

MINUTES OF JULY 10, 1972  
12th BOARD OF REPRESENTATIVES  
STAMFORD, CONNECTICUT

The 12th Board of Representatives of the City of Stamford met in regular session on Monday, July 10, 1972, in the Board's Meeting Rooms, Municipal Office Building, 2nd floor, 429 Atlantic Street, Stamford, Connecticut.

The meeting was called to order at 9.05 P.M., after a Caucus by the respective parties, by the President, George V. Connors.

INVOCATION was given by Rev. William Howie, Bible Protestant 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 37 present and 3 absent. The absent Members were:

George E. Russell (R) 17th District  
 Edith Sherman (R) 11th District  
 Anthony D. Truglia (D) 5th District

MAYOR'S ANNUAL MESSAGE - 1971-1972 fiscal year. (In accordance with Section 303.1 of the Stamford Charter)

Mayor Julius Wilensky was escorted to the podium at this time.

MAYOR JULIUS M. WILENSKY presented his Annual Message. For the reason that all Board Members were furnished with copies, it is not included in the Minutes.

CHECK OF VOTING MACHINE:

THE PRESIDENT conducted a check of the voting machine which appeared to be in good working order.

ACCEPTANCE OF MINUTES - Meeting of May 12, 1972  
 Meeting of June 5, 1972  
 Meeting of June 12, 1972

The Minutes of the above meetings were accepted with the following corrections:

Page 9236 - Minutes of June 5, - top of page where Mr. Boccuzzi makes reference to a Grant of \$800,000 for the Sewage Treatment Plan - change this to read: \$8,000,000 and the 10% of that is \$800,000.

" 9189 - Minutes of May 12th - where Mrs. Forman asks for a point of information as to whether we have a local legal Aid Society and was told that we do. She determined that this was not so later and does not know who supplied this information. She said in the future on all points of information that the name of the person who gave it be included

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in the Minutes so that the responsibility for wrong information can be pinpointed. (NOTE: This information was furnished by the President).

COMMITTEE REPORTS:

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

STEERING COMMITTEE REPORT  
Meeting held June 26th, 1972

A Meeting of the Steering Committee was held on Monday, June 26, 1972 in the Board of Representatives' Meeting Rooms, Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut.

The Meeting was called to order at 8 P.M. by the Majority Leader Anthony D. Truglia in the absence of the President and Chairman, who was unable to attend.

All Members were present with the exception of Mr. Connors, Ted Boccuzzi and Robert Exnicios.

(1) Mayor's Appointments:

All of the Mayor's appointments to various City Boards, received to date were ORDERED ON THE AGENDA under the APPOINTMENTS COMMITTEE, as well as one appointment held in Committee at the June Board Meeting.

(2) Additional Appropriations:

One request from the Board of Education for \$2,075,144 to cover the Collective Bargaining Contract for 1972-1973 fiscal year, which was held in Committee on 6/5/72 was ORDERED ON THE AGENDA under FISCAL COMMITTEE and also referred to the EDUCATION, WELFARE & GOVERNMENT COMMITTEE.

All other fiscal items approved by the Board of Finance in June were ORDERED ON THE AGENDA and referred to the FISCAL COMMITTEE, with items in excess of \$2,000 referred to secondary committees.

(3) \$120,147.92 - POLICE DEPARTMENT, as listed below: (Mayor's letter dated 3/8/72) -- (Partially approved on 4/13/72)

Code 530.0103 Overtime -----	\$71,561.18
" 530.0110 Holiday Time -----	48,586.74
	<u>\$120,147.92</u>

The above item was NOT ordered on the Agenda as it was taken care of by transferring this to the SURPLUS ACCOUNT.

(4) \$20,000.00 - For Code 109-107 under EMERGENCY EMPLOYMENT ACT, being provision for SUMMER YOUTH EMPLOYMENT - (To be received as a Federal Grant sometime in August) - (See interoffice Memo to Commissioner Aretakis from Edward X. Canning,

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dated 6/19/72) - (Requires approval by the Board of Finance - No letter received from the Mayor on this, but one is supposed to be forthcoming)

## ORDERED ON AGENDA under FISCAL COMMITTEE

- (5) Final Adoption of Ordinance "AUTHORIZATION OF THE CONVEYANCE OF PROPERTY LOCATED ON HOOVER AVENUE TO ARTHUR M. COSMAS AND JANE ANN COSMAS - (Being land no longer needed for Washington Avenue Extension)-  
(Approved for publication at adjourned meeting of 6/12/72; published 6/16/72) - (See Mayor's letter of 5/5/72)

## ORDERED ON AGENDA under LEGISLATIVE &amp; RULES COMMITTEE

- (6) Final adoption of Ordinance - "PROPERTY TAX EXEMPTION FOR FIRST CONGREGATIONAL CHURCH OF STAMFORD, INC., on property purchased for Manse purposes, located at 72 Brook Run Lane, under provisions of Sec. 12-81(b) of Connecticut General Statutes" - (Requested in letter dated 4/19/72 from Daniel Miller, Attorney - Adopted for publication at adjourned meeting of 6/12/72; published 6/16/72)

## ORDERED ON AGENDA under LEGISLATIVE &amp; RULES COMMITTEE

- (7) Proposed Ordinance - "AUTHORIZATION OF COLLECTION OF SEWER CONNECTION CHARGES BY THE CITY OF STAMFORD PRIOR TO INSTALLATION OF SEWER CONNECTION" -- (Held in Committee 4/10/72, 5/1/72 and 6/12/72)

The above matter was discussed at some length, some of the Members favoring it being held in Committee and not placed on the Agenda. It was finally ORDERED ON THE AGENDA under the LEGISLATIVE & RULES COMMITTEE and left up to the Committee's discretion as to the preparation of a proper Ordinance, there being several variations of what kind of an ordinance should be proposed. It was also REFERRED TO THE SEWER COMMITTEE.

- (8) Final adoption of Ordinance concerning AMENDMENT TO MINIMUM HOUSING STANDARDS, being CHAPTER 18 OF CODE OF GENERAL ORDINANCES - (Adopted for publication on 6/12/72; published 6/16/72)

## ORDERED ON AGENDA under LEGISLATIVE &amp; RULES COMMITTEE

MR. FOX, Chairman of the Legislative & Rules Committee, reiterated what he had previously requested of the Board Members - namely, that anyone having a proposed amendment to the above Ordinance, please present it in written form in compliance with Sec. 204.1 of the Charter, in order to facilitate efficient procedure and avoid mistakes in the final adoption of this Ordinance.

- (9) REVISED FEE SCHEDULES FOR HEALTH DEPARTMENT - (Submitted by Dr. Gofstein in letter dated 2/20/72) - (Held in Committee 6/12/72)

## ORDERED ON AGENDA under LEGISLATIVE &amp; RULES COMMITTEE

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- (10) Proposed NOISE POLLUTION ORDINANCE - (Submitted in draft form, 15 pages in length, attached to letter from Dr. Gofstein 6/12/72)

Above NOT ordered on Agenda for the reason that there are State and Federal laws that govern this, which are adequate and there is no need to duplicate legislation already on the books.

- (11) Final adoption of Ordinance "AMENDING PREVIOUS ORDINANCE NO. 165 enacted June 29, 1969 pertaining to AIR POLLUTION CONTROL FOR THE CITY OF STAMFORD" - (Submitted by Dr. Gofstein in 2 letters dated 3/22/72 and 4/5/72 - Adopted for publication 6/12/72; published 6/17/72)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (12) Final adoption of Ordinance - "PROPERTY TAX EXEMPTION FOR THE STAMFORD GOSPEL TABERNACLE, INC., ON PROPERTY LOCATED ON EAST SIDE OF NEWFIELD AVENUE, ACQUIRED MAY 16, 1972, UNDER PROVISIONS OF SEC. 12-81(b) OF CONNECTICUT GENERAL STATUTES" - (Requested in letter dated 5/17/72 from Attorney Howard G. Shiffman, of law firm of Epifanio, Toohar and Shiffman) - (Approved for publication 6/12/72; published 6/17/72)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (13) Proposed Resolution - AUTHORIZING CONDEMNATION OF SANITARY SEWER EASEMENTS THROUGH AND UNDER PROPERTIES OF JOHN M. DAGNALL AND PATRICIA N. BRENNAN, SAID EASEMENTS BEING REQUIRED FOR THE COMPLETION OF SANITARY SEWER PROJECT SHIPPAN 2 - (Requested in Mayor's letter of 5/22/72)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (14) AID TO RETARDED CHILDREN - TAX EXEMPTION

MR. TRUGLIA brought the above matter up and asked that it be placed on the Agenda. SO ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (15) Notice from PUC regarding STAMFORD WATER COMPANY INCREASE IN RATES TO CUSTOMERS (Hearing to be held Monday, July 17, 1972, Room 565A, State Office Building, 165 Capitol Avenue, Hartford, Connecticut, at 10.30 A.M.)

