE.
On Agenda under PARKS & RECREATION COMMITTEE.

- (20) Proposed Resolution, presented by Sidney Sherer, 16th District Representative, that the Tax Assessor's office include in their bills to taxpayers information relating to laws which grant tax relief or exemptions for citizens over 65 and Veterans

Referred to LEGISLATIVE & RULES COMMITTEE - Not ordered on Agenda

- (21) Proposed Ordinance, amending Sec. 14-2 of the Code of General Ordinances, to define "GARBAGE COLLECTION DISTRICT" to include all buildings and areas presently being serviced by city sewers and to include all future areas as soon as they become serviced by city sewers - (Introduced by Robert Exnicios, 1st District Representative)

Referred to LEGISLATIVE & RULES COMMITTEE - Not ordered on Agenda

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STEERING COMMITTEE REPORT (CONT'D)

(22) Concerning need for a local CDAP office

A great deal of discussion took place on the need for the creation of a local CDAP office. Some of the Members felt another City agency could be used as originally suggested when this was abolished.

(23) Concerning membership of Steering Committee and whether it should be increased to 20 from 17 as approved when rules were adopted at the December 1, 1971 Organization Meeting

ORDERED ON AGENDA

- (24) Suggestion made by Jeremiah Livingston, 5th District Representative, at the January 10, 1972 Board Meeting that "More positive action be instigated by the Fire Department in order to establish more training and the possible erection of a Training Tower in order to achieve such better training."

REFERRED TO HEALTH & PROTECTION COMMITTEE for study - Not ordered on Agenda

There being no further business to come before the Committee, on motion, duly seconded and CARRIED, the meeting was adjourned at 10 P.M.

GEORGE V. CONNORS, Chairman,
Steering Committee

APPOINTMENTS COMMITTEE:

Concerning Appointment of WILLIAM LANGE to BOARD OF TAX RELIEF

MR. MORRIS rose on a point of order regarding the vote taken last month on the above appointment. He said he believes that an error was made on the way this was previously voted upon. He called attention to the Rules of Order on Page 6, under "Voting", paragraph #4 where it reads: "If there is a tie, the vote shall be declared 'no election' and the Board shall proceed to vote again without requiring renomination." He said the President made the decision and he thinks it is up to him to rectify it.

MR. THEODORE BOCCUZZI said it is his contention that the appointment under the Board of Tax Relief this evening is before the Board improperly for a number of reasons. He said it is his contention (and he sought advice from legal counsel) and it is his contention, as well as the legal counsel's, that this is improperly before us - that any re-vote should have been taken that night of the Special Meeting rather than taking a re-vote this evening.

MR. MORRIS asked the President to read the Section of the Rules, dealing with voting (see above), which the President did at this time. Mr. Morris

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said that is the section he refers to and it is his contention that the President declared the man defeated, and it says right in our rules that there should have been a re-vote taken.

MR. BOCCUZZI said he disagrees with Mr. Morris' contention and contends that this is improperly before us and asked for a RULING FROM THE CHAIR.

MR. RUSSBACH said you cannot have a point of order followed by another point of order and what Mr. Boccuzzi is referring to is wholly irrelevant because that is a move to reconsider and this is NOT a vote to reconsider, which has to be done immediately at the meeting when it happens. He said this is NOT a motion to reconsider, but is a question of rules.

THE PRESIDENT said since he was the culprit, he got an opinion from the Parliamentarian at the time. He said he will take the blame for it - he erred - and would have to rule because of his mistake, that this is not properly before us. He said if anyone wants to appeal his ruling, he may do so. He said he feels that if he had been aware of all this, at the last meeting, we would have had to continue on voting until it was either won or lost.

MR. FRIEDMAN said he would think that if the President erred, now is the time to take care of it and not compound it further.

MR. EXNICIOS appealed from the Ruling of the Chair.

THE PRESIDENT said a simple majority is needed.

MR. RUSSBACH said before the vote is taken he wants to know on what basis this ruling is made - on what basis of Robert's Rules of Order he is basing his decision upon. He said he means saying that this item is not properly before this body.

THE PRESIDENT said he is going on the advice of legal counsel.

MR. HEINZER asked if this item is in Committee.

MR. BOCCUZZI said it has to go before the Steering Committee and then be referred to the Appointments Committee first.

After some further debate, MR. TRUGLIA MOVED THE QUESTION, which was seconded and CARRIED. He also requested a roll call vote.

MR. MILLER arrived at this time, changing the roll call to 37 present and 3 absent.

The Clerk called the roll. The President's ruling was upheld by a vote of 21 no and 15 yes, it being explained that a "no" vote supports the Chair and a "yes" vote is opposed to the Chair's ruling. The vote was as follows:
(The President not voting)

Minutes of February 7, 1972THOSE VOTING IN FAVOR

EXNICIOS, Robert (R)
 FORMAN, Barbara (R)
 FLANAGAN, William (R)
 FRIEDMAN, Bertram (R)
 HEINZER, Charles (R)
 IACOVO, James (R)
 MORRIS, Thomas (R)
 PONT BRIANT, Lois (R)
 ROOS, John (R)
 ROWAN, William (R)
 RUSSBACH, Daniel (R)
 RUSSELL, George (R)
 SCHADE, Richard (R)
 SHERMAN, Edith (R)
 TRESSER, Michael (R)

THOSE VOTING IN OPPOSITION

BOCCUZZI, John (D)
 BOCCUZZI, Theodore (D)
 CAPORIZZO, William (R)
 COLASSO, John (D)
 FOX, Gerald (D)
 GAMBINO, Philip (D)
 GUROIAN, Armen (D)
 KELLY, Stephen (D)
 KNAPP, Warren (D)
 LAITMAN, Marilyn (D)
 LENZ, Frederick (D)
 LIVINGSTON, Jeremiah (D)
 MILLER, Frederick (D)
 MORABITO, Joseph (D)
 PERILLO, Alfred (D)
 RAVALLESE, George (D)
 ROSE, Matthew (D)
 RYBNICK, Gerald (D)
 SHERER, Sidney (R)
 TRUGLIA, Anthony (D)
 WALSH, Peter (D)

MR. THEODORE BOCCUZZI continued with his Committee report. He said the Committee met on Thursday, January 27th and present were Representatives John Boccuzzi, Armen Guroian, Frederick Lenz, George Ravallesse, Sidney Sherer, Daniel Russbach, Michael Tresser and Barbara Forman. He reported on the following. He said two appointments were held in Committee - the appointment of Rev. William Thomas (R) as a Member of the Human Rights Commission and that of Richard Jones (R) as a Member of the Board of Ethics. The appointments voted upon are listed below and the vote on each appointment:

COMMISSION ON AGING:Term Ending:

DR. BERNARD FRIEDMAN (R)
 1 Strawberry Hill Court
 (reappointment)

VOTE: 35 yes
 1 no

Dec. 1, 1974

DR. NEIL KLEIN (R)
 31 Strawberry Hill Avenue
 (reappointment)

" 35 yes
 1 no

Dec. 1, 1974

FAIR RENT COMMISSION:

PATRICK QUIGLEY (R)
 65 Autumn Lane

" 32 yes
 4 no

Dec. 1, 1976

Minutes of February 7, 1972PATRIOTIC & SPECIAL EVENTS COMMISSION:

STEPHEN VITKA (R)
101 Barrett Avenue
(replacing Elfrieda Brocklehurst
whose term expired)

VOTE 32 yes
5 no

Dec. 1, 1973

** GOLF AUTHORITY:

GEORGE COHEN (R)
293 Club Road
(reappointment)

" 22 yes
13 no

Jan. 1, 1975

JOHN KEENAN (R)
89 Pine Hill Avenue

" 24 yes
12 no

Jan. 1, 1975

**** Created under provisions of Public Act #460, 1965 General Assembly
and Ordinance #136**

FISCAL COMMITTEE:

MR. RAVALLESE MOVED to take up Item #14 at this time for the reason that people were waiting in the audience to hear the vote on this matter. Seconded and CARRIED

MR. JOHN BOCCUZZI presented his Committee report. He said his Committee met the evening of February 2, 1972 and present were the following: Chairman John Boccuzzi, Lois Pont Briant, Robert Exnicios, Bertram Friedman, Marilyn Laitman, Jeremiah Livingston, Joseph Morabito and Gerald Rybnick. Absent were Representatives Boyl and Mrs. Kim Varney.

