

MINUTES OF SEPTEMBER 11, 1972
12th BOARD OF REPRESENTATIVES
STAMFORD, CONNECTICUT

The 12th Board of Representatives of the City of Stamford met in regular session on Monday, September 11, 1972, in the Board's Meeting Rooms, Municipal Office Building, 2nd floor, 429 Atlantic Street, Stamford, Connecticut.

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

INVOCATION - The Invocation was read by the President, in the absence of the Rev. Richard Hintz, of the Lutheran Zion Church, since he was unable to be present.

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

CHECK OF VOTING MACHINE:

A check of the voting machine was made and everything seemed to be in good working order.

ROLL CALL was taken by the Clerk. There were 36 present and 4 absent at the calling of the roll. However Mr. Exnicios arrived shortly thereafter, changing the roll call to 37 present and 3 absent. The absent members were: Handy Dixon (D), William Murphy (D) and Sidney Sherer (R), representing the 2nd, 6th and 16th Districts.

ACCEPTANCE OF MINUTES - Meeting of July 24, 1972
Meeting of August 7, 1972

MRS. PONT BRIANT said she wished to call attention to the fact that when the "CALL" was sent out for the July 24, 1972 Special Meeting, she was out of town and unable to attend the meeting.

MR. RAVALLESE said he was out of town also.

The Minutes of the above meetings were approved.

COMMITTEE REPORTS:

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

STEERING COMMITTEE REPORT
Meeting held Monday, August 28, 1972

A Meeting of the Steering Committee was held on Monday, August 28, 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 President and Chairman, George V. Connors.

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The following were present: Lois Pont Briant, Edith Sherman, Thomas Morris, Matthew Rose, John Baccuzzi, John Colasso, George Connors, George Russell, Stephen Kelly, Marilyn Laitman, Gerald Fox, Jr.

The absent Members were: Anthony Truglia, Theodore Boccuzzi, Charles Heinzer, Joseph Morabito, Frederick Miller and Robert Exnicios.

(1) Mayor's Appointments:

One appointment, having been held in Committee at the August Board Meeting, namely, for LLOYD NOAD (R) as an Alternate to the Planning Board, was again ordered placed on the Agenda.

(2) Additional Appropriations:

All appropriations approved by the Board of Finance at their August 19th Meeting were ORDERED PLACED ON THE AGENDA under FISCAL COMMITTEE, with items in excess of \$2,000 referred to a secondary committee.

- (3) \$89,500.00 - Proposed Resolution - AUTHORIZING THE FILING OF AN APPLICATION TO THE FEDERAL GOVERNMENT FOR A GRANT TO DEVELOP DYKE PARK UNDER OPEN SPACE PROGRAM - (HUD Grant, for 50% reimbursement, being one-half of \$179,000 total cost) - (Mayor's letter of 8/18/72) -- (Also, see Minutes of 4/10/72, Adjourned Meeting, page 9121)

(Above referred to FISCAL COMMITTEE and LEGISLATIVE & RULES COMMITTEE and ORDERED ON AGENDA)

- (4) \$140,900.00 - Proposed Resolution - AUTHORIZING THE FILING OF AN APPLICATION TO THE FEDERAL GOVERNMENT FOR GRANT TO RENOVATE OLD TOWN HALL UNDER OPEN SPACE PROGRAM - (Historic and Architectural Preservation) - (HUD Grant, for 50% reimbursement - \$140,900) being half of estimated \$281,800 cost - (Mayor's letter of 8/18/72)

(Above referred to FISCAL COMMITTEE and LEGISLATIVE & RULES COMMITTEE and ORDERED ON AGENDA)

- (5) \$166,667.00 - Proposed Resolution - AUTHORIZING THE FILING OF AN APPLICATION TO FEDERAL GOVERNMENT FOR GRANT FOR EXPANSION OF FACILITIES AT WEST MAIN STREET NEIGHBORHOOD FACILITY PROGRAM - (HUD Grant for balance in amount of \$333,333.00 and local share to be borne by the City in amount of \$166,667.00) - (Mayor's letter 8/21/72)

(Above referred to FISCAL COMMITTEE and LEGISLATIVE & RULES COMMITTEE and ORDERED ON AGENDA)

- (6) Ordinance for final adoption - "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, 6/12/72; approved for publication 7/10/72; published 7/15/72; held in Committee 8/7/72)

The above was NOT placed on the agenda.

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- (7) REVISED FEE SCHEDULES FOR HEALTH DEPARTMENT - (Submitted by Dr. Gofstein in letter dated 3/20/72 - Held in Committee 6/12/72, 7/10/72 and 8/7/72)

Above ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (8) 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 Atty. Howard G. Shiffman, of law firm Epifanio, Tooher & Shiffman) - (Approved for publication 6/12/72; published 6/17/72 - Held in Committee 7/10/72 and 8/7/72)

Above ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (9) Final adoption of Ordinance - (CONCERNING THE SEPARATION OF SEWER CHARGES FROM OTHER CAPITAL PROJECTS - (Proposed by Thomas Morris, 15th District Representative) - (Adopted for publication 8/7/72; published 8/11/72)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (10) Conveyance of City-owned property to the HOTEL HAZELTON, being a small triangular strip of land located on North side of New Willow Street, extending from Washington Boulevard westerly for a distance of 264.37 linear feet, which strip tapers to zero at Washington Boulevard and gradually widens to a maximum of 15.32 feet at the westerly terminus, with a mid-point of 5 feet - (Mayor's letter of 7/17/72 - Also, see letter from James B. Hibben, URC Director dated 7/6/72)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (11) Request for WAIVER OF BUILDING PERMIT FEE for STAMFORD HOSPITAL, for construction of a NEW LABORATORY at a total cost of approximately, \$550,000.00 - (Letter dated 8/4/72 from Durey & Pierson, their Attorneys)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (12) Request for WAIVER OF BUILDING PERMIT FEE for TRINITY APARTMENTS, located on Spruce Street - (Letter from Irwin Silver, Atty. for F.D. Richard Housing Corp., dated 8/22/72)

- (13) Proposed Resolution - AUTHORIZING THE FILING OF AN APPLICATION FOR TAX ABATEMENT REIMBURSEMENT ON LUDLOW TOWN HOUSES WITH THE STATE DEPARTMENT OF COMMUNITY AFFAIRS - (Estimated cost at \$350 per unit or \$12,600.00) - (Mayor's letter of 8/9/72)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

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- (14) Proposed Ordinance based on Section 397, Article 12 of New York State law, entitled: "EQUIPPING MOTOR VEHICLES WITH RADIO RECEIVING SIGNALS ON THE FREQUENCIES ALLOCATED FOR POLICE USE" -
(Suggested in letter 6/8/72 from Hawley Gelfinger, Communications Superintendent)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (15) Proposed Ordinance - To amend Chapter 26 of Code of General Ordinances by adding Sec. 26-15 thereto: "Any action of the Sewer Commission shall be subject to review and/or repeal and/or amendment by a resolution of the Board of Representatives" -
(Proposed by Charles J. Heinzer, III, 13th District Representative)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (16) Proposed Resolution - Approving transfer of jurisdiction of MAGEE AVENUE property from Stamford Fire Department to the Public Works Department, in accordance with provisions of Ordinance No. 144 Supplemental, and approving transfer of jurisdiction of MAGEE AVENUE property from the Public Works Department to the Fire Department (As further described in Schedules A and B attached to Mayor's letter dated 8/21/72)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (17) Proposed amendment to Rules of Order - TO PLACE A TIME LIMIT ON DEBATE

The above matter was discussed at some length and it was decided to buy a Timer in order to limit debate and to change the rules accordingly.