MR. FOX, Chairman of the Legislative & Rules Committee was directed to prepare a suitable resolution to be sent to the PUC objecting to this rate increase. ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE.

- (16) LUDLOW STREET TAX ABATEMENT - Modification Agreement between the City and the Stamford Development Corporation under provisions of Ordinance No. 228, which requires 10% reimbursement of gross rents to the City (Prior approval given by the Tax Abatement Committee) - (Mayor to forward a letter to the Board of Representatives on this matter - Carbon copy of letter to the Mayor from Corporation Counsel, dated 6/27/72 received todate, enclosing a copy of the MODIFICATION AGREEMENT.)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

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- (17) Concerning request for TRANSFER OF JURISDICTION OF STEVENS SCHOOL TO DEPARTMENT OF PUBLIC WORKS UNDER PROVISIONS OF ORDINANCE NO. 144  
 (Transfer to take effect as of July 1, 1972) - (Returned to Committee on 6/5/72 by vote of 23 yes and 16 no)

ORDERED ON AGENDA under PUBLIC WORKS COMMITTEE - Also referred to the EDUCATION, WELFARE & GOVERNMENT COMMITTEE

- (18) Request from Pastor Jerry D. Lee of the Christian Fellowship S.D.A. Church, 426 Empire Boulevard, Brooklyn, N.Y. in letter dated 6/12/72 for permission to erect a tent for summer use, from July 9 through August 26, 1972 to provide a vacation Bible School, free clothing and food to the needy, and classes in basic hygiene and to meet "spiritual needs" - (Tent to be fireproof and to meet regulations of City and State of Connecticut - location not specified in letter)

For the reason that the services as specified in the above letter are already provided by the City to its citizens through other City agencies supported by taxes and under State laws and City ordinances, the above request was ORDERED NOT on the Agenda.

- (19) Petition from STAMFORD POSTAL EMPLOYEES' ASSOCIATION, dated 5/25/72, received 6/2/72, addressed to Mayor Julius M. Wilensky, requesting PARKING SPACES FOR POST OFFICE WORKERS at the RICE SCHOOL PARKING LOT now used by City employees and those using the building.

Above noted and filed.

- (20) Concerning the transfer of Secretaries and other office employees from one department to another without proper work assignment as specified under the Rules & Regulations of the Personnel Department

The above matter was brought before the Committee and after some discussion was REFERRED TO THE PERSONNEL COMMITTEE to investigate and report back their findings.

There being no further business to come before the Committee, on motion, duly seconded and CARRIED, the meeting was adjourned at 9.15 P.M.

ANTHONY D. TRUGLIA, Chairman  
 pro tempore,  
 Steering Committee

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APPOINTMENTS COMMITTEE:

MR. THEODORE LOCUSZKI, Chairman, presented his report. He said a meeting

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of his Committee was held July 6th in the Municipal Office Building and present were Representatives Guroian, Russbach, Lenz, Sherer, Tresser, Ravallese, John Boccuzzi and Mrs. Forman. He said he was absent from the meeting because of illness and the meeting was chaired by John Boccuzzi.

MR. BOCCUZZI presented the names of the following appointees submitted to his Committee by the Mayor, which appear below with votes taken on each appointment:

SEWER COMMISSION:Term Ending:

SANDY GUINTA (D) (Held in Committee 5/1/72  
79 Center Street and again on 6/5/72)  
(reappointment)

Dec. 1, 1976

MR. BOCCUZZI reported the above name is being held in Committee.

MR. GAMBINO MOVED that this appointment be brought out of Committee. Seconded by several. THE PRESIDENT took a voice vote - LOST.

MR. SHERER requested a division. A machine vote was taken and LOST by a vote of 20 opposed and 9 in favor.

ZONING BOARD OF APPEALS ALTERNATE:

ALBERT LEWIS (R) (Second submission) VOTE: 19 yes Dec. 1, 1975  
8 Dundee Road 18 no  
(Replacing John Sedlak, who became a  
regular member of the Zoning Board of Appeals

PLANNING BOARD ALTERNATE:

LLOYD NOAD (R) Dec. 1, 1975  
133 Willow Street  
(Replacing Janita Lange,  
who resigned)

The above appointment was held in Committee

FAIR RENT COMMISSION ALTERNATE:

DIANA CROUSE (R) VOTE: 30 yes Dec. 1, 1975  
27 Northhill Street 7 no  
(replacing Lloyd Noad, who  
resigned)

FAIR RENT COMMISSION:

HOPE JOHNSON (R) VOTE: 29 yes Dec. 1, 1976  
82 Old Barn Road 7 no  
(Replacing Patrick Quigley,  
who resigned)

Minutes of July 10, 1972COMMISSIONER OF PUBLIC WORKS:

JOHN COOPER (R) (Member of Mayor's Cabinet" - Term runs  
368 Haviland Road concurrently with the Mayor - Dec. 1, 1973)  
(Replacing Walter Maguire,  
who resigned)

VOTE: 29 yes  
7 no

ZONING BOARD ALTERNATE:

JOHN KETCHAM (R)  
163 Cascade Road  
(Replacing Joseph Narajka, who  
resigned)

Dec. 1, 1974

The above appointment was held in Committee

FISCAL COMMITTEE:

MR. JOHN BOCCUZZI, Chairman, said his Committee met July 5th with all Members present, with the exception of Mr. Friedman and Mr. Morabito.

MR. BOCCUZZI said he would like to notify the Board Members that on June 22, 1972 Stamford received a 10% bonus for the Sewage Treatment Plant, which Grant was originally for \$8,000,000 and now stands at Eight Million, Eight Hundred Dollars and this extra 10% was due to our paying our dues in SWRPA last year.

- (1) \$2,075,144.00 - BOARD OF EDUCATION - Appropriation to cover COLLECTIVE Bargaining contract for 1972-1973 fiscal year for TEACHERS and ADMINISTRATORS for the remainder of their two year contract - (Letter dated 5/24/72 from Dr. Reigh W. Carpenter, Supt. of Schools) - (DEFERRED by Board of Finance 6/19/72)

MR. BOCCUZZI said the above matter is being held in Committee. He explained the reason is that the Board of Finance has not yet taken action on this appropriation and it will be acted upon as soon as they have approved it.

- (2) \$7,842.00 - BOARD OF EDUCATION - To be received as a 100% prepaid Federal Grant under Title II, Elementary and Secondary Education Act, for four small reading Grants, to be distributed as follows:  
(See letter from Dr. Carpenter dated 5/11/72)

Newfield School -----	\$1,988.00
Cloonan Middle School -----	1,856.00
Roxbury School -----	2,000.00
Newfield School -----	1,998.00
	<u>\$7,842.00</u>

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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CARRIED unanimously.

- (3) \$900.00 - PROBATE COURT - Code 188.1101 - For Record Books, Maps & Library - (Mayor's letter of 5/15/72)

MR. BOCCUZZI MOVED for approval of the above request. He said it is being REDUCED from the original request of \$1,000 which appears on our Agenda. Seconded and CARRIED.

- (4) \$15,000.00 - REGIONAL LEGAL SERVICES for Stamford-Danbury-Norwalk - (Mayor's letter 6/6/72) - (DENIED by Board of Representatives in 1972-1973 Budget)

MR. BOCCUZZI said the majority of the Fiscal Committee approved this item and he MOVED for approval.

MR. MILLER said the Education, Welfare & Government Committee unanimously approved this item and seconded the motion.

MR. BOCCUZZI explained the need for these services. He said right now there are 500 outstanding cases in the City of Stamford and last year they had 2,700 cases, of which 900 were cases from the City of Stamford. He said they employ nine full time lawyers, of which five are from the City of Stamford. He said in order to receive these legal services one must have an income of \$3,000 a year or less, plus an additional \$500 for each dependent.

After considerable discussion, Mr. Iacovo MOVED THE QUESTION. Seconded and CARRIED.