He reported on the following:

- (14) \$15,000.00 - Resolution No. 800 - Amending 1971-1972 Capital Projects Budget by adding a project to be known as "REHABILITATION AND REFURBISHING OF ROGERS SCHOOL" and appropriation of \$15,000 therefor -
(Mayor's letter of 12/27/71) (REDUCED by Board of Finance from \$50,000 requested)

MR. BOCCUZZI MOVED for approval of the following resolution. Seconded by Mrs. Sherman. CARRIED UNANIMOUSLY:

RESOLUTION NO. 800

AMENDING 1971-1972 CAPITAL PROJECTS BUDGET BY ADDING A PROJECT TO BE KNOWN AS "REHABILITATION AND REFURBISHING OF ROGERS SCHOOL" AND APPROPRIATION OF \$15,000.00 THEREFOR

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford, in accordance with provisions of Sec. 611.5 of the Stamford Charter, to approve an amendment to the 1971-1972 Capital Projects Budget, Board of Education, for the addition of funds in the amount of \$15,000.00 for Project to be known as "REHABILITATION AND REFURBISHING OF ROGERS SCHOOL" and appropriation of \$15,000.00 therefor.

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- (1) \$1,950.00 - TRANSFER TO MAYOR'S OFFICE - Code 108.5805, Performing Arts, from SUNDRIES ACCOUNT #998.0000 - For the purpose of funding the 1971-1972 Operating Budget of the Stamford Symphony Orchestra, Inc. - (Requested in Mayor's letter 11/16/71) - (See Code 725.5901 "Cultural Groups" in Operating Budget for 1971-1972 and Minutes of May 13, 1971, page 7852 when Budget was adopted)

MR. BOCCUZZI MOVED for approval of the above request. He explained that this group has been in operation for some 20 years and have never before sought aid from the City for money and usually obtain funds from donations, selling advertisements and programs and from private donations. However, he said this year the orchestra is reorganizing and setting up a new Board, new President, etc. and haven't had time to set up their committees to solicit funds to run their programs. He said they are going to give three concerts and will be giving away some 200 to 250 free tickets. He said they are requesting city assistance this year for the coming three concerts. Seconded by Mr. Kelly.

MRS. LAITMAN spoke in favor of this request, saying their concerts are an asset to the City.

MR. RUSSELL spoke in favor of the motion.

MR. ROOS also spoke in favor of the request.

VOTE taken on above motion and CARRIED with two "no" votes.

- (2) \$35,537.82 - REGISTRARS OF VOTERS, covering the following: (Mayor's letter of 1/5/72)

Code 102.5102 - Making New Voters -----	\$965.81
Code 102.5106 - Enrollment List -----	8,000.00
Code 102.5104 - Municipal Election -----	26,582.01
	<u>\$35,537.82</u>

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

- (3) \$4,558.00 - DOG WARDEN - Covering the following: (Mayor's letter 12/29/71)

Code 520.0102 - Part time help -----	\$3,900.00
" 520.0103 - Overtime -----	100.00
" 520.0501 - Telephone & Telegraph -----	250.00
" 520.0901 - Special Professional Services ---	750.00
" 520.2102 - Dues & Subscriptions -----	8.00
" 520.5205 - Special Supplies - Food -----	500.00
	<u>\$5,508.00</u>
Less transfer from other accounts -----	950.00
(See Mayor's letter for details) -----	<u>\$4,558.00</u>

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MR. BOCCUZZI MOVED for approval of the above request. He explained that when the Committee met with the representative from the Dog Pound that this is the first year they have been in operation and it was hard to know in advance just what their budget was going to be and it was strictly an estimate when their budget was set up.

MR. ROSE said the Health & Protection Committee also concur with this item and seconded the motion. CARRIED unanimously.

- (4) \$2,500.00 - POLICE DEPARTMENT - Code 530.5205, Special Supplies
(For replacement dog to keep K-9 Corps up to strength of two dogs) - (Mayor's letter of 12/14/71)

MR. BOCCUZZI MOVED for approval of the above request. Seconded by Mr. Rose, who said the Health & Protection Committee concurs. CARRIED.

- (5) \$450.00 - HEALTH DEPARTMENT - Code 510.2501, Uniforms for Nurses
(Mayor's letter of 1/6/72)

MR. BOCCUZZI MOVED for approval of the above request. Seconded by Mr. Kelly and CARRIED.

- (6) \$1,290.00 - HEALTH DEPARTMENT - Code 510.2201 - New Equipment -
(To replace two typewriters, an adding machine and a portable radio which have been stolen - Mayor's letter 12/29/71)

MR. BOCCUZZI MOVED for approval of the above request. Seconded and CARRIED with two "no" votes.

- (7) \$24,000.00 - HEALTH DEPARTMENT - Code 108.0901, Drug Liberation Program - (Mayor's office Code Number) - (Mayor's letter 11/17/71)

MR. BOCCUZZI MOVED for approval of the above request. Seconded by Mr. Rose, who said the Health & Protection Committee concurs.

MR. BOCCUZZI said this is a group that is trying to coordinate all of the drug programs and the Committee did not meet with the representatives of the Health Department due to a little misunderstanding as to the night of their meeting. He said some of the members of the Fiscal Committee met with them this evening, but not all of the members, and those who did, voted favorably on this matter. He said we already voted in favor of this money once to this group and at that time there were some "strings" attached because it was going to be a joint effort between Greenwich, Darien, New Canaan and Stamford. He said the "strings" were that if the other three towns didn't come up with their proper share that they could not use the money appropriated by Stamford. Since that time, he said, the Board of Finance has voted to take off the "strings" and the Fiscal Committee has also voted to take off the "strings". He said Greenwich is putting in \$60,000 for a drug program and are going to work with this Drug Liberation Program and want to go a little further within their own City. He said Darien has come up with their fair share and

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so far New Canaan hasn't voted to come up with their share, but they feel that as long as Darien and Greenwich have met their share, and the Board of Finance has agreed to take the "strings" off and it will benefit the City of Stamford, a quorum of the Fiscal Committee has also agreed to approve the appropriation.

MR. FRIEDMAN said he notices that this matter has also been referred to the Drug Abuse Committee. He said due to the fact that this Committee is not represented on the Steering Committee, they did not receive proper notification of this matter prior to this meeting. However, he said they did have a little unofficial Committee Meeting with the Fiscal Committee this evening and he hopefully assumes that the Drug Abuse Committee concurs.

MACHINE VOTE taken and LOST by a vote of 23 in favor and 12 opposed.

THE PRESIDENT said a two-thirds vote is needed, so therefore the above motion is LOST.

- (8) \$9,000.00 - Proposed Resolution amending 1969-1970 Capital Projects Budget, for item known as "COVE DAM REPAIRS" by transferring \$9,000.00 to the 1970-1971 Capital Projects Budget, Dept. of Public Works, item known as "Sanitary Landfill" in order to issue a change order to contractor now constructing the Magee Avenue Bulkhead for the purpose of dismantling barges on City property -

(As outlined in correspondence between Mayor, Commissioner of Public Works and Louis Casale, Jr., Chairman of Flood & Erosion Control Board, dated 12/8/71 and 1/3/72)

(Note: Approved by Board of Finance on 1/19/72 subject to a statement from the Corporation Counsel that this is abandoned property subject to removal by the City without liability)

The above matter was held in Committee.