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (18) Petition - Requested in letter dated 8/25/72 from Director of Urban League of Southwestern Fairfield County, Inc. for permission to hold a PARADE on SEPTEMBER 9th at 10 A.M. to celebrate VOTER REGISTRATION-

ORDERED ON AGENDA under PARKS & RECREATION COMMITTEE

The following communications were ordered placed on the Agenda under "COMMUNICATIONS":

- (19) Letter from Mrs. Dwight Marshall, thanking the Board for their approval of the amended contract for TAX ABATEMENT for the MARTIN LUTHER KING APARTMENTS at their August 7th Board Meeting.
- (20) Copy of letter from Corporation Counsel dated 8/24/72 to Daniel Russbach concerning his removal from Board Committees on the occasion of his becoming an Independent, saying this is not within his jurisdiction, but is strictly the business of the Board of Representatives.

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- (21) Letter dated 8/9/72 from Corporation Counsel to the President, concerning curtailment of legal assistance from his office because of the loss of Mr. LiVolsi's services, due to the cut made to the Professional Services Account by the Board of Representatives.
- (22) Letter from Corporation Counsel, dated 8/11/72, refusing to accept any more responsibility for errors in the galley proofs mailed back to the recodifier, as directed by the Board at the 8/7/72 Board Meeting.
- (23) Letter dated 8/22/72 from Booth Hemingway, extending commendations of the Conservationists of Stamford, Inc. upon the approval of purchase of the GOODBODY TRACT and opposing the purchase of the 67 acre Land Vest Tract at an "inflated price", in which he says they believe other more vital land purchases can be made up river from the GOODBODY TRACT.

There being no further business to come before the Committee, on motion, duly seconded and CARRIED, the Meeting adjourned at 9 P.M.

George V. Connors, Chairman
Steering Committee

APPOINTMENTS COMMITTEE:

MR. THEODORE BOCCUZZI said there will be no report from the Appointments Committee at this time as they have been unable to interview MR. LLOYD NOAD (R) as a PLANNING BOARD ALTERNATE, to term ending Dec. 1, 1976, and will be reported out next month.

FISCAL COMMITTEE:

MR. JOHN BOCCUZZI said the Fiscal Committee met Wednesday night with all members present with the exception of Mr. Exnicios and Mr. Friedman, both of whom were out of town.

MR. BOCCUZZI said before he goes into his committee report, he would like to say that he has received a note from Mr. George Aretakis which says that items No. 4 and 6 in our September 11th Agenda, do not require action by the Board of Representatives. He asked for a ruling as to whether action is required by the Board. He said both of them are transfers within the Capital Projects Budget.

MR. HEINZER requested permission to speak on the question. He said a year ago we got a ruling from the Corporation Counsel which said we definitely DO HAVE TO AMEND the Capital Projects Budget because you cannot increase the amount appropriated to any project without an action by two-thirds of this Board. He said therefore they DO belong on our Agenda and MUST be acted upon by this Board if they are amendments to the Capital Projects Budget.

MR. BOCCUZZI said he concurs with the Speaker, but wanted someone else to give the ruling.

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MR. KELLY said he wants to add to that. He said the Parks & Recreation Committee did not receive any communication from either one of the Golf authorities and he would like a letter sent to both of them that any time there is anything that requires our approval, we should be notified before the meeting so that it can be brought up before his Committee.

Re: Correction to May 1, 1972 Minutes on Page 9143 - Item No. 6 under Fiscal Committee - POLICE DEPARTMENT - Appropriation of \$1,709.80 for Code 530.0910, for Prisoner's Meals is incorrect, and should have been an appropriation of \$359.80 for this account, changing the total appropriation to \$56,080.24, instead of the figure of \$57,430.24 which appears in the Minutes

MR. BOCCUZZI MOVED for approval of the above correction to the Minutes of above date, which was seconded and CARRIED unanimously.

- (1) \$4,500.00 - COMMISSIONER OF FINANCE - Code 114.0901, Special Professional Services - To employ a Communications Consulting firm to evaluate the City's telephone system - (Mayor's letter of 7/5/72 - (Held in Committee August 7, 1972)

The above item was held in Committee. MR. BOCCUZZI said the Committee wants to meet with a representative from Shaw & Shaw, Ltd., and to date have been unable to get together with him.

- (2) \$88,290.00 - Resolution No. 840 - AMENDING 1972-1973 Capital Projects Budget for Project known as "HIGHWAYS - WASHINGTON AVENUE EXTENSION" in order to settle three claims against the City (which is to be financed by the issuance of bonds) and appropriation of above amount therefor - (Mayor's letter 7/7/72) -- (Held in Committee 8/7/72)

MR. BOCCUZZI MOVED for approval of the following Resolution. Seconded by Mr. Morabito who said the Public Works Committee concurs. CARRIED unanimously:

RESOLUTION NO. 840

AMENDING 1972-1973 CAPITAL PROJECTS BUDGET BY ADDING \$88,290.00 TO PROJECT KNOWN AS "HIGHWAYS - WASHINGTON AVENUE EXTENSION" AND APPROPRIATION THEREFOR

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford, in accordance with provisions of Section 611.5 of the Stamford Charter, to approve an amendment to the 1972-1973 Capital Projects Budget, Public Works Department, for the addition of funds in the amount of \$88,290.00 for Project to be known as "HIGHWAYS - WASHINGTON AVENUE EXTENSION" and appropriation of aforesaid sum therefor, in order to settle the following three claims:

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Guisseppina Barbagelata -----Balance (S-2 Lot 10, Vernon Place)	\$4,400.00
James Stramaglia -----Balance (ES-9 Lot 4, Washington Avenue)	47,090.00
Anthony Buccino -----Balance (Washington Avenue-Court Street)	<u>36,800.00</u> \$88,290.00

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- (3) \$630.84 - PENSION for Patrolman Dominick A. Possidento, 1971-1972
fiscal year, effective May 20, 1972, based on annual
pension of \$5,407.18, or 50% of his annual salary of
\$10,814.36 - (Mayor's letter of 5/3/72) - (Deferred at
Aug. 7, 1972 Meeting)

MR. BOCCUZZI said the Committee held this last month as they wanted to question the Police Commission and it seems that according to the Charter it is under their jurisdiction to set the percentage of the disability pension and is not up to this Board. He said the Fiscal Committee approved this by a 4 to 3 vote. HE MOVED for approval. Seconded.

MR. RUSSBACH said he would like to have more clarification, particularly in view of the vote taken by the Committee.

MR. BOCCUZZI said there was considerable investigation about this item and he personally feels that it is not up to the Fiscal Committee to decide as to the outcome of the investigation. He said the question was asked as to why the 50% since the gentleman was able to work. He said the Committee was told that it was under the jurisdiction of the Police Commission to set the amount of the pension and not this Board. He said if those who voted in opposition wish to add to it, to go ahead.

MRS. VARNEY said she felt that he could have been retired under Sec. 716 rather than under Sec. 713 since he was able to work and under Sec. 716 he would have received 25% instead of 50%.

MR. KNAPP said he felt the same way and voted against the appropriation. He said he would like to see this sent back to the Police Commission with the recommendation that this man be retired under Section 716. He said it is his understanding that under this Section he could come back later on and be re-evaluated and if he no longer fits into this category, you can stop the pension completely. He said he fails to see why the City of Stamford should carry this man for 20-30-40 years at half pay when he is able to work and might possibly get 25% instead of the 50%.