MRS. LAITMAN requested a roll call vote. Enough members (one-fifth) being in favor, the following ROLL CALL VOTE was taken and CARRIED by a vote of 34 in favor and 3 opposed:

THOSE VOTING IN FAVOR

BOCCUZZI, John (D)  
BOCCUZZI, Theodore (D)  
CAPORIZZO, William (R)  
COLASSO, John (D)  
CONNORS, George (D)  
DIXON, Handy (D)  
EXNICIOS, Robert (R)  
FORMAN, Barbara (R)  
FLANAGAN, William (R)  
FOX, Gerald (D)  
FRIEDMAN, Bertram (R)  
GAMBINO, Philip (D)  
HEINZER, Charles (R)  
IACOVO, James (R)  
KELLY, Stephen (D)

THOSE VOTING IN OPPOSITION

GUROIAN, Armen (D)  
MORABITO, Joseph (D)  
RUSSBACH, Daniel (I)



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KNAPP, Warren (D)  
 LAITMAN, Marilyn (D)  
 LENZ, Frederick (D)  
 LIVINGSTON, Jeremiah (D)  
 MILLER, Frederick (D)  
 MORRIS, Thomas (R)  
 MURPHY, William (D)  
 PERILLO, Alfred (D)  
 PERKINS, Billie (R)  
 PONT BRIANT, Lois (R)  
 RAVALLESE, George (D)  
 ROOS, John (R)  
 ROSE, Matthew (D)  
 RYBNICK, Gerald (D)  
 SCHADE, Richard (R)  
 SHERER, Sidney (R)  
 TRESSER, Michael (R)  
 VARNEY, Kim (R)  
 WALSH, Peter (D)

(5) \$231,000.00 - DEPARTMENT OF PUBLIC WORKS - Code 606.0609 - Snow Removal & Flood Emergency - (Mayor's letter 3/9/72)

MR. BOCCUZZI MOVED for approval of the above request. He said this covers all snow removal up to March 4, 1972 and we will be getting another request because as of March 4, 1972 we had 21.7 inches of snow. Seconded by Mr. Morabito who reported that the Public Works Committee concurs in approval. CARRIED unanimously.

(6) \$191,398.00 - DEPARTMENT OF PUBLIC WORKS for the following: (Mayor's letter 3/9/72)

MR. BOCCUZZI MOVED for approval of the following items. Seconded by Mr. Morabito who said the Public Works Committee concurs in approval. CARRIED with one no vote (Mr. Exnicios).

Code 602.0102 - Overtime Administration -----	\$5,381.00
" 602.0501 - Telephone & Telegraph -----	4,962.00
" 606.0612 - Fall Leaf Pick Up -----	30,122.00
" 618.0102 - Overtime, Maint. Sanitary Sewers -----	8,726.00
" 618.0108 - Stand-by Time -----	3,915.00
" 620.0111 - Shift Differential -----	3,564.00
" 621.0103 - Overtime, Multi-Purpose Incinerator -----	11,573.00
" 626.0103 - Overtime, Engineering -----	8,970.00
" 629.0102 - Overtime, Land & Buildings -----	5,994.00
" 616.0000 - Street Lighting -----	67,156.00
" 620.1501 - Light, Heat & Power (Incin. Sew. Treat.) -----	10,389.00
" 622.1501 - Light, Heat & Power (Pumping Stations) -----	12,000.00
" 630.1501 - Light, Heat & Power (Town Hall) -----	706.00
" 631.1501 - Light, Heat & Power (Municipal Building) -----	4,412.00
" 632.1501 - Light, Heat & Power (Yard 2) -----	1,392.00
" 633.1501 - Light, Heat & Power (Circuit Court) -----	449.00
" 634.1501 - Light, Heat & Power (Yard 1) -----	106.00

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Code 640.1501 - Light, Heat & Power (Police Building) -----	1,021.00
" 641.1501 - Light, Heat & Power (Health Building) -----	1,839.00
" 645.1501 - Light, Heat & Power (Southend Community Center) --	5,300.00
" 648.1501 - Light, Heat & Power (Rice School) -----	3,311.00
" 636.1505 - Water (Lockwood Ave. Building) -----	110.00
TOTAL -----	191,398.00

- (7) \$7,748.34 - Resolution amending the 1969-1970 Capital Projects Budget, PARKS DEPARTMENT, to utilize unexpended amount remaining in account known as "PARK DEPARTMENT - PUBLIC TOILET & FACILITIES BUILDING, CUMMINGS PARK", to be transferred to the PUBLIC WORKS DEPARTMENT, for the purpose of paying the Pimpinella Construction Co. for construction of stands, wiring and repairs to the grounds at Italian Center on occasion of President Nixon's visit in October 1970 - (Mayor's letter 3/9/72)

MR. BOCCUZZI said this was on the Agenda in error.

- (8) \$44,659.25 - CORPORATION COUNSEL - Resolution #831 - Amending 1971-1972 Capital Projects Budget to add to Project known as "HIGHWAYS-WASHINGTON AVENUE EXTENSION" - In order for the Corporation Counsel to settle cases in connection with above Project - (Mayor's letter May 11, 1972)

MR. BOCCUZZI MOVED for approval of the following Resolution. He explained that he has been informed by the Corporation Counsel that there will be some 13 or 14 more settlements before we have finished with Washington Avenue.

MR. MORABITO seconded the motion and said the Public Works Committee concurs in approval. CARRIED unanimously:

RESOLUTION NO. 831

AMENDING 1971-1972 CAPITAL PROJECTS BUDGET BY ADDING \$44,659.00 TO PROJECT KNOWN AS "HIGHWAYS - WASHINGTON AVENUE EXTENSION" FOR CORPORATION COUNSEL TO SETTLE 5 CASES IN CONNECTION WITH SAID PROJECT

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, PUBLIC WORKS DEPARTMENT, for the addition of funds in the amount of \$44,659.00 for Project known as "HIGHWAYS-WASHINGTON AVENUE EXTENSION" and appropriation of aforesaid amount therefor in order to settle the following five condemnation cases involved in the Washington Avenue Extension Project:

Richard Voore -----	\$1,225.00
Arnold Mudrow -----	900.00
Stephen Black, balance due -----	3,910.00
Nicholas P. Nanos " " -----	20,624.00
Albert Condito -----	18,000.00
Total -----	\$44,659.00

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- (9) \$90,000.00 - Resolution No. 832 - Resolution #832 - Amending 1971-1972 Capital Projects Budget by adding to Project known as "HIGHWAYS - WASHINGTON AVENUE EXTENSION" and appropriation therefor - For the Department of Public Works in order to complete the above Project - (Mayor's letter 5/11/72)

MR. BOCCUZZI explained that of this \$90,000 appropriation, \$75,000 has already been spent to cover the cost of completion of work on Waterford Lane, Scalzi Park parking, road relocation, Forest Lawn dead-end, the raised median, Second Street re-work and other items. He said \$15,000 will be needed to complete the item of dead-end turnaround at Vernon Place and Stanley Court. HE MOVED for approval of the following resolution. Seconded by Mr. Morabito who said the Public Works Committee concurs.

MR. RUSSBACH requested a report from Mr. Boccuzzi as to the total cost of these Washington Avenue projects.

MR. BOCCUZZI said he does not have this now but promised to obtain it.

The following Resolution was CARRIED unanimously:

RESOLUTION NO. 832

AMENDING 1971-1972 CAPITAL PROJECTS BUDGET TO ADD \$90,000.00 FOR PROJECT KNOWN AS "HIGHWAYS-WASHINGTON AVENUE EXTENSION" FOR DEPARTMENT OF PUBLIC WORKS TO COMPLETE PROJECT

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, PUBLIC WORKS DEPARTMENT, for the addition of funds in the amount of \$90,000.00 for Project known as "HIGHWAYS - WASHINGTON AVENUE EXTENSION" and appropriation of aforesaid amount therefor, in order to complete construction of this Project.

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- (10) \$435,780.48 - Resolution No. 833 - CONCERNING AUTHORIZATION FOR FILING OF AN APPLICATION FOR STATE ASSISTANCE IN AN AMOUNT NOT TO EXCEED \$435,780.48 TO ENABLE WAIVER OF PAYMENT IN LIEU OF TAXES, MAKING SOCIAL SERVICES PROGRAMS POSSIBLE IN STATE MODERATE RENTAL PROJECTS: (OAK PARK MR-6, WILLIAM C. WARD HOMES MR-33, VIDAL COURT MR-55, LAWNHILL TERRACE MR-68) - (Representing taxes for 1972-1973 fiscal year)  
(Requested in Mayor's letter 6/19/72)

MR. BOCCUZZI said this is not an appropriation but is merely applying for these funds. He MOVED for approval of the following Resolution. Seconded by Mr. Miller, who said the Education, Welfare & Government Committee concurs. CARRIED with three no votes.

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RESOLUTION NO. 833

CONCERNING AUTHORIZATION FOR FILING OF AN APPLICATION FOR  
STATE ASSISTANCE IN AN AMOUNT NOT TO EXCEED \$435,780.48  
TO ENABLE WAIVER OF PAYMENT IN LIEU OF TAXES, MAKING SOCIAL  
SERVICES PROGRAMS POSSIBLE IN STATE MODERATE RENTAL PROJECTS  
(OAK PARK MR-6, WILLIAM C. WARD HOMES MR-33, VIDAL COURT  
MR-55, LAWNHILL TERRACE MR-68)

WHEREAS, pursuant to Chapters 128, 129, 130, 132 and 133 of the Connecticut General Statutes, the Commissioner of Community Affairs is authorized to extend financial assistance to local housing authorities, municipalities, human resource development agencies and non-profit corporations; and

WHEREAS, it is desirable and in the public interest that the City of Stamford make application to the State for financial assistance under Section 8-216 of the General Statutes in order to undertake a program of Payment-In-Lieu-Of-Taxes and, to execute an Assistance Agreement therefor.