- (9) \$25,000.00 - DEPARTMENT OF PUBLIC WORKS - Code 653.0000 Repairs
(Mayor's letter of 12/27/71)

The above matter was held in Committee

- (10) \$105,380.00 - BOARD OF EDUCATION - Grant to be received from State of Connecticut as additional ADM Aid as a result of the Governor's Executive Order #7, adjusting ADM Aid from \$200 per pupil to \$205 per pupil, the total being computed locally on the ADM figure of \$21,076 multiplied by the \$5 additional Grant - (See letter from Acting Supt. of Schools Helen A. Tobin, dated 12/15/71)

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

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MR. EXNICIOS spoke in opposition to the motion. He said he believes that every member of this Board has said publicly and privately that this money is coming in to our City of Stamford into our General Fund and they are now asking us to appropriate it to them. However, he said, he agrees with the thought at the time of our budget hearings, we did set a per pupil dollar number and give them that, but we did at that time give them a total figure of Twenty-Three Million odd Dollars. At that time they were told that it was incumbent on them to re-allocate the \$23,000,000 to take care of their needs for the coming fiscal year regardless of what the State gave us. At that fiscal meeting they told us that they thought the State would give the City \$220 and that we would automatically turn over the extra \$20 per pupil to them. However, they gave only \$5 extra and they (the Board of Education) are now looking for that and they have, in effect, already reallocated money that they did not have. He said he does not think that this Board can continue being continuously ignored by the various departments of the City of Stamford. Otherwise he said, he can see no reason for this Board to continue spending their time in meeting every month - we pass resolutions that no one pays any attention to - we approve money in budgets which is promptly reallocated and spent when it's not there. He said we have already spent over \$60,000 here tonight and have other items coming up and yet everyone on this Board keeps saying "Keep the taxes down and this \$105,380.00 IS the taxpayers' money and is going into the General Fund where it belongs. He urged disapproval of the request for additional money.

MRS. SHERMAN urged approval of the request because the Board of Education is hurting very badly financially and the children in our schools are not even getting the proper supplies.

MRS. PONT BRIANT said it is her understanding that the teachers have informed their pupils that there will not be any more pencils or pens. She said she objects to this sort of thing as it seems to be strictly a public relations item such as cutting out football and sports last year.

MR. RUSSBACH said he thinks the point that should be looked into is the fact that the Board of Education deliberately and knowingly overspent their budget which is in violation of the Charter. He said he questions how they spend their money - for instance, they came in last year with a request for \$250,000 for substitute teachers, and this Board balked, but later on they "found" the money for the substitute teachers, and also appropriated \$49,000 for the Arthur B. Little Company to do a study, which will probably result in the justification for the hiring of more employees. He said they also spent \$27,000 for trees in front of the Stamford High School, for what purpose he does not know; also some \$90,000 which Mrs. Pont Briant mentioned, for recreation, which they said they were going to cut out, but later on they "found" this money also. He said this action about the pencils, pens, erasers and paper clips is merely a fraud and a sham in order to come in and get more money out of the City. He said they were given \$23,000,000 and should live within it.

MRS. LAITMAN said she has heard that supplies are available and doubts that the Board of Education charges for pencils at a nickel a shot. She

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said the Arthur D. Little study is not yet available and from all reports, when it comes out, there will be some very interesting recommendations made, including perhaps, reorganization of the staff and the Board, which many people feel is needed. She said she does support the request.

MR. MORABITO said he will make it brief - that he concurs with Mr. Russbach and Mr. Exnicios.

THE PRESIDENT called for a vote. There being some doubt on the voice vote, he took a machine vote with a vote of 14 yes and 19 no. He declared the motion LOST and said it requires a two-thirds vote to carry.

- (11) \$2,265.00 - BOARD OF EDUCATION - To be received from State of Connecticut as 100% prepaid State funds under State Aid for Disadvantaged Children to continue SADC Project P-135-4 "Remedial Reading" in eligible non-public schools for the 1971-1972 fiscal year - (In accordance with Resolution #648 adopted by 11th Board of Representatives on 12/8/69 - See Page 7028 of Minutes) - See letter from Acting Supt. of Schools, Helen A. Tobin, dated 12/15/71)

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

- (12) \$432,318.00 - BOARD OF EDUCATION - To be received from State of Connecticut as 100% prepaid Federal Funds under Title 1, Elementary and Secondary Education Act, to continue Project 135-2 "Aspiration Education" for the 1971-1972 fiscal year - (Also in with Resolution No. 648 adopted by previous 11th Board on 12/8/69) - (See letter from Acting Supt. of Schools, Helen A. Tobin, dated 12/15/71)

MR. BOCCUZZI MOVED for approval of the above request. He explained this program has been in the school system since 1965 and there are 840 students in the program. Seconded by Mr. Miller, who reported that the Education, Welfare and Government Committee concurs in approval. CARRIED with two "no" votes.

- (13) \$200.00 - BOARD OF FINANCE - Code 150.2201 - To purchase two filing cabinets given to Auditors for their use while working on audit - urgently needed - (Mayor's letter of 1/19/72)

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

- (14) - NOTE: This matter was taken up as the first Order of Business under the Fiscal Committee.

- (15) \$50,000.00 - CTE REVOLVING FUND - Code 108.0901 - (Mayor's letter 5/5/71) (Approved by Board of Finance 12/9/71) - (Held in Committee at January 10, 1972 meeting)

MR. BOCCUZZI said this was held in Committee last month. He said the Fiscal Committee met again with members of the CTE and had a new resolution drawn up and had some amendments put on it by the Fiscal Committee and also have a

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resolution from CTE which was incorporated into the over-all resolution. He requested a reading of the resolution, or at least the parts which are new. He called on Mrs. Pont Briant to read the resolution which she did at this time.

She read one sentence which was added at the end:

"This revolving fund shall be in the nature of an interest free loan, returnable to the City upon demand. The Committee on Training and Employment shall render an account of the use of said Revolving Fund upon demand of the Commissioner of Finance. (old)

".....who may audit Committee on Training and Employment records upon reasonable notice to the Committee on Training and Employment. (new)

"BE IT RESOLVED that the Stamford Commissioner of Finance, or his designee, be informed of approved programs for CTE, INC., but for which funds have not yet arrived upon presentation to the Commissioner of an executed contract, or other document, certifying Federal or State approval and Committee on Training and Employment testifying through written statements from the Finance Committee that money has not yet been received. He may, after being satisfied that such requirements have been met, authorize withdrawal from the Revolving Loan Fund for such programs, and

"BE IT RESOLVED, that upon receipt of money from said Federal or State Grants, the amount of money borrowed from the Revolving Fund shall be replaced within fifteen (15) days or no future monies from said Revolving Fund shall be drawn upon. Failure to replace money will be considered a breach of agreement and the City of Stamford will demand that CTE will return the full amount of \$50,000 within sixty (60) days, and

"BE IT FURTHER RESOLVED by acceptance of said funds by the Committee on Training and Employment, it is also an acceptance of the terms and conditions of this resolution."

MR. BOCCUZZI explained that what the Committee tried to do here was make this palatable to CTE and also to the City of Stamford.

MR. FOX, Chairman of the Legislative & Rules Committee, to whom this had also been referred, said they met on this matter and approved the original resolution and recommend it for adoption.

MR. MILLER, Chairman of the Education, Welfare & Government Committee, to whom this was also referred, said his Committee met again concerning this item. He said they met with Mr. Brown of CTE and voted to approve the item, but did not vote to approve it with all of the qualifications which Mrs. Pont Briant has just read.

MR. LIVINGSTON spoke in favor of the Revolving Fund in order to end the vicious cycle of poverty and welfare and to help these people become self supporting.

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MRS. LAITMAN spoke in favor of the appropriation.

MR. MORABITO said he want to know who approved the spending of this money and as a member of the previous Board, he does not recall ever giving approval of this. He said he wants to know how the Board of Education received permission from this Board, when the funds were DENIED.

MR. HEINZER said the 11th Board voted for approval of Resolution No. 648 on 12/8/69, which gave the Board of Education permission to apply for Grants whenever they felt they needed such Grants without the Board of Representatives having to approve each one separately. He said it was on the basis of that resolution only that they applied for this Grant.

MR. MORABITO said that does not answer his question. He said it is his understanding that once a Grant has been received, we, as a Board, have to vote on whether that money can be spent or not.

MR. HEINZER said that is what we are being asked to do tonight.

MR. MORABITO said his question is: "How did the Board of Education -- or rather who gave the Board of Education permission to spend this money?" He said he knows he, as a Member of the 11th Board, did not vote to give them this permission to go ahead.

MR. HEINZER said that is kind of a moot question because the Board of Education has dollars and cents in their Budget and can very well say that they have advanced money from their Budget to pay for part of the initial phases of this until the Board of Representatives approve it and take the risk that this Board won't approve it and then, of course, they would have lost that much from their budget. He said as far as spending these dollars, it is pretty hard to say which dollars are which.