MR. ROOS said perhaps he could be used on some sort of disability assignment because there are many assignments he could be given, such as filing, which now takes up the time of able bodied men. He said this could end up

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totalling about \$200,000 and we should at least go on to the smaller pension plan.

MRS. PONT BRIANT said perhaps we don't have all the facts and after all, the decision is up to the Police Commission. She pointed out that under Section 717 of the Charter, he can be recalled at a later date for a medical exam and reinstated.

MRS. SHERMAN asked the President if this Board can discuss the merits of the case, and the action taken by the Pension Committee, or is it mandatory that we simply vote on what they have decided to do.

THE PRESIDENT said he is a member of the Board of Trustees for the City of Stamford and they do, as a rule, have the right to approve all pensions, but people still have to go in for physical checkups. He said perhaps he can be restored at a later date.

MR. BOCCUZZI said the decision is up to the Police Commission and not this Board.

After considerable further discussion, Mr. Iacovo MOVED THE QUESTION which was seconded and CARRIED.

The matter was returned to the Fiscal Committee.

- (4) \$7,500.00 - Resolution No. 841 - Amending 1972-1973 Capital Projects Budget by authorizing the transfer of above sum from Project known as "REBUILD GREENS" to Project known as "CART PATHS"
(Requested in letter to Board of Finance dated 7/1/72 from Don Brennan, Chairman - Hubbard Heights Golf Board - No letter sent to Board of Reps.; approved 8/10/72 by Board of Finance)

MR. BOCCUZZI MOVED for approval of the following resolution. Seconded by Mr. Kelly who said his Committee - Parks & Recreation - will go along with this, BUT they want a letter sent to the Hubbard Heights Golf Commission and to the Golf Authority to the effect that our Committee must have knowledge of these matters at every meeting if they are going to be asked to concur. CARRIED unanimously:

RESOLUTION NO. 841

AMENDING 1972-1973 CAPITAL PROJECTS BUDGET TO TRANSFER \$7,500.00 FROM "HUBBARD HEIGHTS - REBUILD GREENS" TO PROJECT KNOWN AS "CART PATHS"

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford in accordance with provisions of Section 611.5 of the Stamford Charter, to approve an amendment to the 1972-1973 Capital Projects Budget, Hubbard Heights, for the transfer of funds in the amount of \$7,500.00 from Project known as "REBUILD GREENS" to Project known as "CART PATHS".

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- (5) \$509.00 - Resolution No. 842 - Amending 1971-1972 Capital Projects Budget by authorizing transfer of above sum from Project known as "LAND SURVEY AND TITLE INSURANCE" in 1968-1969 Budget to Project known as "FENCING" in Stamford Golf Authority 1971-1972 Capital Projects Budget - (Requested in letter 7/27/72 from Walter Maguire to the Board of Finance - No letter sent to the Board of Representatives - Approved 8/10/72 by Board of Finance)

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

RESOLUTION NO. 842

AMENDING 1971-1972 AND 1968-1969 PROJECTS BUDGET TO TRANSFER \$509.00 FROM PROJECT KNOWN AS "STAMFORD GOLF AUTHORITY, LAND SURVEY AND TITLE INSURANCE" IN 1968-1969 CAPITAL PROJECTS BUDGET, TO PROJECT KNOWN AS "FENCING" IN 1971-1972 CAPITAL PROJECTS BUDGET

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford in accordance with provisions of Section 611.5 of the Stamford Charter, to approve an amendment to the 1968-1969 Capital Projects Budget, Stamford Golf Authority, by transferring \$509.00 from Project known as "STAMFORD GOLF AUTHORITY, LAND SURVEY AND TITLE INSURANCE" in the 1968-1969 Capital Projects Budget, to Project known as "FENCING" in the 1971-1972 Capital Projects Budget.

- (6) \$2,176.00 - Resolution No. 843 - Amending the TRANSFER of aforesaid sum from 1968-1969 STAMFORD GOLF AUTHORITY Capital Projects Budget, of item known as "ARCHITECTS FEES AND CONTINGENCIES" to the 1972-1973 Capital Projects Budget, in order to purchase a N.C.R. machine, double tape, 18 bar, after trade-in - (Requested in letter dated 7/10/72 from George Aretakis, Commissioner of Finance, to the Board of Finance - No letter sent to Board of Representatives - Approved 8/10/72 by Board of Finance)

RESOLUTION NO. 843

AMENDING 1968-1969 AND 1972-1973 CAPITAL PROJECTS BUDGET BY THE TRANSFER OF \$2,176.00 FROM 1968-1969 STAMFORD GOLF AUTHORITY CAPITAL PROJECTS BUDGET, OF ITEM KNOWN AS "ARCHITECTS FEES AND CONTINGENCIES" TO 1972-1973 CAPITAL PROJECTS BUDGET, PROJECT TO BE KNOWN AS "NEW EQUIPMENT"

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford, in accordance with provisions of Section 611.5 of the Stamford Charter, to approve an amendment to the 1968-1969 Capital Projects Budget, by transferring \$2,176.00 from Project known as "ARCHITECTS FEES AND CONTINGENCIES" to the 1972-1973 Capital Projects Budget, for item to be known as "NEW EQUIPMENT", in order to purchase a N.C.R. machine, double tape, 18 bar, after trade-in.

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MR. BOCCUZZI said the Fiscal Committee approved the above Resolution and he MOVED for its approval.

MR. KELLY said the same thing applies on this one as applied to the previous one. He said the Committee (Parks & Recreation) concurred in approving this tonight, but they all felt that there should be a letter sent to this Board as well as to the Board of Finance, because this is the first time he ever heard of doing things in this fashion without even bothering to notify our Board, and he has been on this Board some 24 years.

MR. BOCCUZZI said Mr. Kelly is right on this - a letter should have also been sent to this Board as well as to the Board of Finance.

MR. HEINZER said if we put a letter on the Agenda without having received it, then it is the responsibility of the Steering Committee, and it should never have been placed on the Agenda.

VOTE taken on Resolution No. 843 - CARRIED unanimously.

(7) \$680.00 - TRAFFIC DEPARTMENT, for the following: (Mayor's letter of 7/17/72)

Code 525.0301 - Stationery & Postage -----	\$100.00
" 525.0401 - Advertising & Printing -----	200.00
" 525.2101 - Conventions, Dues & Conferences -----	200.00
" 525.0801 - Transportation -----	100.00
" 525.1702 - Automotive Fuel -----	80.00
	<u>\$680.00</u>

MR. BOCCUZZI MOVED for approval of the above request. Seconded by Mrs. Laitman.

MR. TRUGLIA said it was his understanding that once the Budget of Finance and not by this Board. He said at the time the Budget was approved, the Board of Finance wasn't too happy with the presentation and when this came up again, he convinced them that he needed the money, which was the reason why it was approved.

VOTE taken on the motion to approve and CARRIED.

(8) \$250,000.00 - Resolution No. 844 - Amending the 1972-1973 Capital Projects Budget, DEPARTMENT OF PUBLIC WORKS - NEW EQUIPMENT, (to be financed by the issuance of bonds) and appropriation of aforesaid sum therefor - (Requested in Mayor's letter 8/3/73) - (REDUCED from \$400,000.00 by Board of Finance 8/10/72)

MR. BOCCUZZI MOVED for approval of the following resolution. Seconded by Mr. Morabito who said the Public Works Committee concurs. CARRIED unanimously:

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RESOLUTION NO. 844

AMENDING 1972-1973 CAPITAL PROJECTS BUDGET, "DEPARTMENT OF PUBLIC WORKS - NEW EQUIPMENT" ACCOUNT, BY ADDITION OF FUNDS IN AMOUNT OF \$250,000.00 FOR SAID ACCOUNT AND APPROPRIATION THEREFOR

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford, in accordance with provisions of Section 611.5 of the Stamford Charter, to approve an amendment to the 1972-1973 Capital Projects Budget, Public Works Department, by the addition of funds in the amount of \$250,000.00 for Project to be known as "NEW EQUIPMENT" and appropriation of aforesaid amount therefor, which is to be financed by the issuance of bonds.