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

1. That it is cognizant of the conditions and prerequisites for State Assistance imposed by Chapters 128, 129, 130, 132 and 133 of the Connecticut General Statutes, especially the requirement of a Community Development Action Plan in Section 8-207 of the Connecticut General Statutes.
2. That the filing of an application by the City of Stamford in an amount not to exceed \$435,780.48 is hereby approved, and that the Mayor is authorized and directed to execute and file such application with the Commissioner of Community Affairs, to provide such additional information, to execute such other documents as may be required by the Commissioner, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an Agreement is offered, to execute any amendments, recisions, and revisions thereto, and to act as the authorized representative of the City of Stamford.
3. That in consideration of said Assistance Agreement applicant does hereby waive any payments in lieu of taxes by the housing authority to the municipality under the provisions of Section 8-71 of the Connecticut General Statutes.

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- (11) \$20,000.00 - For Code 109-107 under EMERGENCY EMPLOYMENT ACT, being provision for SUMMER YOUTH EMPLOYMENT - (To be received as a Federal Grant sometime in mid-August) - (Mayor's letter of 6/18/72) - (This also requires approval by the Board of Finance)

MR. BOCCUZZI said the Board of Finance has not yet acted on this particular

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item and if we approve it and they deny it then our action will be governed by their's. He said the reason this is being brought up tonight is that this is a program for the months of July and August which is under way at the present time. He said he received a telephone call from Mr. Aretakis, asking him if it would be right to put this on the Agenda and he told him that if he contacted the President, the Majority and Minority Leaders and the Co-Chairman of the Committee, Mrs. Pont Briant, and if it met with their approval, he would be glad to act upon it in advance of the Board of Finance. He said the Fiscal Committee approved this item, contingent upon approval by the Board of Finance. HE MOVED for approval.

MRS. PONT BRIANT said they have already hired 18 of the youths that will be used for this summer work. She seconded the motion. CARRIED.

(12) \$114,082.51 - POLICE DEPARTMENT, as listed below: (Mayor's letter of 3/8/72)

Code 530.0103 - Overtime -----	\$67,982.51
" 530.0110 - Holiday Time -----	46,100.00
	<u>\$114,082.51</u>

MR. BOCCUZZI said the above item appeared on the original tentative agenda but was left off the permanent agenda but is definitely referred to the Fiscal Committee. He said the Committee discussed this with Major McDonald, who went to the Data Processing Department and found out the exact amount of money that was expended for the fiscal year 1971-1972 and the Fiscal Committee approved this item.. HE MOVED for approval of the above request.

There was some question as to what other Committee this should have been referred to.

MR. HEINZER MOVED for SUSPENSION OF THE RULES which say an item must go to more than one committee when it is over \$2,000. Seconded and CARRIED.

VOTE taken on the question as moved by Mr. Boccuzzi. CARRIED unanimously.

SPECIAL INVESTIGATING COMMITTEE ON METHOD OF RE-APPRAISAL:

MR. RAVALLESE MOVED for SUSPENSION OF THE RULES in order to present his Committee report at this time. Seconded.

THE PRESIDENT inquired of the Chairman if this is a very lengthy report.

MR. RAVALLESE said he will merely report the findings and the recommendations of the Committee - not the entire report.

THE PRESIDENT called for a VOTE on the motion for suspension. CARRIED with one no vote.

MR. RAVELLESE presented the following:

THE FINDINGS OF THE COMMITTEE ARE AS FOLLOWS:

(a) It is very apparent to us that the taxpayers of this city were lulled into a false sense of security by this administration's statements concerning the lowering of the mill rate made prior to the convening of the Board

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of Tax Review, such as on January 3, 1972. "The reassessment program will be the best break Stamford homeowners ever had and most Stamford residents will pay lower taxes next July, 1972". At this same time a mill rate ranging from 30 to 36 mills was predicted. These statements were reported in the Stamford Advocate of January 4, 1972 with the following headline, "Homeowners Tax Break Predicted by the Administration". We feel the taxpayers really wanted to believe that the lower mill rate would be set and therefore did not turn out to appeal their reassessments en-masse as they would have if they had not been misled by these statements.

(b) It was determined the income approach was not used on all applicable commercial properties as recommended by the Committee's consultant, as well as paragraph 12 of the City's contract specifications. We feel that the income approach more properly reflects the property's true worth and should be taxed accordingly.

(c) Individual homeowners being assessed for non-existing facilities, such as pools, bedrooms, etc. give added impetus to our questioning the expertise of the field men used by the United Appraisal Company conducting the reassessment. By the Company's own admission, there was only one qualified appraiser on each team of 5 men, the rest were trainees, (i.e. college students working part time).

(d) The committee feels that land values were increased unrealistically. The up to 300% increase in land values does not reflect the true September 1, 1971 figures which were supposed to be used throughout the reappraisal.

(e) The system used for Stamford residents to appeal their reassessments worked to discourage rather than encourage them. We feel the hours and the location for said appeals were not conducive for a true turnout of concerned taxpayers.

(f) The committee found that information concerning land taking on Washington Boulevard was not passed on to the appraisal company, therefore forcing the taxpayers to prove that certain land they were being taxed for was not actually theirs.

(g) Every appraiser questioned stated there could be a possibility of anywhere from a 5 to 20% differential in appraisal valuation of a given property between various appraisers depending upon the technique used and the appraiser's judgment.

(h) The committee unanimously concurs that the attitude of the Tax Assessor toward committee members and the general public left much to be desired. It should be noted that at times he was openly hostile toward members' questioning.

(i) The committee feels the burden of additional information to the taxpayer was not properly assumed by the Tax Assessor's Office.

(j) With certain reservations, the committee feels to the best of its knowledge that generally accepted appraisal techniques were utilized.

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## THE RECOMMENDATIONS OF THE COMMITTEE ARE AS FOLLOWS:

- (1) In order to enable the taxpayers to more easily appear before the Board of Tax Review in the future, we recommend the Board of Tax Review set week-end and daylight hours, along with the usual evening hours. We also recommend the Board of Tax Review consider a more centralized location to hold their hearings where ample parking spaces would be available.
  - (2) We recommend in the future that a method of appointments with individual taxpayers be considered so that a more thorough and personalized reappraisal might be accomplished. We believe this could be accomplished street by street or district by district.
  - (3) The "burden of proof" that has been forced on the taxpayer should no longer be tolerated. We recommend that henceforth everything pertinent to a taxpayer's property (i.e. liens, notices of taking, deed restrictions, etc.) be put on the master card for each property on file in the Tax Assessor's office, to be maintained up to date at all times via a much closer liaison between the Tax Assessor, Corporation Counsel and the City Clerk's offices. The Washington Boulevard land purchases (takings) being a very high priority target in this instance.
  - (4) We recommend the Tax Assessor supply more detailed steps in the procedures to be followed in appealing a property assessment. (i.e. all aspects regarding an appeal should be outlined).
  - (5) We recommend that proper notification and information be made available to taxpayers so that they may properly appeal to the Board of Tax Review at the hearings to be held early in 1973.
  - (6) We recommend that attorneys who represent more than one client, be given specific hours, apart from those hours available to the general public, to present their clients' appeals. We feel this procedure would expedite the appeals of the individual taxpayers.
  - (7) A reallocation should be effected on commercial properties and apartment houses so that they will carry a greater share of the tax burden.
  - (8) It was established that clerical errors can be corrected at any time, and the committee recommends all taxpayers who have not done so, examine their field cards in the Tax Assessor's office in the Municipal Office Building at their convenience any week-day between the hours of 8 A.M. and 4 P.M. during July and August and 8.30 A.M. to 4.30 P.M. all other months.
  - (9) It is recommended that the Certificate of Occupancy Law to take effect October 1, 1972 be up-dated to take into consideration the zoning changes affecting land on a pro-rata basis and also include the destruction of buildings. Presently, this law only pertains to residences, and the committee believes this to be discriminatory.
  - (10) The committee recommends an examination of the "Non-taxable Property" listings on the Grand List toward the end of decreasing this figure to make the tax base more equitably distributed. We believe it is time to take a long, hard look into the more than 150,000,000 in non-taxable property listings.
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It is important to point out the following regarding the recent reassessment:

- (a) Approximately 70,855 appraisals were made.
- (b) 2,314 concerned taxpayers appeared before the Board of Tax Review.
- (c) Among the 2,314 taxpayers who appeared before the Board of Tax Review, 1,124 received reductions.
- (d) To date the number of court cases is 241.

We feel that the above facts highlight the concern of many other taxpayers who could not, for one reason or another, appeal their individual assessments. It was firmly established by the Tax Assessor, that the state statutes give him the power to make an across-the-board reduction on tax assessments.

This committee therefore unanimously recommends a 10% reduction on said assessments be made by the Tax Assessor as permitted by state statute.

Coupled with this requested reduction, greater efficiencies and budgetary controls in all departments of City Government must be adhered to in order to relieve the rising burden of taxes on our concerned citizens.