MR. MORRIS said he is unable to follow this line of reasoning because the 11th Board of Representatives DENIED this money on September 7, 1971. He said he also recalls another time when the Steering Committee did not put this on the Agenda. He said he is sure that the Board of Education was well aware that this money was denied to them.

MR. EXNICIOS said this Board DENIED these funds on September 7, 1971 and then they went ahead and spent the money.

MR. BOCCUZZI said he wants to make it clear that the reason they turned down the appropriation back in September 1971 was because they were not satisfied with some of the names on the Task Force and it wasn't turned down because they felt that it was not of value to the City. He said he wants to make this quite clear.

MR. EXNICIOS said that may have been Mr. Boccuzzi's reason for it but when 40 Members vote against something, they may have their own reasons for so doing. He said the thing that bothers him is that this Board is being ignored and whether this Board is right or wrong, it is their right

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and responsibility and they have been elected by the people of Stamford to act on these things - and this Board has the right to either approve or to deny and they DID vote to DENY and the Board of Education ignored their action and then went ahead and spent the money illegally. He said whatever portion of this money has been spent by the Board of Education they have to return to the Federal Government out of their budget. He said he thinks this is irresponsibility, because they did ignore this Board and now they are coming back for the money.

He quoted from the letter of January 13, 1972 from the Corporation Counsel that he felt we should, since we have sort of committed ourselves by letting them apply for the Grant under the provisions of the Resolution #648, that we should now give them the money. However, he (the Corporation Counsel) said that we didn't have to do so. He said the last paragraph of this resolution says:

"That it be further resolved that this Board of Representatives reserves unto itself the right to revoke this entire resolution, authorization and commitment at ANY TIME upon written notice to the Board of Education, without revocation."

He said he feels we are definitely on proper grounds in turning this down and the Board of Education definitely stepped out of bounds and ignored the Board of Representatives and this Board has got to stand up for their rights or otherwise the Board of Representatives is wasting a lot of time each month in meeting.

MR. BOCCUZZI said he does not believe that the Board of Education went out and applied for the Grant without having some authority to back them up and it was Mr. Heinzer who gave them that authority to go ahead and apply for the Grant. He said Mr. Heinzer ruled that that Resolution gave them the power to go ahead and apply for the Grant even though they had been turned down by the Board of Representatives when they DENIED this on September 7, 1971. He said he does not think they went out and applied for the Grant without having some authority to do so.

After considerable further debate, MR. ROSE MOVED THE QUESTION. Seconded and CARRIED.

VOTE taken on the motion to approve the \$115,759.00 for the Board of Education. VOTE: 20 yes and 13 no. THE PRESIDENT declared the motion LOST - requires a two-thirds vote.

MR. EXNICIOS MOVED to SUSPEND THE RULES in order to vote to rescind Resolution No. 648. Seconded and LOST by a vote of 21 yes and 12 no (requires a 2/3rds vote). (Machine vote taken)

(17) \$2,882.71 - BOARD OF EDUCATION - To be received by City from the State as 100% reimbursed Federal funds for "Consumer and Home Economics Education Program" for fiscal year 1971-1972 to cover cost of teaching equipment & Supplies & Travel to approved conferences, for various schools, as outlined in letter dated Oct. 28, 1971 from Helen A. Tobin, Acting Supt. of Schools - NOTE: Deferred by Board of Finance on

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11/12/71 and approved 12/9/71 and ordered NOT placed on Board of Representatives' Agenda by action of Steering Committee on 12/27/71)

MR. BOCCUZZI MOVED for approval of the above request. Seconded by Mr. Exnicios.

MR. MILLER said the Education, Welfare & Government Committee concurs in approval. CARRIED unanimously.

(18) \$108,000.00 - Proposed Resolution amending 1970-1971 Capital Projects Budget by transferring above sum from Project known as "ELEMENTARY SCHOOL #3" to be used for additional parking at WESTHILL HIGH SCHOOL, by acquiring a 3 acre parcel of land from St. Leo's R.C. Church Corporation, by condemnation, if necessary (To be known as the Land Bank Account) (Mayor's letter of 12/22/71) - (See Minutes of Sept. 7, 1971, Page 7971 when this was denied)

MR. BOCCUZZI said he has one item in Committee and his Committee voted to take the above matter out of committee in order to bring it on the floor for a vote.

MR. HEINZER rose on a POINT OF ORDER and said a suspension of rules is necessary to bring this on the floor.

MR. BOCCUZZI said this is in his Committee and he wishes to bring it out.

MR. HEINZER disagreed, saying it does not appear on the Agenda and therefore requires suspension of the rules to bring it on the floor, and this has never been done without first requesting suspension of the rules.

MR. BOCCUZZI insisted that this has been referred to his Committee and they therefore have the right to bring it on the floor.

THE PRESIDENT said Mr. Boccuzzi is correct.

MR. HEINZER said he disagrees.

MR. RUSSELL MOVED FOR SUSPENSION OF THE RULES in order to save time. Seconded and CARRIED with several "no" votes.

MR. HEINZER called for a division. Machine vote taken and CARRIED by a vote of 29 in favor and 7 opposed.

MR. BOCCUZZI spoke in favor of the appropriation and said it is imperative that parking be provided at this school. He said the Fiscal Committee met and agreed that the City may go into friendly condemnation on this property and they approved this item and HE SO MOVED. Seconded.

MRS. PONT BRIANT said she does have a resolution which was submitted to the 11th Board and is three pages long and this Board does not have the resolution. She asked if the Board wants her to read the Resolution.

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MR. SHERER MOVED that copies be made of the Resolution and placed on each member's desk for the next meeting.

THE PRESIDENT said "that's fine, but we want to vote on it tonight".

MRS. PONT BRIANT asked if Mrs. Laitman (a new member), has the Resolution, which she said she has. Mrs. Pont Briant said then all the new members have received the Resolution and under date of December 17th, it was mailed out to all Board Members.

THE PRESIDENT called for a VOTE of those in favor of dispensing with the reading of the Resolution. CARRIED.

THE PRESIDENT asked if there was any comment on the appropriation.

MR. HEINZER said the history of this goes back a long way - much further than this Board, or the previous Board - to the time when the Finch property was purchased as a possible site for a high school. He said at that time the people in his District wanted to make sure that if the school was built that it would front on Long Ridge Road and NOT Roxbury Road and incidentally the school was built facing Long Ridge Road and not Roxbury Road, the reason being that they hoped to avoid a traffic problem adjacent to the Roxbury Elementary School and in the local neighborhood and over to Riverbank and try to keep the traffic from the school on Long Ridge Road. He said subsequent to that various people have had contact with school boards which change, and the question has always come up and they have always received assurances from the School Board that the traffic WOULD be on Long Ridge Road. Now, he said, at the last moment we find all of this traffic pouring out on to Roxbury Road at the school, making a tremendous traffic hazard which they are willing to accept until such time as Long Ridge Road is widened, but when Long Ridge Road is widened, they would like to have the traffic go on Long Ridge Road. He said St. Leo's property is a large corner piece and what they are asking is that the school Board NOT take the piece which fronts on Roxbury Road, but rather the other corner of the property which fronts on Long Ridge Road, so that in the future, when Long Ridge Road is widened, we can have a proper traffic flow there.

He said this battle has raged for a long time and now he is disappointed that this was placed in Committee at the last Steering Committee Meeting and NOT ordered on the Agenda and that action was taken seemingly unilaterally (he not being consulted) and certainly everyone knows that he was in the middle of this "battle" and yet the Chairman of the Fiscal Committee did not even notify him that this was even going to be discussed, so that they would not be able to hear his argument and only listened to one side of the question and did not hear from the Representative of the people who are most concerned up there.

He requested from the Board Members that they do him the favor, for his constituents, of REJECTING this matter so that the school Board can then come back with the proper piece of land in order to obtain a better traffic flow up there.

MR. SHERER said that the last time this \$108,000 "nut" came up, he

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requested that the Board vote against it and he is now asking the Board to vote against it again. He said although it is true that \$108,000 has been allocated to buy this property which will have to go to condemnation and whenever anything goes to condemnation it always reverts back to the Courts who have always seen fit to give the Seller anywhere from 15% to 20% above the condemnation price.