- (9) \$2,383.00 - DEPARTMENT OF PUBLIC WORKS - Code 620.0101, Salaries, Bureau of Sanitation - Incinerator & Sewage Treatment Plant - To correct salary of Chemist - (Mayor's letter of 7/11/72)

MR. BOCCUZZI MOVED for approval of the above request. Seconded by Mr. Heinzer, who said the Personnel Committee concurs.

MRS. PONT BRIANT said since there are other salary items before us, this needs a little clarification and this is just giving her back the salary she got last year.

MR. BOCCUZZI said he thinks this needs more of an explanation - that when this young lady took the test originally, she had stated on her application that she would not work for less than \$12,000 a year and the second or third day she was on the job she found out that they had put her in for \$11,430.00 and she notified them that she would not work for under \$12,000.00. He said the first step on the salary schedule was \$12,295.00, which brought her up to that point and she was in the right place at the right time when all the employees got a 7% increment, which then brought her up to \$13,156.00 and then on January 1, 1972 she received the 4th step under the Marcom Report which now brings her up to \$13,813.00 which is now her salary. He said this explains why there seems to be so many increments.

VOTE taken on the motion. CARRIED unanimously.

- (10) \$25,000.00 - DEPARTMENT OF PUBLIC WORKS - Code 631.1803, Municipal Office Building - Alterations & Maintenance - (Mayor's letter of 8/1/72) - (REDUCED from \$55,000 by Board of Finance on 8/10/72)

The above item was held in Committee.

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- (11) \$12,000.00 - TRAFFIC DEPARTMENT - Code 525.0101, Salaries - Being a Grant from the Federal Government for the establishment of a position in order to conduct a survey of traffic control devices so they may be brought into conformity with Federal requirements - (Mayor's letter 6/19/72)

MR. BOCCUZZI MOVED for approval of the above request. Seconded by Mr. Heinzer, who said the Personnel Committee concurs. CARRIED.

- (12) \$8,961.00 - Salary Increments to various administrative employees not covered by Collective Bargaining (Rates as set under Marcom, and approved by Personnel Commission)

<u>Code No.</u>	<u>Department</u>	<u>Position</u>	<u>Appropriation</u>
106.0101	Board of Representatives	Admin.Assistant III	\$627.00
110.0101	Law Department	Admin.Assistant III	627.00
117.0101	Data Processing	Programmer	725.00
		Programmer	725.00
		Programmer	897.00
118.0101	Purchasing	Asst.Purchasing Agent	691.00
126.0101	Central Services	Supervisor	627.00
174.0101	Civil Service	Admin.Assistant II	569.00
525.0101	Traffic	Traffic Director	1,488.00
602.0101	Public Works	Operations Officer	569.00
			<u>\$7,545.00</u>
198.0101	Fair Rent Commission	* Director	1,416.00
			<u>\$8,961.00</u>

*Not under Union contract, nor a member of Municipal Administrator's Association; therefore not considered by the Personnel Commission.

MR. BOCCUZZI said this appropriation was REDUCED to \$7,545.00 which is the first sub-total which appears above, and deleted from the appropriation was the Director of the Fair Rent Commission in the amount of \$1,416.00. He said the Fiscal Committee approved \$7,545.00 and he SO MOVED. Seconded.

MR. HEINZER said the Personnel Committee concurs in the above recommendation.

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MR. RUSSBACH spoke against the amended amount. He said we are continually having these management efficiency reports by Marcom and Arthur D. Little and the purpose they serve is whatever the piper who pays the purse wants to be served for. He said in this case and in every other case, everyone wants salary increases and are all underpaid, and in this particular case these employees are not covered under Collective Bargaining and their rates are set under the Marcom Report. He said to begin with, these salaries are grossly inflated for the position, the amount of work and the amount of time and in too many cases people receive pay raises and everything else in this City. He said the whole system we have gotten since the Marcom Report should be thrown in the garbage can, because the only thing that ever comes out of it is that everyone is underpaid and we have to give them step increases, because of efficiency reports, then we have got to give them contractual increases, incremental increases and then 7% or 8% when the contracts come up. He said we have established an extremely bad precedent over a period of years with this Marcom type report thing, because, in his opinion it is simply an excuse to give people raises when they are not logically justified.

MRS. LATTMAN said some of the things Mr. Russbach says may be true, but this is not the time to debate this. She said the Personnel Commission has been looking into this and has made some strides, but this is not the time particularly when you talk about "contractual obligations".

MR. RUSSELL said none of us know what any of this means as far as the total salary goes. He said he thinks there should have been another column along side of this to show what this brings the salaries up to. He said none of us know whether or not some of these people are seriously underpaid or overpaid. He said sometimes it looks like they are just asking for peanuts, but in all fairness, in the future, the Fiscal Committee should show figures to this Board which reflect what the total salary this brings it to because we are talking about appropriations to an existing salary when we don't know what the present salary is and it would be rather difficult to look up the information and get it. He said he thinks in the future, we should have the total salaries so we can at least be aware of what it is costing the City to operate these various departments.

THE PRESIDENT said he thinks this represents the next step in the wage scale and is going up one step, which the Board of Finance did not approve at the time the Budget was before them, which included the next step in the salary scale.

MR. RUSSELL said he is aware that a certain amount of this appears in the 1972-1973 Operating Budget, but he is also aware that nobody is carrying the Operating Budgets around with them and then you have to look over page after page to try to find them. He said when this request was submitted to this Board and to the Board of Finance, it is no problem to add to it what this brings the total salary up to and will eliminate a lot of work on the part of the Board Members.

MR. BOCCUZZI said the Fiscal Committee questioned Mrs. Frisbie, Chairman of the Personnel Commission, as to whether these increments were automatic

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or not and as a matter of fact, these are not automatic step increases, but are merit increases and they had to check with the Department Heads, get a report on it and furthermore, not all those employees who put in for it have gotten them, according to Mrs. Frisbie and according to the Mayor's letter. He said this is strictly a merit increase, with a recommendation from the Department Head.

THE PRESIDENT said he can say for himself in answer to Mr. Russell's question that he went before the Mayor and spoke for the Board of Representatives. He said this was a merit increase and he requested it.

MR. RUSSBACH said what bothers him the most about this is that he sees positions here that only started a few years ago at salaries of around \$8,500 that are now up to \$12,000 and \$13,000 in less than a couple of years, with merit increases, contractual obligations and all types of increases. He said he protests against this and it is a lousy way to run the City and you could not run a business this way because a corporation would not stand for it and this is nickle and dimeing us to death, and in the end result it costs us millions.

MR. BOCCUZZI referred to Code 525.0101 for Traffic Director in the amount of \$1,488.00 is actually bringing him back to what he was hired to start at, because he was hired at more than he is getting paid for now. However, he said if the Board feels it should be sent back to Committee to get the totals, he has no objection to taking it back in Committee and getting the yearly rate of pay for each one that the increase is for.

THE PRESIDENT said to clarify the question, what he understands is that Mr. Russell did not ask to send it back to Committee, but just wanted to know what the final salary is for the year after the increment is given.