Respectfully submitted,

George Ravellese, Chairman  
Bertram Friedman  
Armen Guroian  
Warren Knapp  
Lois Pont-Briant  
Richard Schade

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MR. RAVELLESE said he was amazed at the work this Committee has done and they held over fifteen meetings. He thanked the Members of his Committee for a "fantastic job".

Some of the Board Members objected to that part of the Committee Report where it states:

"This Committee recommends a 10% reduction on said assessments by the Tax Assessor as permitted by State Statute".

for the reason that this will have no impact upon the tax rate and will only hurt the homeowner as far as the sale of his property is concerned, because the assessed value is one of the selling points used to get a higher price for your house.

MR. HEINZER MOVED that the report be accepted with thanks to the Committee for a job well done. Seconded by Mr. Morris.



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MR. KNAPP, a Member of the Committee, said they knew this reduction in the assessments could not accomplish anything this year but quite possibly might accomplish a reduction in next year's rate.

MR. ROOS said the assessments might be lower but would accomplish nothing, because the mill rate would be higher.

MR. GUROIAN, also a Member of the Committee, pointed out that the last sentence says that greater budgetary controls must be adhered to.

MR. EXNICIOS pointed out that the larger pieces of property will receive a much greater reduction, resulting in a saving to large property owners, with an increase next year for small property owners.

MR. KNAPP said the committee was told by the Tax Assessor that if they intended to give anyone a reduction that it had to be given to all and had to be an across the board reduction.

MRS. PONT BRIANT called attention to paragraph #7 under the Committee's recommendations and said the Committee feels that commercial properties should carry a greater share of the tax burden.

MRS. PONT BRIANT said the Committee consulted with the Corporation Counsel and were told that they could not discriminate against any one group, so that is the reason for the 10% across the board reduction.

A request was made for clarification of the motion as made by Mr. Heinzer.

MR. HEINZER MOVED that the report be accepted with a reservation that the Board is not unanimously in favor of the 10% reduction for the reasons given. Seconded by Mr. Exnicios and LOST.

MR. RYBNICK MOVED for acceptance of the report as presented by Mr. Ravallese. CARRIED unanimously.

THE PRESIDENT discharged the Committee with many thanks. He said we will now go back to the regular order of business.

LEGISLATIVE & RULES COMMITTEE:

MR. FOX, Chairman, said the Legislative & Rules Committee met on July 5, with the following present: The Chairman, Mr. Miller, Mr. Heinzer, Mr. Murphy and Mr. Knapp present and with the following members absent: Mrs. Sherman, Mr. Schade, Mr. Russell and Mr. Walsh.

He presented the following:

- (1) Final adoption of Ordinance No. 244 - "AUTHORIZATION OF THE CONVEYANCE OF PROPERTY LOCATED ON HOOVER AVENUE TO ARTHUR M. COSMAS AND JANE ANN COSMAS"  
(Being land no longer needed for Washington Avenue Extension) - Approved for publication at adjourned meeting of 6/12/72; published 6/16/72 - (Mayor's letter of 5/5/72)

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MR. FOX explained that this land was originally designated for condemnation and the City put up \$3,000 into an escrow account, so it is deemed unnecessary to condemn it and the City would like to get its money back.

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

ORDINANCE NO. 244 SUPPLEMENTALAUTHORIZATION OF THE CONVEYANCE OF PROPERTY LOCATED ON HOOVER AVENUE TO ARTHUR M. COSMAS AND JANE ANN COSMAS

WHEREAS, the City of Stamford partially acquired various properties for the "Washington Avenue Extension Project" in accordance with Chapter 64 of the Charter; and

WHEREAS, title to the properties acquired vested in the City pursuant to Section 643.2; and

WHEREAS, it has been determined by the City Engineer that certain properties are no longer needed for purposes of the aforesaid project, resulting from the realignment of the highway in the vicinity of Waterford Lane; and

WHEREAS, in all instances herein the properties acquired by the City were partial takes.

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

In conformity with Section 488 of the Stamford Charter, and notwithstanding the provisions of Chapter 2, Sections 2-24 through 2-27 inclusive, of the Code of General Ordinances of the City of Stamford, the conveyance of the following described property is hereby authorized to be conveyed to ARTHUR M. COSMAS and JANE ANN COSMAS without consideration therefor, to wit:

All that certain piece, parcel or tract of land situated in the City of Stamford, County of Fairfield, State of Connecticut being more particularly bounded and described as follows:

Beginning at a point on the easterly street line of Hoover Avenue as it now exists, at the division line between land of Anna W. Clarke and the herein described parcel of land, said point being further located 50.00 feet southerly from the southerly street line of Cold Spring Road as it now exists as measured along said existing easterly street line of Hoover Avenue, thence in an easterly direction along said land of Anna W. Clarke a distance of 13.709 feet to the proposed easterly street line of Hoover Avenue, thence in a general southerly direction along said proposed easterly street line of Hoover Avenue on a curve to the right the radius of which is 40.00 feet a distance of 56.009 feet more or less to the existing easterly street line of Hoover Avenue, thence in a northerly direction along said existing easterly street line of Hoover Avenue N 45° 31' 58" W a distance of 49.131 feet to the point or place of beginning being more particularly shown and delineated on Sheet No. 10 of a certain map entitled "Proposed Street Lines And Property Acquisitions Washington Avenue Improvement

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Project For The City Of Stamford, Conn." and certified substantially correct Robert L. Redniss on Oct. 16, 1969.

The above described parcel of land contains 669 square feet more or less.

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 transfer title to such properties to effect the conveyances aforesaid.

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

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- (2) Final adoption of Ordinance - "PROPERTY TAX EXEMPTION FOR FIRST CONGREGATIONAL CHURCH OF STAMFORD, INC., ON PROPERTY PURCHASED FOR MANSE PURPOSES, LOCATED AT 72 BROOK RUN LANE, UNDER PROVISIONS OF SEC. 12-81(b) OF CONNECTICUT GENERAL STATUTES" -- (Requested in letter dated 4/19/72 from Daniel Miller, Attorney) (Adopted for publication at adjourned meeting of 6/12/72; published 6/16/72)

MR. FOX said if there is no objection, this is being held in Committee. He said Mr. Miller is asking for reimbursement for back taxes and he wants to check out the dates before acceptance.

- (3) Proposed Ordinance - "AUTHORIZATION OF COLLECTION OF SEWER CONNECTION CHARGES BY THE CITY OF STAMFORD PRIOR TO INSTALLATION OF SEWER CONNECTION" - (Held in Committee 4/10/72, 5/1/72 and 6/12/72)

MR. FOX explained that the Sewer Commission sent us some months ago a proposal for the enactment of a sewer connection charge. He said the Committee has discussed this and has made certain changes to the proposal, namely, to reduce the charge itself, provided for a ten year payment period, and it calls for exemption for charitable use. He said on July 17th of this month, there is going to be a public hearing held by the Sewer Commission, in which the Legislative & Rules Committee will join and will be able to talk the matter over with the Sewer Commission and come to an understanding as to what the Committee will propose to the full Board. HE MOVED for approval for publication. Seconded and CARRIED to approve the following proposed Ordinance for publication:

PROPOSED ORDINANCE

AUTHORIZATION OF COLLECTION OF SEWER CONNECTION CHARGES BY THE CITY OF STAMFORD PRIOR TO INSTALLATION OF SEWER CONNECTION

WHEREAS, pursuant to the General Statutes of the State of Connecticut and according to the Ordinances of the City of Stamford relating to the establishment of a Sewer Commission, the Sewer Commission apportions the costs of constructing sanitary sewers among the benefitted properties, according to the number of units in existence under the Rules & Regulations of the Sewer Commission at the time of said assessment; and

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WHEREAS, from time to time, after such assessments are levied and said sewer lines are constructed, by reason of the granting of zone changes, variances and changes in the use or classification of said property, additional units are created out of the properties that have already been assessed for sewer benefits; and

WHEREAS, from time to time structures are erected, created, or changed upon such properties, creating a greater number of units upon said property, and the owners of such structures desire the privilege of connecting to or increasing the use of existing sewer lines; and

WHEREAS, such changes in the use or classification, and the greater number of units, create an additional burden upon the sewer system of the City of Stamford not contemplated when said system was constructed, and in operation, and not taken into consideration when the cost of such system was apportioned among the benefitted properties and the assessment levied; and

WHEREAS, it is the intent of the Sewer Commission of the City of Stamford to make a reasonable charge for each additional unit created or erected after a sewer assessment has been levied on this date so as to avoid any undue burden upon other property in the City of Stamford serviced by the sewer system;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

A charge shall be made for each additional unit created or erected upon property previously assessed prior to this date, which charge shall be made for the privilege of connecting to or imposing an additional burden upon a sanitary sewer line in the City of Stamford for any structure situated upon parcels against which an assessment for sewer benefits could have been levied had such additional units existed at the time of construction of such sewer line, but to which the assessment did not include the additional units because they did not exist at the time of assessment, said charge being in the following amounts for the following categories:

- (1) Connections to new sewers shall be subject to a charge of \$330.00
- (2) Connections to old sewers shall be subject to a charge of \$165.00
- (3) Connections to sewers installed to replace existing inadequate sewers shall be subject to a charge of \$247.50.