MR. TRUGLIA wanted to know how after all this time we could have goofed to find that we are now short 3 acres of land and what happened to the "experts" who were supposed to be involved in this "boondoggle".

MR. MILLER said last Thursday evening his Committee - Education, Welfare & Government - discussed this matter with the President of the Board of Education in anticipation that this might come up tonight under suspension of the rules, and approved it.

MR. FRIEDMAN spoke in favor of the purchase of this land. He said there are now approximately 470 parking stalls to handle a daily influx of 130 teachers and administrators and roughly 1800 students, which proves to be adequate on a day to day basis. He pointed out that the Auditorium of the school will seat 1500 and the Gymnasium which will seat 2500, are now about to be completed and it is imperative that adequate parking facilities be provided.

MR. ROOS said if he remembers correctly, about three years ago, when the school was in the planning stage, we had an agreement in regard to an exchange of property and there was to be such an exchange for land fronting on Long Ridge Road and now that is suddenly changed and he thinks that is what the planners were figuring on.

MR. EXNICIOS said he just wants to point out two things just to clarify the matter. He said he has a letter dated July 29, 1968 which was written to Dr. Nemoitan who was President of the Board of Education at that time and it comes from James Sotire who was Chairman of the school building committee and the letter refers to the need for additional off-street parking stalls at the "proposed Third High School" when this school was in the planning stages. In the letter he also mentions that parking should be provided before final plans are completed, so the Board of Education at that time must have been well aware of the need for additional parking spaces back in 1968. He said the Board of Education did have many discussions with the Bishop and nothing concrete came out of it until 1971, so this proves that the Board of Education was well aware of the problem and was trying to do something about it.

He said he also wishes to stress that this at the moment, is not costing the taxpayers any additional money, because it is not an appropriation but is a TRANSFER of funds only, and will have no impact on our present tax rate.

MRS. PONT BRIANT said as Chairman of the Fiscal Committee of the previous 11th Board, this came up for discussion over a period of 7 to 8 months and the Committee made several trips up to the property. She said regardless of who is at fault, the fact remains that there are no parking spaces available on the present site and are very much needed in order to open and fully

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operate this school, and at this point with the price of land going up all the time, this should be resolved now because it has been bandied about too long.

MR. KNAPP said he has in his possession a deed for approximately 13 acres of the property in question which he got from the Office of the City Clerk. He said on May 29, 1964, St. Leo's bought this property at approximately \$13,900 an acre and right now they are asking \$36,000 an acre over a period of about 8 years. He said he thinks this is an exorbitant amount of money and if you check into the Grand List you'll find they were not taxed on anywhere near \$36,000 an acre.

MR. BOCCUZZI said he want to correct the impression that St. Leo's is asking for \$108,000 but this figure merely represents what the City of Stamford is offering for this land.

MR. KNAPP said he understands this, but his point is there is no guarantee that the City is going to be paying \$36,000 an acre, but may end up paying a whole lot more, which still only cost them \$13,900 an acre.

MRS. PONT BRIANT said this back up what she has been saying - that the longer we wait the more it is going to cost.

MR. RUSSBACH MOVED THE QUESTION. Seconded and CARRIED.

MR. RUSSELL asked if this is a TRANSFER and the President said "this is correct".

MR. RUSSELL asked what is the vote required - "is it a two-thirds vote or a majority vote"?

THE PRESIDENT said a two-thirds vote is required.

A machine vote was taken. THE PRESIDENT said the vote was 19 yes and 15 no and was LOST.

LEGISLATIVE & RULES COMMITTEE:

MR. FOX presented his Committee report. He said they met both before and after the Special Meeting called for the evening of January 31, 1972 with all Members present.

- (1) Final adoption of Ordinance No. 231 - "CONCERNING AUTHORIZATION OF EASEMENTS FROM THE CITY OF STAMFORD TO THE HARTFORD ELECTRIC LIGHT COMPANY AND THE STAMFORD WATER COMPANY FOR THE PURPOSE OF PROVIDING ELECTRICAL AND WATER DISTRIBUTION FACILITIES FOR ELEMENTARY SCHOOL 2 (DAVENPORT RIDGE ELEMENTARY SCHOOL), NEWFIELD AVENUE, STAMFORD, CONNECTICUT - (Adopted for publication 1/10/72; published 1/14/72) - (Mayor's letter of 11/23/71)

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

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ORDINANCE NO. 231 SUPPLEMENTAL

CONCERNING AUTHORIZATION OF EASEMENTS FROM THE CITY OF STAMFORD TO THE HARTFORD ELECTRIC LIGHT COMPANY AND THE STAMFORD WATER COMPANY FOR THE PURPOSE OF PROVIDING ELECTRICAL AND WATER DISTRIBUTION FACILITIES FOR ELEMENTARY SCHOOL 2 (DAVENPORT RIDGE ELEMENTARY SCHOOL), NEWFIELD AVENUE, STAMFORD, CONNECTICUT

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

In conformity with Section 488 of the Stamford Charter and notwithstanding any provisions of Chapter 2, Section 2-24 to 2-27 inclusive of the Code of General Ordinances of the City of Stamford, the following easements:

To the HARTFORD ELECTRIC LIGHT COMPANY - Map entitled

"Easement Covering - Electric Underground Facilities on the Property of the City of Stamford for Davenport Ridge Elementary School, Newfield Avenue"

To the STAMFORD WATER COMPANY - Map entitled

"Site Plan - Utilities Elementary School 2 Stamford, Connecticut"

which maps are to be filed in the office of the Town Clerk of said City of Stamford, are hereby authorized for the purpose of providing electrical and water distribution facilities for Elementary School 2 (Davenport Ridge Elementary School).

The Mayor of the City of Stamford is hereby authorized and empowered to act for the City of Stamford and to execute and deliver all documents necessary to grant the easements aforesaid.

- (2) Final adoption of Ordinance No. 232 - "CONCERNING HUBBARD HEIGHTS MUNICIPAL GOLF COURSE AND STELLING FARMS MUNICIPAL GOLF COURSE" in order to allow exemption from provisions of Sec. 21-14 of Code of General Ordinances - (Mayor's letter of 12/21/71) - Approved for publication at 1/10/72 Board meeting; published 1/14/72

MR. FOX MOVED for final adoption of the following Ordinance. Seconded by Steve Kelly who said his Committee - Parks & Recreation Committee - concurs in approval. He seconded the motion.

MR. FOX said he must submit, however, that some of the Members of his Committee did not concur in approval - Mr. Heinzer, Mr. Miller and Mr. Knapp.

There was considerable debate at this point, after which MR. IACOVO MOVED THE QUESTION.

A VOIE was taken on final approval of the following Ordinance. CARRIED

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by a machine vote of 27 in favor and 9 opposed:

ORDINANCE NO. 232 SUPPLEMENTAL

CONCERNING HILBARD HEIGHTS MUNICIPAL GOLF COURSE AND STERLING FARMS MUNICIPAL GOLF COURSE

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

In accordance with the provisions of Section 21-14 of the Code of the City of Stamford, dealing with the exception from the provisions of the said section relative to intoxicating liquor being sold or consumed on municipally-owned property, the Hilbard Heights Municipal Golf Course and Sterling Farms Municipal Golf Course are hereby specifically exempt and excepted from the provision of said Section 21-14.

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

(3) Request in letter dated 12/11/71 for TAX ABATEMENT on second half of taxes for RECTORY for the TRINITY EPISCOPAL CHURCH located at 60 Campbell Drive, purchased July 9, 1971, being substitution for former Rectory at 1327 Rockrimmon Road - (Letter from Burt D. Millan, Treasurer, Trinity Episcopal Church, 20 Brookdale Road)

MR. FOX said the above matter is being held in committee, pending receipt of an Ordinance.

(4) Proposed Ordinance under provisions of Public Act #47 - "APPROVING THE ESTABLISHMENT OF A TRANSIT AUTHORITY" - (Mayor's letter of Sept. 24, 1971 to Board and letter to PUC dated 12/20/71)

The above was held in committee.