MR. MORABITO MOVED to send this item back to Committee. Seconded by Mr. Knapp.

MRS. PONT BRIANT asked if Mr. Knapp would consider an amendment to take the Traffic Director out of that motion as that is a reinstatement as it was with the Chemist - to a salary which he was hired at. She asked if Mr. Knapp would accept sending it back to Committee, with the exception of the Traffic Director.

MR. KNAPP said it would be all right with him, but he did not make the motion.

MR. MORABITO said he is the one that made the motion to send it back to Committee and he will accept it with that one exception - the Traffic Director. He said he will re-state his motion - to send everything back to the Fiscal Committee, with the exception of the Traffic Director.

THE PRESIDENT reminded the Speaker that there is already a motion on the floor to approve the total, which motion was made by Mr. Boccuzzi.

MR. BOCCUZZI said his original motion was to approve a total figure of \$7,545.00.

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THE PRESIDENT said that motion comes first. Then, if Mr. Morabito wants to amend it, that is something else.

MRS. PONT BRIANT said the original motion was amended by returning \$6,057.00 to Committee, leaving the figure of \$1,488.00 for the Traffic Director on the floor for debate or approval.

VOTE taken on approval of the \$1,488.00 for the Traffic Director, with the balance remaining in Committee. CARRIED with several "no" votes.

- (13) \$91,000.00 - Resolution No. 845 amending 1972-1973 Capital Projects Budget by adding Project to be known as "WIDENING OF ATLANTIC STREET" and appropriation therefor - To be financed by the issuance of bonds - (Mayor's letter of 6/30/72)

MR. BOCCUZZI said the Fiscal Committee approved this item and he has a resolution.

MR. MORABITO said his Committee - the Public Works Committee - voted to hold this in Committee.

MR. BOCCUZZI said he would like to ask Mr. Morabito if he has any objections if we take this out of his Committee. HE MOVED that it be taken out of the Public Works Committee. Seconded, and CARRIED.

MR. BOCCUZZI MOVED for approval of the following resolution. Seconded. Mr. Boccuzzi said the Fiscal Committee met Thursday night and met again this evening with Mr. Weber and Mr. Lutz of Urban Renewal. He said they had questions as to whether the widening of Atlantic Street at this time would conflict with anything they would be doing at the lower end of the street and how it would tie in and would this be a waste of money and were they going to do anything with it after. He said they told the Committee that they were in on the engineering plans for the widening of Atlantic Street from the beginning and have talked with SACIA and the Police Department and everyone concurred with it. He said actually what they intend doing is to take off 3 feet of the sidewalk on one side and 4 feet on the other, a total of 7 feet. He said what they want to do is eliminate parking on this side of Atlantic Street, where the Municipal Building is, and pick up two lanes of traffic going both directions. He said this will have to coincide with the signalization of lower Atlantic Street, because they are going to have a turn arrow and a turn lane.

He said URC and the Traffic Engineer feel that by April or May, when GTE will open, if the building goes as scheduled, approximately somewhere between 1,000 and 1,400 cars will be added to the traffic flow on Atlantic Street. Also, he said another thing is if we don't do this now, we are going to have to repair the sidewalks anyway, because at the present time there are several suits being brought against the City, caused by persons falling on the sidewalks. He said the cost of repairing the sidewalks will

be somewhere between \$17,000 and \$20,000. Then, later on, when we have to widen Atlantic Street, we will have to rip up the work we just did, so the Fiscal Committee felt as long as this has to be done and we do have this hazardous sidewalk condition, now would be the time to widen Atlantic Street.

MR. MORABITO said he wants to clarify the vote taken by his Committee to hold this. He said tonight he was unable to get together a quorum of the Public Works Committee because he is also a member of the Fiscal Committee and was unable to meet sooner, so therefore he had to report it out as being held in Committee.

VOTE taken on the following Resolution and CARRIED unanimously:

RESOLUTION NO. 845

AMENDING 1972-1973 CAPITAL PROJECTS BUDGET TO BE KNOWN AS
"WIDENING OF ATLANTIC STREET" AND APPROPRIATION OF \$91,000.00
THEREFOR

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford, in accordance with provisions of Section 611.5 of the Stamford Charter, to approve an amendment to the 1972-1973 Capital Projects Budget, Public Works Department, for Project to be known as "WIDENING OF ATLANTIC STREET" and appropriation of \$91,000.00 therefor, to be financed by the issuance of bonds.

- (14) \$7,210.93 - OFFICE OF COMMISSIONER OF FINANCE - Code 144.0101,
Salaries - Representing amount due former Controller
James J. McDonald, for vacation and sick time pay -
 (Mayor's letter 7/13/72)

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

- (15) Proposed Resolution - AUTHORIZING THE FILING OF AN APPLICATION TO
THE FEDERAL GOVERNMENT FOR A GRANT TO DEVELOP DYKE PARK UNDER THE
OPEN SPACE PROGRAM - (HUD Grant, for 50% reimbursement, being
one-half of \$179,000 total cost) - (See Mayor's letter of
8/18/72) - (Also see Minutes of 4/10/72, Adjourned Meeting -
Page 9121)

MR. BOCCUZZI said what happened here is that the Mayor found out that we wouldn't be eligible for a 50% Grant under the above item, and the Grants Officer brought down another resolution to the Fiscal Committee pertaining to a swimming pool at Dyke Park, with a 50% reimbursement, being half of \$800,000. He said he ruled in the Fiscal Committee that this was improperly before us. He said as far as the swimming pool is concerned, he does not believe this request has gone before the Planning Board or the Board of Finance yet, so it cannot be considered at this time.

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- (16) Resolution No. 846 - AUTHORIZING THE FILING OF AN APPLICATION TO THE FEDERAL GOVERNMENT FOR GRANT TO RENOVATE THE OLD TOWN HALL UNDER OPEN SPACE PROGRAM - (Historic and Architectural Preservation) - (HUD Grant, for 50% reimbursement - \$140,900) being half of estimated \$281,800 cost - Mayor's letter 8/18/72)

MR. BOCCUZZI MOVED for approval of the following Resolution. Seconded by Mr. Fox, who said the Legislative & Rules Committee concurs.

MR. BOCCUZZI said this total amount has already been appropriated in the last two fiscal years in the Capital Projects Budget, for the renovation of the building and what the Mayor is trying to do now is to apply for a Grant to get some of it back so that the burden to the taxpayer won't be the total of \$281,800.

VOTE taken on the following Resolution and CARRIED unanimously:

RESOLUTION NO. 846

APPROVAL AUTHORIZING THE FILING OF AN APPLICATION TO THE FEDERAL GOVERNMENT FOR A GRANT TO RENOVATE THE OLD TOWN HALL UNDER THE OPEN SPACE PROGRAM (HISTORIC AND ARCHITECTURAL PRESERVATION)

WHEREAS, Title VII of the Housing Act of 1961, as amended, provides for the making of grants by the Secretary of Housing & Urban Development to States and local public bodies to assist them in the acquisition and development of permanent interests in land for open-space uses and provides for historic and architectural preservation assistance; and

WHEREAS, The City of Stamford herein, sometimes referred to as "Applicant" desires to preserve for historic and architectural purposes the Old Town Hall of Stamford; and

WHEREAS, it is estimates that the cost of renovation of said building will be \$281,800; and

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

1. Athat an application be made to the Department of Housing and Urban Development for a grant in an amount authorized by Title VII of the Housing Act of 1961, as amended, which amount is presently estimated to be \$140,900 and that the City of Stamford will pay the balance of the cost from other funds available to it.