BE IT FURTHER ORDAINED that this charge is subject to the following rules and regulations of the Sewer Commission:

- (1) Nothing in this Ordinance shall be construed as to impose this charge upon parcels not abutting a sanitary sewer where additional units have been created or erected, nor to exempt such property from a future sewer assessment in the event such property is benefitted by sanitary sewer construction.
- (2) A charge shall be made for each additional unit created or erected upon property after this date, which charge shall be in the amount

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established by the Sewer Commission after each of its future sewer assessment programs, with said charge being made for the privilege of connecting to the sanitary system.

- (3) Any parcel subject to the connection charge against which an assessment was previously made shall receive credit for the number of units that existed at the time the assessment was levied, regardless of what formula the assessment against such property was based on.
- (4) This charge shall not apply to any parcel benefitted by a new sanitary sewer project upon which a sewer assessment has not yet been levied.
- (5) Any person desiring to erect or create, additional units and to connect them to the sanitary sewer system, shall notify the Sewer Commission. Upon receipt of such notification, the Commission shall inform them of the amount of their connection charge. Such charge shall be payable in equal semi-annual installments over a period of TEN YEARS (10), with the first installment being due on October 1, next, following the actual connection thereof.

Notwithstanding any provision herein to the contrary, no charge imposed by this Ordinance shall be collected from a non-profit housing organization or other eleemosynary real estate.

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

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- (4) Final adoption of Ordinance concerning AMENDMENT TO MINIMUM HOUSING STANDARDS, being CHAPTER 18 OF CODE OF GENERAL ORDINANCES - (Adopted for publication on 6/12/72; published 6/16/72)

MR. FOX said this presents a problem. He said the Minority Leader approached him with a suggestion that this item be deferred until such time as this Board could concentrate on it at either a special meeting held for the purpose, or we could find some other procedure to handle it, so that we don't end up with sitting here for several hours, with amendments flying across the room and doing what will ultimately be doing a harmful job to this Ordinance. He said he has no objection and neither to the Democrats, to deferring action on this to a special meeting.

MR. MORRIS suggested that the Board hold their Steering Committee meeting as usual, on July 24th, but hold it an hour earlier at 7 o'clock and hold the Special Meeting at 8 o'clock after the Steering Committee has met. His suggestion was approved and it was decided to hold the Special Meeting on July 24th at 8 P.M.

- (5) REVISED FEE SCHEDULES FOR HEALTH DEPARTMENT - (Submitted by Dr. Gofstein in letter dated 3/20/72) - (Held in Committee 6/12/72)

The above item was held in Committee.

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- (6) Final adoption of Ordinance No. 245 - "AMENDING PREVIOUS ORDINANCE NO. 165 enacted June 29, 1969, PERTAINING TO AIR POLLUTION CONTROL FOR THE CITY OF STAMFORD" (Submitted by Dr. Gofstein in two letters, dated 3/22/72 and 4/5/72) (Adopted for publication 6/12/72; published 6/17/72)

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

ORDINANCE NO. 245 SUPPLEMENTAL

AMENDING PREVIOUS ORDINANCE NO. 165 SUPPLEMENTAL, ENACTED JUNE 29, 1969 PERTAINING TO "AIR POLLUTION CONTROL" FOR THE CITY OF STAMFORD

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Chapter 33 of the Code of General Ordinances of the City of Stamford is hereby amended as follows:

1. By adding the following language to sub-paragraph (d) of Section 33-3 entitled "DUTIES OF DIRECTOR OF HEALTH":

The rules and regulations promulgated by the State of Connecticut Department of Environmental Protection, created under Public Act #872 of the 1971 Supplement to the Connecticut General Statutes, shall be enforced by the Director of Health. The Director of Health may adopt regulations for the control of air pollution within the territorial limits of the City of Stamford which embody those promulgated by the Department of Environmental Protection in whole or in part, or which consist of other regulations in conformity with those promulgated by the Department of Environmental Protection.

No such regulation shall be effective until 15 days after approval by the Commissioner of Environmental Protection but if the Commissioner fails to act within 60 days after submission to him, such regulations shall be deemed approved.

Reference in this paragraph to the Connecticut General Statutes shall include such amendments thereof as may be made by the State Legislature from time to time.

2. By deleting the second paragraph of Section 33-5 entitled "RECOURSE FROM ACTIONS OF THE DIRECTOR OF HEALTH" and substituting the following paragraph:

Whenever the Director of Health determines that there are reasonable grounds to believe that there has been a violation of any provisions of this ordinance or of any standards, rules or regulations in force pursuant thereto, he shall give notice of such alleged violation to the person or persons responsible therefor, as hereinafter provided. Such notice shall:

- (a) Be in writing;
- (b) Include a statement of the reason why it is being issued;

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- (c) Allow a reasonable time for the performance of any act it requires;
- (d) Be served upon the owner or his agent as the case may require; provided that such notice shall be deemed to be properly served upon such owner or agent; if a copy thereof is served upon him personally or if a copy thereof sent by Registered or Certified Mail to his last known address is received by him; or if a copy thereof is posted in a conspicuous place in or about the premises affected by the notice; or if he is served with such notice by any other method authorized or required under the laws of this State.
- (e) Contain an outline of remedial action which, if taken, will effect compliance with the provisions of this ordinance and with standards, rules and regulations adopted pursuant thereto.

3. By deleting the third paragraph of Section 33-5 entitled "RECOURSE FROM ACTIONS OF THE DIRECTOR OF HEALTH" and substituting the following paragraph:

Any person affected by any notice which has been issued in connection with the enforcement of any provision of this ordinance or of any standards, rules and regulations in force pursuant thereto may request and upon the payment of \$25.00 fee, payable to the City of Stamford shall be granted a hearing on the matter before said Board of said ordinance; provided that such person shall file in the office of the Director of Health a written petition requesting such hearing and setting forth a brief statement of the grounds thereof within twenty days after the date the notice was served. Upon receipt of such petition the Director of Health shall notify said Board and set a time and place for such hearing and shall give the petitioner five days written notice thereof.

(a) At such hearing the petitioner shall be given an opportunity to be heard in person and/or with counsel and to show why such notice shall be modified, extended or withdrawn or a variance granted.

(b) The hearing shall be commenced not later than thirty days after the day on which the petition was filed; provided that upon application of the petitioner the said Board may postpone the date of the hearing for a reasonable time beyond such thirty day period, if in its judgment the petitioner has submitted as a good and sufficient reason for such postponement, but in no event shall said hearing be postponed longer than sixty days.

Such hearing shall be had before a panel of five or more members of said Board. Said panel, by a majority vote of those present may sustain, modify or withdraw the notices; it may also grant an extension or variance in accordance with the following conditions:

- (1) The time for performance of any act required by the notices may be extended for not more than twelve months subject to appropriate conditions and where the Board makes specific findings of fact based on evidence relating to the particular case;
- (2) That there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of any provision of this ordinance; and
- (3) That such extension is in harmony with the general purpose and intent

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of this ordinance in securing the public health environment, safety and general welfare.

(4) A variance may be granted in a specific case and from a specific provision of this ordinance or of any standards, rules or regulations in force pursuant thereto, subject to appropriate conditions and where the Board makes specific findings of fact based on evidence relating to the particular case:

(1) That there are practical difficulties or unnecessary hardships in the manner of carrying out the strict letter of the provision;

(2) That the effect of the application of the provisions would be arbitrary in the specific case;

(3) That an extension would not constitute an appropriate remedy for these practical difficulties or unnecessary hardships and this arbitrary effect; and

(4) That such variance is in harmony with the general purpose and intent of this ordinance in securing the public health, environment, safety and general welfare.

4. By deleting subparagraph (h) of Section 33-11 entitled "PERMITS, APPROVAL AND REGISTRATION" and substituting the following paragraph:

(h) If applicant deems the process or the equipment to be secret, he may file, with the approval of the Director of Health, his affidavit to the effect that such equipment or process will be so used as to comply with all other provisions of this ordinance. Any permits or approvals granted to the applicant shall be made in relevance of the truth of the representations set forth in such affidavit.

Construction, installation, alteration or modification of the following shall not require plan review or registration:

(a) Any installation of heating equipment in a single or two-family residence or other building using gas No. 1 or No. 2 oil as fuel in a furnace used for building heating purposes and rated at less than 1,000,000 B.T.U. per hour capacity unless otherwise required by the Building Department.

All persons engaged in operations which may result in air pollution and who under this ordinance or other provisions of the Public Health Code are required to register the operation or obtain a permit shall file reports on forms furnished by the Department of Health at such time as the Director of Health shall determine, containing information relating to location size of outlet, height of outlet, rate and period of emission, composition of effluent, characteristics of air cleaning devices, and such other similar information as the Director of Health shall require for review.