(5) Resolution No. 801 - "AUTHORIZING THE MAYOR OF THE CITY OF STAMFORD TO OBTAIN URBAN MASS TRANSPORTATION FUNDS FOR A TRANSIT STUDY" - (Mayor's letter of 1/19/72)

MR. FOX explained that Mr. Weber appeared before the committee and advised them that the funds for the transit study are necessary as soon as possible in order to get this under way to protect bus transportation in the city. He said whether we go ahead with the transit Authority depends in great measure on what the actual results of this study are, and that is the reason No. 4 was held in Committee.

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

RESOLUTION NO. 801

AUTHORIZING THE MAYOR OF THE CITY OF STAMFORD TO OBTAIN URBAN MASS TRANSPORTATION FUNDS FOR A TRANSIT STUDY

WHEREAS, the City of Stamford desires to obtain funds for an Urban Mass Transportation Study and Transit Study; and

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WHEREAS, the City of Stamford will be the sponsor of said Study; and

WHEREAS, the City of Stamford will supply one-third of the costs of said Transit Study which costs will be in the form of in-kind services; and

WHEREAS, two-thirds of the costs of said Transit Study will be paid by the Tri-State Regional Planning Commission.

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

1. That the Mayor of the City of Stamford is hereby authorized to take the necessary steps to contract with the Tri-State Regional Planning Commission for said Transit Study.
2. The Mayor is authorized to sign any and all pertinent documents necessary to effectuate said Transit Study.

- (6) Resolution No. 802 - "NATIONAL FLOOD INSURANCE" - Being further assurance by Stamford as a prerequisite for insurance eligibility under Section 1910.3 of Dept. of Housing and Urban Development Regulations for National Flood Insurance and as approved pursuant to Resolution #784 adopted by 11th Board on 11/8/71 - (Mayor's letter of 1/19/72)

MR. FOX MOVED for approval of the following resolution. He explained this is necessary in order for us to receive full benefit from the National Flood Insurance program of the Federal government. He said Mr. McEvoy of the City administration appeared before their committee and explained the need for this, which has already been approved by the previous Board in many of its important points. He said the Committee recommends this for the Board's approval. Seconded and CARRIED unanimously:

RESOLUTION NO. 802NATIONAL FLOOD INSURANCE

WHEREAS, National Flood Insurance is available through the Federal Insurance Administration of the United States Department of Housing and Urban Development; and

WHEREAS, the City of Stamford has been established as a floodline community; and

WHEREAS, the City of Stamford is committed to protect residents and businessmen in floodline areas; and

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WHEREAS, the Board of Representatives of the City of Stamford passed, by unanimous vote, Resolution No. 784 authorizing the Mayor to apply for National Flood Insurance; and

WHEREAS, The Federal Administrator has replied to the Mayor's application with a request for additional legislation by the Board of Representatives of the City of Stamford; and

WHEREAS, such additional legislation is a prerequisite for National Flood Insurance and is consistent with the expressed and implied land use and control measures of the City of Stamford,

NOW, THEREFORE, be it resolved that the Planning Board take into consideration the land use and control measures of Section 1910.3 of the Department of Housing and Urban Development regulations for National Flood Insurance.

Be it further resolved that the City shall take such other official action as may be reasonably necessary to carry out the objectives of the National Flood Insurance Programs. Such action will include:

- a. Assisting the National Flood Insurance Administrator at his request, in delineating the limits of areas having special flood hazards on available local maps of sufficient scale to identify building sites.
- b. Providing information as the Administrator may request concerning present uses and occupancy of the flood plain area.
- c. Maintaining for public inspection and furnishing upon request information on elevations, in relation to mean sea level, of the lowest floors of all new or substantially improved structures in areas having special flood hazards.
- d. Cooperating with Federal, State and local agencies which undertake to study, survey, map and identify flood plain areas, and cooperating with neighboring communities with respect to management of adjoining flood plain areas.

- (7) Proposed Resolution "CONCERNING AUTHORIZATION OF THE FILING OF AN APPLICATION TO THE STATE OF CONNECTICUT DEPARTMENT OF ENVIRONMENTAL PROTECTION AND TO THE U. S. DEPT. OF INTERIOR, BUREAU OF OUTDOOR RECREATION FOR A GRANT TO ACQUIRE LAND FOR PARK AND OPEN SPACE, LOCATED ON 9.7 ACRES, LEVINE TRACT (FORMERLY FINCH'S ESTATE)" -- (Land located at intersection of Long Ridge, Stillwater and Roxbury Roads - Total estimated acquisition cost approximately \$322,000) - (Requested in Mayor's letter of 1/19/72)

MR. FOX said this is being held in Committee. He explained the reason for

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holding this in committee is because further study is needed - that there are a number of parties who wish to be heard on the matter, both the Home Owner's Associations in the area and the owner of the land itself, who wished to be heard by the Committee and they felt it only right to hear from him.

- (8) Letter to Steering Committee from Planning & Zoning Director, Walter A. Wachter, dated 1/11/72, requesting passage of an Ordinance by the Board of Representatives establishing a Flood Encroachment line for property of Anne B. Porcelli, under provisions of Special Act 768 of the 1969 Legislature in order to make restrictions binding - (Also see letter dated Oct. 21, 1971 to Steering Committee from Louis J. Casale, Jr., Chairman of Flood & Erosion Control Board)

MR. FOX said this is being held in Committee. He said he has been contacted by the Flood & Erosion Board and they want more time to set new encroachment lines in this matter and to study the ones they have already set.

- (9) Letter dated 12/15/71 from Daniel Russbach, 17th District Representative requesting that the Board of Representatives DECLARE A MORATORIUM ON NEW CONSTRUCTION OF APARTMENTS AND OFFICE BUILDINGS (OTHER THAN URC) UNTIL SUCH TIME AS THE SECONDARY SEWAGE TREATMENT PLANT IS COMPLETED AND WORKING PROPERLY, AND THAT NO VARIANCES BE ALLOWED TO REDUCE THE NUMBER OF PARKING SPACES PERMITTED UNDER EXISTING ZONING

MR. FOX said the above matter is also being held in committee because the subject is rather a broad one and they felt it would be better to subdivide it into various sections - one of which will be a resolution to go to the Zoning Board, which they will present at the next meeting and the others are presently being worked on. He said Mr. Russbach fully approves of the action taken by the Committee.

HEALTH & PROTECTION COMMITTEE:

MR. ROSE, Chairman, presented a progress report at this time. He said his Committee held two meetings following the last Board Meeting on Monday, January 6, 1972. He said the first meeting was held Friday evening, January 21, 1972 in the Democratic Caucus Room. He said the purpose of this meeting was to discuss the problem of well water being contaminated with salt in wells located in the vicinity of Hunting Ridge Road. He said the members present were: Michael Trasser, William Flanagan, Thomas Morris, Gerald Rybnick and the Chairman, Matthew Rose. He said absent members were: Philip Gambino and Steve Kelly. Also present were Mr. King from the Mid-Ridge Civic Association, Walter Maguire, Commissioner of Public Works, Patrick Scarella, Supt. of Highways and Dr. Gofstein, City Health Director.

MR. ROSE said because the problem was so very complex, it is being held in Committee for further study. However, he said the Committee does recommend that a shed be built for the storage of salt, which would stop the melting of salt when it rains by keeping it under cover.

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MRS. PONT-BRIANT asked for the record to show that the two Representatives from the 20th District were also present at the meeting.

PLANNING & ZONING COMMITTEE:

MR. RUSSELL, Chairman, reported that his Committee met on Friday, February 4th and the Members present were: Messrs. Colasso, Guroian, Tresser, Russell and Roos. Absent, Mr. Morabito.

Ordinance CHANGING THE NAME OF A PORTION OF FOREST LAWN AVENUE TO "WEST FOREST LAWN AVENUE"

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

ORDINANCE NO. 233 SUPPLEMENTAL

CHANGING THE NAME OF A PORTION OF FOREST LAWN AVENUE TO WEST FOREST LAWN AVENUE

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

A portion of the following street, formerly known as "Forest Lawn Avenue", and running Westerly from Washington Boulevard for approximately 175 feet, shall be changed to "WEST FOREST LAWN AVENUE".

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

PARKS & RECREATION COMMITTEE:

MR. KELLY, Chairman, presented his Committee Report. He said a meeting of the Committee was held this evening prior to the Board Meeting.