That the United States of America and the Secretary of Housing and Urban Development be, and they are hereby assured of full compliance by the applicant with the Federal Labor standards imposed under Title VII of the Housing Act of 1961, as amended.

This Resolution shall become effective as of the date of its enactment.

- (17) Proposed Resolution - AUTHORIZING THE FILING OF AN APPLICATION TO THE FEDERAL GOVERNMENT FOR GRANT FOR EXPANSION OF FACILITIES AT THE WEST MAIN STREET NEIGHBORHOOD FACILITY PROGRAM - (HUD Grant for balance in amount of \$333,333 and local share to be borne by the City in amount of \$166,667) - (Mayor's letter 8/21/72)

The above item was held in Committee.

SUSPENSION OF RULES - RE: LEGAL SERVICES \$15,000 appropriation -
(See Minutes of 7/10/72)

MR. MORRIS MOVED FOR SUSPENSION OF THE RULES in order to take up the above matter. Seconded and CARRIED, with a few "no" votes.

MR. MORRIS explained that at the time this money was appropriated, he was assured that the services would not get into any suits with the City and now we're in one again. He said although we haven't given them all of the \$15,000 - we still have \$7,500 left in this account. He said he thinks their behavior is a travesty of justice.

MR. MORRIS said when this first came up Legal Services did have a suit against the City in regard to one of the Ordinances passed by this Board. He said Mr. Ridgeway Hall of Cummings & Lockwood approached him and assured him that this would never happen again and assured other members of this Board. He said last week they took out a law suit against the City of Stamford, using the \$15,000 we gave them and Federal money. He said it could very well be that although the taxpayers of the City of Stamford have already paid out \$15,000, and now that they are engaged in a lawsuit against the City, it could cost the City ANOTHER \$50,000 to hire lawyers to go through Court. He said he would like to MOVE that the remainder of this money be held -- the \$7,500 - held in the treasury of the City of Stamford until we can straighten out this matter, and it is quite possible that if we do hold this money, they would not be able to go ahead with the lawsuit, because the Federal Government would not give them the money unless we have given them the whole \$15,000. Seconded.

MRS. LAITMAN spoke against the motion. She said the issue of school busing is not germane to our vote - the issue is the survival of Legal Services as a source of legal assistance to the poor of this City. She said she also questions the timing and intention of this suit but does not feel we should be punitive because the indigent people are the ones who will lose.

MR. HEINZER said if we have legal services which the City supports, that we will have to learn to expect this kind of thing because these lawyers can't refuse to take a case. He said the question is whether the City wants to support legal services. He said he feels that the Legal Services should be supported by the United Fund, or something of that nature rather than by using taxpayers' money because we will keep on getting into this bind and he does not feel that it is proper.

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He said his second point is how can we withhold money that has already been appropriated? He said the Charter contains no provision for this sort of thing. However, he said there is a very simple way to take this money away from them, if we wish to be punitive. He said the Mayor has indicated that he is very disturbed by this and all monies that we appropriate goes to the Mayor for his Budget - and he does NOT have to spend that money - for instance, if we give him a certain amount of money for stamps and he does not spend it, then it goes back into the General Fund and it also applies to the present case. If we have given him \$15,000 for Legal Services and he has only spent \$7,500 so far, he can decide whether or not to give them the other \$7,500 and can put this back into the General Fund if he so wishes. He said he knows of NO way in which this Board can take back money once we have appropriated it.

MRS. SHERMAN said it is her feeling that we have no right to punish the poor and thinks it is up to the Courts to decide and not us.

MR. DIXON said he thinks we don't have the right to dictate to them and disagrees with Mr. Morris' motion.

MRS. PONT BRIANT said she has mixed emotions about it, because we do need legal services within the City for those who cannot afford to hire lawyers. However, when this came up at Budget time and later on when we reinstated the funds, the stipulation from our Board was to please handle cases and not CAUSES. She said several months ago she read in the paper where Legal Services were organizing a strike for the rental people to march on City Hall. She said she thinks they are overstepping the line by trying to organize a strike and should confine their activities to handling the CASE and not organize a strike.

MR. GUROIAN said he wants to know where was the Minority Leader when this question first came up.

MR. MORRIS said at Budget time he voted against the appropriation for Legal Services.

MR. LIVINGSTON said he thinks the poor are in dire need of legal services.

MR. RUSSBACH reminded the members that when this first came up he told them they were being sold a "bill of goods" and not to repeat the same mistake twice.

MR. ROSE spoke against the motion.

MR. RUSSELL said he feels that Legal Services was created to handle individual cases and they have stepped out of line.

MR. FOX said the Legislative & Rules Committee invited Mr. Ridgeway Hall, a Member of the Board of Directors of Legal Services and Mr. Roger Koontz, the Director of Legal Services, to come before the Committee and comment on this matter. He said after listening to what they had to say, the Committee voted by a division of 5 to 3 to recommend the maintaining of the funding of Legal Services, but did not get into the merits of the case

to the extent that they could detect any bad faith on the part of the parties involved. He said they did discover what might be called errors in judgment on the part of some of the attorneys - perhaps a reneging in regard to a commitment made to the Law Department of this City in attempting to work out these matters prior to complaint. He said the majority of the Committee felt that this would be a political usurpation of a right that properly belongs in the Courts and recommend that no rescission of the funds be taken tonight. He said he would also like to report that the President of the Stamford Bar Association has advised him that while the Bar Association does not take a position as to the merits of the case before us tonight, they have not changed their recommendation for funding of Legal Services. He said personally he questions whether we have the authority to rescind an appropriation.

MR. EXNICIOS spoke against the motion and urged everyone here to try to act with responsibility. He said if Legal Services did break their promise to us we should not follow this example because we made a commitment in July and should honor that commitment.

MR. MORABITO said he does not feel that Legal Services is needed and we are going to end up with Federal controls.

MR. ROOS said he thinks this sort of case is being tried in all parts of the country.

MR. FRIEDMAN spoke against the motion but thinks that they should be censured.

MR. KNAPP said his was one of the dissenting votes on the Legislative & Rules Committee and to this moment does not feel this was handled properly. He said when this first came up he voted against the appropriation and the second time around he voted in favor and at this moment he cannot see how he can vote to take this away from them now that they have it.

MR. TRESSER said he was one of those who voted for it, but he still thinks that the poor people need legal protection.

MRS. LAITMAN spoke about a letter from Mr. Paul Newman, Director for Legal Services for Region 1, commenting on the right to limit an attorney to file suit against agencies of the State of Connecticut. He said this special condition could not be agreed to by any organization desiring to qualify for assistance under the Economic Opportunity Act. She said the original letter was written Dec. 15, 1970 and still holds true.

MR. MORRIS said he thinks the story is getting a little twisted and that the reason why he finally voted in favor of this appropriation was in order to help the poor people, because he can understand their problems. He said if something is not done now, whether it is censure or whatever, is that when this comes before us next year, the people that need the help won't be getting it, because he does not believe this Board will turn

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around and vote for this again once they get the feeling they have been mistreated. He said what he believes is that the people who need legal assistance should be getting it, but not to get involved in "causes" and lose sight of what they are really there for. He said these people are well aware of what they are doing and are just "Show Boating" and will continue unless they are stopped. He said it is one thing to help people and another to disrupt the City by involving the City in an expensive lawsuit that will end up costing the taxpayers thousands of dollars.

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

MR. KNAPP MOVED that a letter of censure be sent to Legal Services.

THE PRESIDENT said he will have to rule the motion out of order because it is his understanding that the only time you can bring up the question of rescinding a motion that has been approved, is to rescind it at the following meeting.