5. By deleting in its entirety Section 33-16 entitled "CONFLICT" and substituting the following provisions:



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In the event that provisions, standards, regulations or rules, adopted under this ordinance, shall conflict with provisions, standards, regulations or rules set by the State of Connecticut Department of Environmental Protection, the more strict standard shall apply.

This ordinance, as amended, is in conformity with the terms of Section 19-520a, as amended, of the 1971 supplement to the Connecticut General Statutes and shall take effect after due compliance with its provisions.

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

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- (7) Final adoption of Ordinance - "PROPERTY TAX EXEMPTION FOR THE STAMFORD GOSPEL TABERNACLE, INC., ON PROPERTY LOCATED ON EAST SIDE OF NEWFIELD AVENUE, ACQUIRED MAY 16, 1972, UNDER PROVISIONS OF SEC. 12-81(b) OF CONNECTICUT GENERAL STATUTES" - (Requested in letter dated 5/17/72 from Attorney Howard G. Shiffman, of law firm of Epifanio, Toohar & Shiffman) - Approved for publication 6/12/72; published 6/17/72.

MR. SCHADE requested that this be returned to Committee for further information.

MR. FOX, the Chairman, asked the Speaker if there was anything specific that he needed further information on.

MR. SCHADE said he is concerned about two things - first the large amount of property that is in the tax exempt status in the City, and secondly he has heard certain things that he would rather not repeat on the floor at this point, regarding discrepancies about the land itself.

MR. FOX said he was told by the attorney representing the church that this is a three acre parcel on Newfield Avenue that has been subdivided into two lots and on one lot sits a house - an existing dwelling - which they plan to use for a parish house and is presently occupied by an individual who owned the entire tract before and he is not paying rent and must vacate before August 31st. He said the title is in the church and part of the purchase deal is that he be allowed to stay on for this period.

He said the other tract is being used for the construction of a church.

MR. SCHADE MOVED this matter be referred back to Committee. Seconded and CARRIED.

- (8) Resolution No. 834 - AUTHORIZING CONDEMNATION OF SANITARY SEWER EASEMENTS THROUGH AND UNDER PROPERTY OF PATRICIA N. BRENNAN, SAID EASEMENTS BEING REQUIRED FOR THE COMPLETION OF SANITARY SEWER PROJECT, SHIPPAN 2 - (Requested in Mayor's letter 5/22/72)

RESOLUTION NO. 834

AUTHORIZING THE CONDEMNATION OF EASEMENTS THROUGH AND UNDER PROPERTY OF PATRICIA M. BRENNAN, IN CONNECTION WITH SANITARY SEWER PROJECT SHIPPAN 2

WHEREAS, certain easement through and under private property must be obtained

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for the successful completion of the sanitary sewer project known as Shippan 2; and

WHEREAS, the Sewer Commission has to date been unable to obtain said easements on a voluntary basis;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED as follows:

That authority be granted empowering the City of Stamford on behalf of the Sewer Commission to condemn easements through and under property of Patricia M. Brennan, which easements are more specifically described in Schedules B annexed hereto, for the purpose of completing the Sanitary and Storm Sewer System known as "Sanitary Sewer Project Shippan 2".

Beginning at a point on the northerly street line of Fairview Avenue as it now exists, said point being located 183.25 feet westerly from the division line of property of Frances C. Brennan and the Grantor as measured along the said northerly street line of Fairview Avenue as it now exists, thence in a northerly direction through land of the Grantor N 60° 00' 50" W a distance of 145.41 feet and N 90° 17' 40" W a distance of 6.87 feet to land of Peter Szilagyi Et Al, thence in an easterly direction along said land of Peter Szilagyi Et Al. N 73° 55' 20" E a distance of 10.07 feet to a point, thence in a southerly direction through land of the Grantor S 90° 17' 40" E a distance of 8.35 feet and S 60° 00' 50" E a distance of 143.92 feet to the northerly street line of Fairview Avenue as it now exists, thence in a westerly direction along the said northerly street line of Fairview Avenue as it now exists S 73° 55' 20" W a distance of 10.16 feet to the point or place of beginning, being more particularly shown and delineated on a certain map on file in the Town and City Clerk's Office, Stamford, Connecticut reference thereto being hereby had and entitled "Map Prepared For The City Of Stamford Showing Sanitary Sewer Easement Through Properties Of Patricia M. Deans, Paul G. Garrity Et Al. Patricia M. Brennan, Peter Szilagyi Et Al, and Hilda M. Doane William D. Sabia, City Engineer P.E.No. 6303 Connecticut."

The above described easement lies in Block No. 25 Stamford Land Records.

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- (9) Proposed Ordinance concerning "TAX EXEMPTION - AID TO RETARDED CHILDREN"  
(No letter received on this - verbal request by Tony Truglia, 5th Dist.)

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

PROPOSED ORDINANCE

PROPERTY TAX EXEMPTION - AID TO RETARDED CHILDREN

Property Tax Exemption for Aid For The Retarded, Inc., located at 174 Richmond Hill Ave., Stamford, Connecticut, under provision of Section 12-81(b) of Connecticut General Statutes.

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BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Pursuant to Section 12-81b of the General Statutes of the State of Connecticut entitled "Establishment by Ordinance of effective date for exemption of property acquired by certain institutions", the Assessor of the City of Stamford and the Tax Collector of the City of Stamford are hereby authorized:

1. To exempt and abate taxes, totalling \$1,114.63, for 137 days of the first half of the list of September 1, 1970, (being from July 1, 1971, through November 17, 1971) assessed on real property situated on the north side of Hamilton Avenue, formerly owned by Aid For The Retarded, Inc., an eleemosonary institution; and
2. Reimburse said institution for taxes paid on real property now owned by said institution situated on the southwest corner of Richmond Hill Avenue and Fairfield Avenue, for the period of July 1, 1971, to November 17, 1971, laid on the list of September 1, 1970, being the amount of \$770.40; and
3. To exempt and abate taxes on the second half of the Grand List of 1970 and the list of 1971 assessed on said real property situated on Richmond Hill Avenue and Fairfield Avenue, now owned by said Aid For The Retarded, Inc.

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

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- (10) Resolution No. 835 - Concerning notice from PUC regarding STAMFORD WATER COMPANY INCREASE IN RATES TO CUSTOMERS - (Hearing to be held Monday, July 17, 1972, Room 565A. State Office Building, 165 Capitol Avenue, Hartford, Connecticut, at 10.30 A.M.)

MR. FOX MOVED for approval of the following resolution.

MR. RYBNICK informed the speaker that it is his understanding that the PUC is also conducting a hearing here on Thursday, July 20th. Mr. Fox said he has no knowledge of this. Mr. Rybnick said they have requested the use of the Board's meeting room for the morning of July 20th and anyone interested can attend this hearing without having to go to Hartford.

MR. FOX's motion was seconded and CARRIED:

RESOLUTION NO. 835

CONCERNING STAMFORD WATER COMPANY'S RATE INCREASE

BE AND IT IS HEREBY RESOLVED by the City of Stamford and its Board of Representatives, that

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The City of Stamford and its Board of Representatives are opposed to the Stamford Water Company's rate increase because of the unjustified financial burden to the residents of the City of Stamford.

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- (11) LINDLOW STREET TAX ABATEMENT - Modification Agreement between the City and the Stamford Development Corporation under provisions of Ordinance No. 228, which requires 10% reimbursement of gross rents to the City - (Prior approval given by the Tax Abatement Committee)  
(Mayor to forward letter to the Board of Representatives on this matter - carbon copy of letter to Mayor from Corporation Counsel, dated 6/27/72 received todate, enclosing copy of the MODIFICATION AGREEMENT)

MR. FOX said this has been approved by the Tax Abatement Committee and also has been approved by his Committee. HE MOVED for adoption.

MRS. PONT BRIANT MOVED TO AMEND by making the following changes in the above Agreement:

First Page, second paragraph, change "Ordinance 278" to read "Ordinance No. 228"

Page 4, last sentence in paragraph 5, where it reads:

"----Interest on said taxes in excess of 10% of gross rentals ----"

should be changed to read "----Interest on said taxes in excess of 10% of gross income-----"

Mrs. Pont Briant said Ordinance No. 228 called for "gross income" and gives a definition of "gross income" as meaning rentals and services. She said she wants to amend "rentals" to read "income" because if they do get income from services she wants the City to get that 10%. She said she also believes that the Tax Abatement Committee has the right to annually review this. Mr. Fox, Chairman of the Legislative & Rules Committee, she said, is correct that the Stamford Development Corporation will have to come to the Tax Abatement Committee each year with a report.

The Modification Agreement was approved with Mrs. Pont Briant's amendments incorporated therein by unanimous vote.