(1) COVE ISLAND YACHT CLUB, INC. - Theft and damage to property

MR. KELLY said the police are cruising in and out of this area every night and they are doing their best to prevent further vandalism. He said cuts in this year's Budget have prevented the Park Commission from keeping a policeman on duty for a longer period of time.

(2) Resolution No. 803 - TO CHANGE NAME OF CITY PARK NOW KNOWN AS "SPRINGDALE PARK" TO THE "MICHAEL J. DROTAR PARK"

MR. KELLY said they have a request from Daniel Russbach, 17th District Representative on the above matter. HE MOVED for approval of the following resolution. Seconded by Mr. Russbach and CARRIED unanimously:

RESOLUTION NO. 803

CHANGE NAME OF CITY PARK NOW KNOWN AS "SPRINGDALE PARK" TO "THE MICHAEL J. DROTAR PARK"

WHEREAS, the Park Commission of the City of Stamford, Connecticut, has

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recommended that the Park now known as "Springdale Park" bounded by Hope and Mead Streets and Oenoke Place, be designated as "MICHAEL J. DROTAR PARK";

NOW, THEREFORE, BE IT RESOLVED that the Park now known as "SPRINGDALE PARK" be hereinafter designated as "THE MICHAEL J. DROTAR PARK" with the inclusion of the playground under the same name MICHAEL J. DROTAR PARK.

(3) Ragweed Pollen Beds at the Hubbard Heights Golf Course

MR. KELLY reported the receipt of a letter from Dr. Monroe Coleman, who states that the Park Commission is the only Agency that can correct this problem which is the reason for one of his patient's severe asthma attacks and requests that they try to eliminate the offending ragweed. Mr. Kelly said he spoke to Mr. Connell, who asked him to bring the complaint to the next meeting of the Park Commission and they would take the matter up at that time.

(4) Concerning Paddle and Tennis Fees

MRS. PONT BRIANT asked the Committee to look into getting a reduction of this \$5.00 fee. She said she feels it is exorbitant.

MR. HEINZER rose on a POINT OF ORDER. He said this is not on the floor and we shouldn't be discussing it.

(5) Concerning use of I.D.Cards

MR. EXNICIOS said he would like for Mr. Kelly and his Committee to look into the question of the Park Commission discontinuing the use of the I.D.Cards and asked if he would ask Mr. Connell to have the Park Commission reconsider their decision on discontinuing the use of the I.D.Cards at Cove Island. He said he believes the small amount of money expended for the use of these I.D.Cards is well worth it and we must keep at least one good beach for the use of the residents.

THE PRESIDENT suggested that all these matters be brought before the Steering Committee as they do not appear on the Agenda.

EDUCATION, WELFARE & GOVERNMENT COMMITTEE:

MR. MILLER, Chairman, said he has already reported on action taken by his Committee, but would like to note that the Committee met twice; first on January 26th and those who attended were: Mrs. Sherman, Mr. Livingston and Mr. Iacovo and the Committee met again on February 3rd with the same members present with the exception of Mr. Iacovo.

SPECIAL COMMITTEES:

HOUSE COMMITTEE

MR. RYBNICK said Mr. Sherer was kind enough to ask for an appropriation for the House Committee last month and would like to extend the privilege to him to speak on this matter again this month.

MR. SHERER MOVED that the House Committee be given \$3,000 for funds to run those projects that are necessary for this Board of Representatives. He said the reason he makes this proposal is that there are monies needed by this Board in order to run their business and that entails a myriad of things - stationery, placques for automobiles and even for coffee. Seconded.

MR. HEINZER said he does not believe we can appropriate money that way and that what Mr. Sherer would want is that this be included by vote of this Board in our Budget.

THE PRESIDENT explained that the proper way to do this is to submit it to the Mayor in budget form; the Mayor initiates the request for an appropriation to the Board of Finance and to the Board of Representatives.

MR. HEINZER asked why this cannot be made a part of the Board's budget.

THE PRESIDENT said he thinks it is better to make it a separate request for a special appropriation.

MR. RYBNICK said he has already asked for a Code number to be assigned to his Committee and all he is asking Mr. Sherer to do is to present a motion which he has now done, requesting the President to present to the Mayor a request for this appropriation to be processed in the usual fashion as all special appropriations are presented by various departments.

THE PRESIDENT called for a vote on the motion. CARRIED unanimously.

MR. RUSSBACH, as a member of the House Committee, said he wished to bring something on the floor.

REPRESENTATIVE FROM STATE TAX DEPARTMENT USING REPUBLICAN CAUCUS ROOM

MR. RUSSBACH said apparently a representative from the State Tax Department has usurped our private Caucus Room. He said not only did they not receive permission from this Board as a whole - but he questions the fact that he does not know of any Legislative Body that allows its private facilities to be usurped without its permission and used for a great length of time, starting today and dating through April 15th.

MR. RUSSBACH MOVED that this Board DENY permission for the State Tax Department to use our Caucus facilities until such time as they come in with a proper request to this Board and it has been approved by this Board through its House Committee and by the Board as a whole. He said the Caucus Room is filled with boxes, a typewriter and an adding machine, which takes up a lot of room. He said he understands what they are trying to do and agrees with it in principle, but as far as space goes, there are other spaces available that they can use rather than usurping the Board's facilities. He said he thinks it is starting a bad precedent for the private Caucus Rooms of the City's legislative body to be used for a period of two and one-half months without its permission. Motion seconded.

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THE PRESIDENT said he gave them permission - that he was asked for permission to let them use that room by the Mayor's office. He explained the job they are trying to do by helping the public, because everyone who received that Capital Gains Booklet got all upset and thought they had to pay a Capital Gains Tax. He said the reason the boxes are in there is because they are full of forms. He said maybe he was wrong in allowing them to use the Caucus Room, but he couldn't contact 40 Board members in order to get permission when they wanted to start using the room today, unless the members would want to hold another Special Board Meeting which he would be more than glad to call. He said he felt it would be foolish to call another Special Meeting just to use the room, when after all, it will be used to help the taxpayers in the City of Stamford. He said he does not think he was wrong in what he did.

MR. SHERER said no one is trying to blame the President and knows they are doing a service to the taxpayers. He said he still maintains that there is room where these people could have been housed without taking over the Legislative body's official meeting room. He said he thinks it behooves this Board to keep their Meeting Rooms for legislative business ONLY, because if we allow one in there is always somebody else or some other governmental body that would like to use our facilities and pretty soon you will find that you have no place to meet at all because someone else has taken it over.

THE PRESIDENT said he stipulated that they would have to be out of there by four o'clock every day and could only use it five days a week.

MR. RUSSBACH said he does not disagree with Mr. Connor's intent, because it was benevolent in nature, but the thing he is trying to point out is that we have adequate space in other places in City Hall or the Annex and he objects to the State Tax Department using our private facilities without the full permission of this Board and for a period of two and a half months and also sees no reason why they should be using our legislative chambers.

MR. FOX MOVED THE QUESTION. Seconded and CARRIED.

MR. MILLER asked for a clarification of what we are voting on.

MR. CONNORS said the vote is to remove the tax office from the Caucus Room and a "no" vote is to keep them here.

MR. BOCCUZZI asked if we have the right to throw them out.

MR. TRUGLIA said he thinks it might be wise to consider giving these people a few days to find other quarters.

MR. FOX asked when these people are leaving and was told April 15th.

MR. EXNICIOS rose on a POINT OF ORDER. He said he thought we voted to move the question.

THE PRESIDENT called for a vote and asked if anyone wants to put an amendment on to the motion.

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MR. TRUGLIA started to present an amendment to the motion.

MR. EXNICIOS said he rises on a POINT OF ORDER - we have already moved the question and let's take a vote on it.

THE PRESIDENT called for a vote on the motion, and that a vote of "no" is to allow them to stay.

MR. KNAPP asked if he is correct in his assumption that if we turn this down, then we can entertain another motion immediately thereafter, giving these people a specific time to vacate. Several members said this is not correct.

MR. RUSSBACH said his motion was simply to ask the State Tax Department to vacate our quarters until such time as they come into this Board for written permission to use these facilities for a prescribed period of time.

Machine vote taken - the President explained the vote - everyone in favor of keeping the State Tax people here to vote "yes" and all those opposed to vote "no".

VOTE TAKEN on the machine - result 15 "yes" and 21 "no". THE PRESIDENT said this allows the State Tax Department to remain.