MR. RUSSBACH rose on a POINT OF ORDER. He said that would be a RECONSIDERATION.

THE PRESIDENT said that is correct. We can't reconsider it because it went too far. He said that is his opinion and if the Board wants to overrule him, it is up to them.

RECESS DECLARED:

A RECESS was declared at 10.30 in order to consider a letter of censure to be sent to Legal Services.

The RECESS was declared over at 11 P.M.

MR. KNAPP asked whether a motion for SUSPENSION OF THE RULES is needed in order to take up this censure action.

THE PRESIDENT said he thinks we should.

MR. KNAPP MOVED FOR SUSPENSION OF THE RULES in order to take up this censure action. Seconded and CARRIED, with several opposing.

MR. KNAPP asked Mr. Russbach to read the letter of censure.

MR. RUSSBACH read the following:

BE IT RESOLVED that the Board of Representatives go on record to censure the Norwalk-Stamford-Danbury Regional Legal Services, Inc., for the premature action in bringing a class action suit against the Board of Education, and

FURTHER, we take no position regarding the merits of the pending case.

There was considerable debate on the Resolution to censure after which MR. EXNICIOS MOVED the Resolution be referred to the Legislative & Rules Committee. Seconded and CARRIED by a machine vote of 18 in favor and 16 opposed. It was therefore referred to the Legislative & Rules Committee.

LEGISLATIVE & RULES COMMITTEE:

MR. FOX said his Committee met on Wednesday, September 6, 1972 with all members present with the exception of Mr. Murphy, who was absent.

- (1) REVISED FEE SCHEDULES FOR HEALTH DEPARTMENT - (Submitted by Dr. Gofstein in letter dated 3/20/72 - Held in Committee 6/12/72, 7/10/72 and 8/7/72)

MR. FOX said all these fees were placed on the Members' desks at our last meeting and the Legislative & Rules Committee has recommended that they be approved and HE SO MOVED.

MR. FLANAGAN MOVED to amend that this item be committed to the Health & Protection Committee for further study. He objected to some of the fees and the way it is being done. He said he believes this requires a great deal of further consideration.

The matter was held in Committee and also referred to the Health & Protection Committee.

- (2) Final adoption of Ordinance No. 249 - "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 Atty. Howard G. Shiffman, of law firm of Epifanio, Toohar & Shiffman) -- (Approved for publication 6/12/72; published 6/17/72 - Held in Committee 7/10/72 and on 8/7/72)

MR. FOX MOVED for final adoption of the following Ordinance, with amendments concerning a change in the description regarding the real estate that is to be exempt, which is accurate insofar as it describes the property that is to be exempt. Seconded and CARRIED unanimously:

ORDINANCE NO. 249 SUPPLEMENTAL

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

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Pursuant to Section 12-81(b) of the General Statutes of the State of

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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 to exempt and abate taxes on the List of September 1, 1971, assessed on real property situated on the east side of Newfield Avenue - Item No. 45 of the Grand List of September 1, 1970 - Lot A - acquired by The Stamford Gospel Tabernacle, Inc. on May 16, 1972, to be used for religious purposes, being more particularly described as follows:

All those certain two (2) lots of land with the buildings thereon situated in the City of Stamford, County of Fairfield and State of Connecticut, shown and designated as Plot A-1 and Plot A-2 on a certain map entitled, "Map Showing Subdivision Prepared for the Stamford Gospel Tabernacle, Inc., Stamford, Connecticut", Certified "Substantially Correct" by Joseph J. Frattaroli, for Edward J. Frattaroli & Company, Surveyor, Stamford, Connecticut, November 9, 1971, which map is on file in the office of the Town Clerk of the City of Stamford as Map No. 9205, references thereto being had.

Said premises are subject to the zoning and planning rules and regulations of the City of Stamford, and to public utility grants fully appearing of record.

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

- (3) Final adoption of Ordinance No. 250 - CONCERNING THE SEPARATION OF SEWER CHARGES FROM OTHER CAPITAL PROJECTS - (Proposed by Thomas Morris, 15th District Representative) - (Adopted for publication 8/7/72; published 8/11/72)

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

ORDINANCE NO. 250 SUPPLEMENTAL

CONCERNING THE SEPARATION OF SEWER CHARGES FROM OTHER CAPITAL PROJECTS

WHEREAS: Section 622 of the Charter of the City of Stamford provides that payment of the balance of bonded indebtedness for sanitation facilities shall be charged to the tax districts to which those facilities are available in a certain ratio and;

WHEREAS: It may be both practical and economical to include other improvements such as street widening, curbing, storm drains, etc. as part of a sanitation project and/or contract;

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BE AND IT IS HEREBY ORDAINED BY THE CITY OF STAMFORD THAT: Whenever other improvements not necessitated by a sanitary project are included in that project or in the contract for that project, the City Engineer shall determine the costs which are applicable to those improvements and those costs shall be assessed against all districts for the purposes of taxation in the same manner as they would be charged if they were not part of a sanitation project or contract.

This Ordinance is to take effect immediately upon its enactment and shall affect those contracts executed after the effective date of this Ordinance.

- (4) Conveyance of City-owned property to the HOTEL HAZELTON, being a small, triangular strip of land located on North side of New Willow Street, extending from Washington Boulevard westerly for a distance of 264.37 linear feet, which strip tapers to zero at Washington Boulevard and gradually widens to a maximum of 15.32 feet at the westerly terminus, with a mid-point of 5 feet - (Mayor's letter of 7/17/72 - Also, see letter from Jas. B. Hibben, URC Director of 7/6/72)

MR. FOX said the above is an authorization for the conveyance of city-owned property to the Hotel Hazelton, which is virtually useless for any purpose to the City and the Park Department has turned it down for any use and has now become a part of a "settlement" package with other land owned by the Hotel which was condemned for the Willow Street project which has not yet been paid for. He said his Committee unanimously approved this conveyance and he SO MOVED. Seconded.

MRS. PONT BRIANT said she would like the record to show it exactly the way it is shown in the papers presented to us.

MR. FOX asked the Speaker if she wants this approved subject to the terms and conditions of the settlement and she said she did.

VOTE taken on above and CARRIED unanimously.

- (5) Request for WAIVER OF BUILDING PERMIT FEE FOR STAMFORD HOSPITAL, for construction of a NEW LABORATORY at a total cost of approximately \$550,000.00 - (Letter dated 8/4/72 from Durey & Pierson, their Attys.

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

MR. RUSSBACH requested permission to leave at this time (11.35 P.M.) which was granted.

- (7) MODIFICATION OF TAX ABATEMENT - TRINITY APARTMENTS (48 UNITS OF HOUSING ON SPRUCE STREET SITE - (Requested in Mayor's letter of Sept. 6, 1972)
(Received too late to go on Agenda)

MR. FOX MOVED for SUSPENSION OF THE RULES in order to consider the above

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request. He said it concerns the same apartments we just approved the waiver of a building permit fee. He explained this would be on a limited dividend basis with F.D. Rich as the Sponsor. He said they requested that we present this under suspension of the rules since it is not on the Agenda tonight - the reason being that they can start construction immediately if they are assured of this tax abatement, which is required in order for them to obtain a mortgage. Seconded and CARRIED.

MR. FOX MOVED for approval of the request. Seconded.

MRS. PONT BRIANT asked if the Tax Abatement Committee is in agreement.

MR. FOX said the Tax Abatement Committee has met and approved this item.

VOTE taken on above request and CARRIED unanimously.