PUBLIC WORKS COMMITTEE:

MR. MORABITO, Chairman, reported on the following:

Concerning request for TRANSFER OF JURISDICTION OF STEVENS SCHOOL TO DEPARTMENT OF PUBLIC WORKS UNDER PROVISIONS OF ORDINANCE NO. 144 -

(Transfer to take effect as of July 1, 1972) - (Returned to Committee on 6/5/72 by vote of 23 yes, 16 no)

MR. MORABITO said his Committee met on this and 7 voted no - there was one

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abstention and one vote in favor. He said the Committee recommends that the transfer of Stevens School to the Public Works Department NOT be approved.

MR. FLANAGAN gave a minority report. He said there have been two Public Works Committee Meetings on the subject of this transfer - the first with Dr. Carpenter who informed the Committee that the Board of Education has no use for the property and no funds for its maintenance. He said the second meeting was held with Mr. Cooper and Mr. Strat of the Department of Public Works and the story was again repeated - they have no use for the building and no funds to maintain it.

He said he visited this unwanted structure last week. He said it is located on a 2.4 acre site which is below State Standards for an elementary school, and the so-called "Annex" was built in 1870 and the Main Building built in 1911 and an addition was built in 1926. He said the Gym and the cafeteria were built in 1953 along with a heating plant to supply heat to the gym and cafeteria and domestic hot water to the balance of the school. He said the heating plant for the Main Annex was built in 1951 and both of these systems are in very good condition. He said the interior was painted 3 years ago and is good; the facility contains 47 classrooms with 8 in the Annex (and these are not worth keeping); there are 39 good classrooms plus a library and excellent gym with a 600 seat capacity when it was converted into an auditorium, and a very good cafeteria with excellent equipment. He said, according to Dr. Carpenter, the cost to maintain the facility is \$82,000 per year which is not minimum maintenance, but to maintain it as a school. He compared this school with the old Rice School, which is now being used to capacity. He said Rice School will have to be demolished when Washington Boulevard is widened and at that time we will need at least 24 classrooms to house the programs now in Rice School. He said there has been a proposal by the American-Italian Association that Stevens School be retained as a learning facility and they have requested that the Board of Education apply to the State and Federal Government for funds to establish a Vocational Center at Stevens School. He said he feels that Stevens School is desperately needed and since the City cannot afford to maintain both Rice and Stevens Schools, that the programs now in the Rice School be moved to the Stevens School as soon as practical and that the Rice School be demolished and the additional land be converted to an all-day commuter parking lot, which would bring in about \$6000 a year. He said the savings from the closing of Rice School would be \$54,000 and the cost to maintain Stevens is around \$82,000, so for a slight additional cost we would get a much better facility. He said he approves the transfer of jurisdiction.

MR. MILLER said his Committee - Education, Welfare & Government, met again on this item and recommends that the jurisdiction of Stevens School be transferred to the Department of Public Works. He said there was considerable discussion in the Committee and there was some feeling that certainly the wishes of the people in the West Side area should be respected with regard to the disposition of this building and perhaps a public hearing could be held. He said he knew nothing about the suggestion of having a Vocational School at Stevens until after the Committee had met. He said he has no objection to the school being used for such a purpose, but does not know what the needs of the school system would be in this regard and was told on Saturday that there were no plans for any program of this type. It was the basic policy of the Board of Education to stay away from special purpose secondary schools

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and concentrate on the comprehensive high schools. On behalf of the Committee he said he does recommend the transfer of this school to the Department of Public Works.

After considerable discussion MR. MORABITO MOVED that Stevens School not be transferred to the Public Works Department. Seconded and CARRIED by a vote of 22 in favor and 13 opposed.

PARKS & RECREATION COMMITTEE:

Sterling Farms Swimming Pool

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

SPECIAL COMMITTEES:URBAN RENEWAL COMMITTEE

MR. ROOS, Chairman of the above Committee, presented the following report:

THE URC Committee met July 6th. Those attending: Mr. William Murphy, Mr. Sidney Sherer and myself.

As our Guest, we had Mr. Arthur Lutz, Chairman of the URC Commission. Also attending were Mr. Daniel Russbach and Mr. Heinzer and Mr. Philip Gambino and other members.

The contract to reconstruct, widen and improve Broad Street was awarded to the low bidder, DeLeo Brothers for \$330,000. Construction can start as HUD approval is not needed. It uses only City and State funds.

HUD has approved construction for the continuation of Willow Street between Canal and Elm Streets. Also included is construction of Canal Street, between North State and Willow Streets.

Bids were opened June 29th and the HALMAN CO., a Mt. Vernon concern, was chosen at a cost of \$941,000 when Equal Opportunity proof, etc. is given.

Relocation results this month were dismal with only 5 families and a single householder being placed, due mostly to delay with Coleman Towers.

Coleman Towers has run into delays -elevator workers strike, etc. It was an 89 unit job and Ludlow Street housing was not available. Ludlow Street we took care of tonight. Also, the fire on Main Street caused quite a problem and these people had to be placed.

Approval was given for the construction of a skating rink at Broad & Atlantic complex.

HUD'S action todate, has caused Stamford's residents a minimum of five million dollars in increased costs and lost tax revenue which, of course, is reflected in our substantial tax increase.

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Retail shopping center and hotel will probably get first priority as soon as we receive HUD money.

Due to the unfortunate demise of one of its owners, Twin Theater financing has been held up. These details will be completed soon.

The YMCA has been able to resume construction now that its parking problem has been solved.

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HOUSE COMMITTEE:

MR. RYBNICK, Chairman, reported that the tape recorder has been purchased and is now being used. He said the other recorder which will be used in public hearings, will arrive tomorrow morning. He said they have purchased a supply of foam cups and water pitchers and covers. He said the emblems for the automobiles have arrived and most Members have accepted them graciously. He said the committee also purchased a 30 cup coffee maker and a few essentials associated with its purchase.

He said our parking area is still a problem to some Board Members who do not have time to park many blocks away from the Municipal Building and they are hoping it may be resolved soon. He said he hopes to have the lighting fixtures cleaned in time for our next Board Meeting.

He said in regard to parking problems that have constantly plagued this Administration, he would like a letter sent to the Mayor asking him if a survey could be made for a second or third landing over our present parking area to relieve some of the parking problems we have in this area.

MR. DIXON asked the Chairman what is being done about a car that has been blocking the entrance to the parking lot for sometime now. Mr. Rybnick said he would look into it.

CONCERNING PICTURES OF BOARD MEMBERS:

MR. RYBNICK said this question has been asked of him and he did get a price for having a picture taken and what the cost would be. He said the purchase price of these pictures if taken individually, would cost \$5. but if every individual would take a picture, a complete set of 40 pictures would only cost \$3. each.

COMMITTEE ASSIGNMENTS:

THE PRESIDENT announced that Mr. Exnicios is taking Mr. Russbach's place on the Appointments Committee.

PETITIONS

Petition from STAMFORD POSTAL EMPLOYEES' ASSOCIATION dated 5/25/72 received June 2, 1972 addressed to Mayor Julius M. Wilensky, requesting PARKING SPACES for workers at the Post Office at the Rice School Parking lot now used by City employees and those using the building.

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MR. THEODORE BOCCUZZI asked if anything can be done to alleviate the plight of the workers in the Post Office as they are constantly getting parking tickets because they have to park to go to work.

THE PRESIDENT said this letter was written to the Mayor and asked what the Steering Committee did with it and was informed that it was just a copy of a letter to the Mayor and was treated as information; there being no action required of this Board.

MR. BOCCUZZI said what he is asking is what this Board can do to help these people obtain parking spaces.

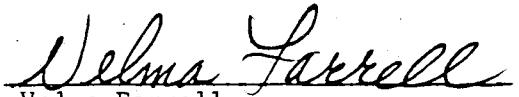
MR. RYBNICK said they have requested the Mayor to have two landings built over our present parking area and if that is done they might be able to give them some parking at the Rice School.

MR. BOCCUZZI asked why they could not use the parking lot at Rice School. The President said it is occupied by those who are using the School.

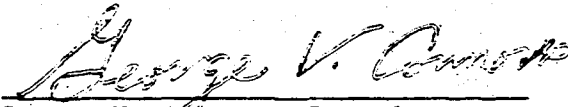
MR. FLANAGAN said the Board of Recreation has a playground over there and are using part of the parking lot and all the rest of the lot is filled with cars. He said the unfortunate thing about going to second and third levels is that of cost because the minimum price is \$8000 a square foot and we would need 350 square feet per car, so therefore you are talking about \$2800. for each and every space you get from deck parking.

ADJOURNMENT:

There being no further business to come before the Board, on motion duly seconded and CARRIED, the meeting was adjourned at 12.30 A.M.

  
Velma Farrell  
Administrative Assistant  
(Recording Secretary)

## APPROVED:

  
George V. Connors, President  
12th Board of Representatives

The above meeting was broadcast  
over Radio Station WSTC until  
11 PM.

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