MR. RUSSBACH MOVED that the State Tax Department be moved to the Democratic Caucus room. He added a personal remark.

MR. BOCCUZZI asked Mr. Russbach's remark be struck from the record. Seconded and CARRIED.

SPECIAL COMMITTEE TO INVESTIGATE TOWN FAIR TIRE CENTER:

MR. RUSSELL, Chairman, reported that the Committee met on Wednesday, January 19, 1972 at 7.30 P.M. in the Democratic Caucus Room and the following members were present: Representatives Colasso, Guroian, Morabito, Roos, Tresser and Russell. Also present for certain periods of the meeting were Representatives Lois Pont-Briant, Mr. John Boccuzzi, Warren Knapp and Anthony Truglia.

He said the Committee invited those Members of the public who requested this investigation, or who wished to present certain charges to appear before the Committee. He said several hours of testimony and questioning was heard and collected and the Committee agreed to hear, at a later date, members of the Zoning Board and those involved with the original application and the final decision, as well as the applicant.

He said the next meeting will be held this Wednesday evening, February 9th, at 8 P.M. in the Democratic Caucus Room in order to continue the investigation. He said the Committee plans to complete this investigation this month and will report its findings to the Board at its regular March meeting.

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RESOLUTIONS:

Resolution No. 804 - IN APPRECIATION FOR COOPERATION BY ARTHUR NORMAN WITH THE BOARD OF REPRESENTATIVES OF THE CITY OF STAMFORD DURING MR. NORMAN'S TENURE AS EXECUTIVE DIRECTOR OF THE STAMFORD CHAMBER OF COMMERCE

MR. FOX introduced the following resolution and MOVED for its adoption. Seconded and CARRIED unanimously:

RESOLUTION NO. 804

RESOLUTION IN APPRECIATION FOR COOPERATION BY ARTHUR NORMAN WITH THE BOARD OF REPRESENTATIVES OF THE CITY OF STAMFORD DURING MR. NORMAN'S TENURE AS EXECUTIVE DIRECTOR OF THE STAMFORD CHAMBER OF COMMERCE

WHEREAS, Arthur Norman of 61 Pembroke Drive, in the City of Stamford was, for eighteen years, the Executive Director of The Stamford Chamber of Commerce; and

WHEREAS said Stamford Chamber of Commerce at many and divers times concerned itself with public issues and had cause to work with this Board and the Members thereof; and

WHEREAS, throughout this period said Arthur Norman represented the interests of the said Stamford Chamber of Commerce while, at the same time, cooperating fully with the legislative body of this City towards achieving the ends of said Stamford Chamber of Commerce:

NOW THEREFORE, BE IT RESOLVED by the Board of Representatives of the City of Stamford that the Board does hereby recognize and does hereby state its appreciation for the long and sustained cooperation of said Arthur Norman with this and previous Boards of Representatives during his tenure with the said The Stamford Chamber of Commerce in achieving the ends of said organization.

OLD BUSINESS:

TO INCREASE MEMBERSHIP ON STEERING COMMITTEE FROM 17 TO 20 MEMBERS
(See Minutes of 1/10/72 - Page 8096 -- Membership increased from 15 to 17 Members at Dec. 1, 1971 Organization Meeting of 12th Board -- Membership on 11th Board: 15 Members)

MR. FOX called attention to the fact that at the January meeting this Board voted against increasing the Steering Committee to 20 Members from 17. He said apparently there are three members on the Steering Committee now who are not authorized to be on that Committee.

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MR. FOX MOVED to increase the size of the Steering Committee to 20 Members. Seconded and LOST by a vote of 12 in favor and 20 opposed. (Requires a vote of two-thirds to change rules.)

NEW BUSINESS:CONCERNING APPOINTMENT OF A SPECIAL INVESTIGATING COMMITTEE ON METHOD OF RE-APPRAISAL, UNDER SECTION 204.2 OF THE CHARTER

MR. RAVALLESE MOVED for the appointment of a Special Investigating Committee to conduct an investigation as to the methods of the recent property re-assessment.

He said he wants to know how they arrived at such a high market value for residential property when 1971 was a very bad year in the property market for residential property. He said he has been sitting in with those property owners bringing appeals from their assessments and said many people felt they were way out of line. He requested this Board appoint a Committee to conduct a thorough investigation as to the way in which these reappraisals were arrived at.

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

MR. KNAPP objected to waiting for the next meeting of the Steering Committee and urged that something be started as quickly as possible and said he feels that the basic guidelines used by the Assessor's office were unequal and discriminatory and in the interests of the taxpayers we must initiate this investigation at once and make every possible effort to resolve any differences.

MR. GUROIAN said we have had an extraordinary ruling handed down by the Corporation Counsel on this matter which he feels is to the detriment of meting out some semblance of justice to the taxpayer. He said he supports the motion to call for an investigation.

MR. RUSSELL said he feels it is unfortunate to ask for an investigation under these conditions. He said to ask for an investigation as to the way the re-appraisal was done would have merit, but objects to the political presentation of it and under those conditions could not support it.

MR. TRUGLIA said he is pleased with the request for an investigation, particularly in regard to the Corporation Counsel's ruling and knows that he used to be a member of this Board and was quite capable, but in this case does not agree with him.

MR. MORABITO said he would approve an investigation of the reappraisal on a non-partisan basis and is sure that both Republicans and Democrats were over-assessed.

THE PRESIDENT said he will get together with the Majority Leader and the Minority Leader and have a special committee appointed, because under Section 204.2 of the Charter an investigating committee must be bi-partisan.

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MR. MORRIS said the company doing the reappraisal has to be sitting there and it would be ridiculous if they weren't, because they are the ones who appraised the property and they should be there when the property owners came in to protest their reappraisal.

MR. SCHADE said he supports the motion for a non-partisan investigation.

MR. KNAPP said he supports a non-partisan committee to conduct the investigation, because the homeowners are composed of both political parties as well as some independents. He presented a petition signed by over 750 people who have sent in letters and signed coupons for use of the Board Members to find out who in their Districts have signed this petition.

VOTE taken on the appointment of a non-partisan investigating committee under the terms of Section 204.2 of the Charter. CARRIED unanimously.

CONCERNING PORNOGRAPHIC MATERIAL BEING SOLD AT A NEIGHBORHOOD STORE

MR. COLASSO brought up the above matter and asked that something be done about it.

THE PRESIDENT suggested that he present this at the next meeting of the Steering Committee so that it can be referred to the Health & Protection Committee to look into and refer this to the Health Department to crack down on them.

CONCERNING INDOCTRINATION OF BOARD MEMBERS

MR. GUROIAN said he protests the manner in which acceptance and passage of SWRPA funds have been handled. He said he objects to the calling of small groups of Members of this Board into the Mayor's office for "indoctrination" and feels it is demeaning. He said he feels that if the Mayor wishes to speak on behalf of SWRPA then he should address the Board as a body and not individually.

MR. MORRIS said he would like to know what "favors" the Mayor offered. He said he thinks a man has the right to try and explain his side of the picture, but he would like to know what "favors" he is supposed to have offered.

MR. GUROIAN said he did not mention any "favors".

MR. MORRIS said he objects to the Board of Representatives getting into the middle of every problem in the City and that he feels that when a problem arises, the department or Board involved should be the one to be notified and to handle the problem. He said if there is no law, what is this Board expected to do about the Health Department.

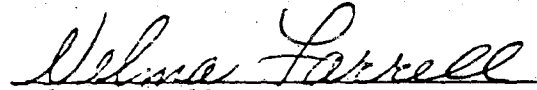
MR. COLASSO said he did notify the Detective Bureau today and that he was told that the laws protect this particular establishment, but he feels

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that if this Board can do something about it, they should be at least try.

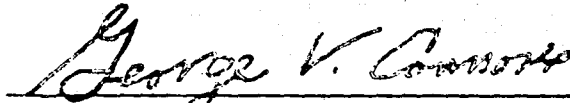
ADJOURNMENT:

There being no further business to come before the Board, on motion, duly seconded and CARRIED, the meeting was adjourned at 1 A.M.



Velma Farrell

Administrative Assistant (Recording Secretary)

APPROVED:

George V. Connors, President
12th Board of Representatives

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