- (8) Proposed Resolution - AUTHORIZING THE FILING OF AN APPLICATION FOR TAX ABATEMENT REIMBURSEMENT ON LUDLOW TOWN HOUSES WITH THE STATE DEPARTMENT OF COMMUNITY AFFAIRS - (Estimated cost at \$350 per unit, or \$12,600.00) - (Mayor's letter of 8/9/72)

MR. FOX said the above matter has already been disposed of by this Board and therefore no action was taken.

- (9) Proposed Ordinance based on Section 397, Article 12 of New York State law, entitled "EQUIPPING MOTOR VEHICLES WITH RADIO RECEIVING SIGNALS ON THE FREQUENCIES ALLOCATED FOR POLICE USE" - (Suggested in letter dated 6/6/72 from Hawley Oefinger, Communications Supt.)

The above request was Held in Committee pending further investigation.

- (10) Proposed Ordinance Amending Chapter 26 of Code of General Ordinances by adding Sec. 26-15 thereto: "Any action of the Sewer Commission shall be subject to review and/or repeal and/or amendment by a resolution of the Board of Representatives"- (Proposed by Charles J. Heinzer, III, 13th District Representative)

The above matter was held in Committee pending further investigation.

- (11) Resolution No. 847 - Approving transfer of jurisdiction of MAGEE AVENUE property from Stamford Fire Department to the Public Works Department, in accordance with provisions of Ordinance No. 144 Supplemental and approving transfer of jurisdiction of MAGEE AVENUE property from the Public Works Department to the Fire Department - (As further described in Schedules A and B attached to the Mayor's letter of 8/21/72)

MR. FOX explained that this is presently where their Training Tower is located and where they conduct their training program and they have decided that they would rather conduct it on a new site and are requesting this transfer.

HE MOVED for approval of the following Resolution, which was seconded and CARRIED unanimously:

RESOLUTION NO. 847

APPROVING THE TRANSFER OF JURISDICTION OF MAGEE AVENUE PROPERTY FROM THE STAMFORD FIRE DEPARTMENT OF THE CITY OF STAMFORD TO THE PUBLIC WORKS DEPARTMENT OF THE CITY OF STAMFORD IN ACCORDANCE WITH THE PROVISIONS OF ORDINANCE NO. 144 SUPPLEMENTAL OF THE GENERAL ORDINANCES OF THE CITY OF STAMFORD AND APPROVING A TRANSFER OF JURISDICTION OF MAGEE AVENUE PROPERTY FROM THE PUBLIC WORKS DEPARTMENT OF THE CITY OF STAMFORD TO THE FIRE DEPARTMENT OF THE CITY OF STAMFORD

WHEREAS, the Stamford Fire Department presently has jurisdiction of property located on the east side of Magee Avenue in Stamford fully described in Schedule A attached hereto; and

WHEREAS, the Public Works Department of the City of Stamford presently has jurisdiction of property located on the east side of Magee Avenue in Stamford fully described in Schedule B attached hereto; and

WHEREAS, Ordinance No. 144 Supplemental of the General Ordinances of the City of Stamford provides for the transfer of jurisdiction between the City of Stamford and its Agencies and Departments; and

WHEREAS, the transfer of jurisdiction of the properties in Schedules A and B attached hereto are in the public interest and are desired by both the Public Works Department and the Stamford Fire Department.

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

The jurisdiction of the property located on the east side of Magee Avenue in Stamford as described in Schedule A attached hereto, is hereby transferred from the Stamford Fire Department to the Public Works Department of the City of Stamford and the jurisdiction of the property located on the east side of Magee Avenue in Stamford, as described in Schedule B attached hereto, is hereby transferred from the Public Works Department of the City of Stamford to the Stamford Fire Department, all in accordance with the provisions of Ordinance No. 144 Supplemental of the General Ordinances of the City of Stamford.

SCHEDULE A

PROPERTY TO BE TRANSFERRED FROM THE STAMFORD FIRE DEPARTMENT TO THE PUBLIC WORKS DEPARTMENT OF THE CITY OF STAMFORD

Beginning at a point on the easterly street line of Magee Avenue as it now exists, said point being the southwesterly corner of property of Harry Muccio Et Al as shown and delineated on Map No. 8959 Stamford Land Records. Thence in an easterly direction along said land of Harry Muccio Et Al N 87° 34' 00" E a distance of 245.25 feet to a point thence still in an easterly direction through land of City of Stamford S 86° 14' 00" E a distance of 310.68 feet to land of Osrock Partnership, thence in a southerly direction along said land of Osrock Partnership S 2° 06' 20" W a distance of 146.48 feet -

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to a point, thence in a westerly, northerly and again westerly direction through land of City of Stamford following courses and distances: N 86° 14' 00" W a distance of 253.86 ft. N 18° 53' 00" W a distance of 127.30 ft. and S 34' 00" W a distance of 245.25 ft. to a point on the easterly street line of Magee Avenue, thence in a northerly direction above said easterly street line of Magee Avenue N 18° 35' 00" W a distance of 31.28 ft. to the point or place of beginning. The above described parcel of land contains 48,670 square feet or 1.117 acres in area and it lies in Block No. 1108 Stamford Land Records, being more particularly shown and delineated on a certain map on file in the City Engineer's Office, reference to being hereby had and entitled "City of Stamford Map Showing Property to be Transferred from Public Works Dept. to Stamford Fire Dept. in Stamford, Conn. August 1971 Scale: 1"-30' William D. Sabia, City Engineer P.E. No. 6303 Conn."

SCHEDULE B

PROPERTY TO BE TRANSFERRED FROM THE PUBLIC WORKS DEPARTMENT OF THE CITY OF STAMFORD TO THE STAMFORD FIRE DEPARTMENT

Beginning at a point on the easterly street line of Magee Avenue as it now exists at the division line between land now or formerly of B.R.A.T. Inc. and the herein described parcel of land, thence in a northerly direction along said easterly street line of Magee Avenue N 18° 53' 00" W a distance of 174.383 ft. to land of the City of Stamford, thence in an easterly direction along said land of the City of Stamford S 85° 27' 00" E a distance of 532.370 ft. to land now or formerly of Osrock Partnership, thence in a southerly direction along said land now or formerly of Osrock Partnership and land now or formerly of Stamford Drive-In Theatre Corp. each in part S 2° 06' 20" W a distance of 105.139 ft., thence in a westerly direction along said land now or formerly of Stamford Drive-In Theatre Corp. and land now or formerly of B.R.A.T. Inc. each in part S 51° 55' 00" W a distance of 81.14 ft. and N 85° 27' 00" W a distance of 407.81 ft. to the point or place of beginning, being more particularly shown and delineated on a certain map entitled "Topographical Map Showing Proposed Site for New P.W.D. Garage in City of Stamford Scale 1"-30'." and signed by William D. Sabia, City Engineer as revised August 1, 1972.

The above described parcel of land contains 1.801 acres.

(12) Proposed amendment to RULES OF ORDER - TO PLACE A TIME LIMIT ON DEBATE

MR. FOX said the Committee discussed this item at length and decided NOT to recommend any time limit on the debate of any individual. He said the Committee does, however, recommend the following:

- (1) That Members try to speak to the point, if at all possible, and
- (2) That the motion to close debate- namely, MOVING THE QUESTION- be not used so freely, so that everyone here has an opportunity to set forth their position, and
- (3) That we make every effort to move the meetings along at a greater rate.

He said the Committee would recommend to the President that he uses his authority to keep the meetings moving along faster and not be so patient with those who speak too long.

CONCERNING TAX EXEMPTIONS

MRS. PONT BRIANT asked, through the Chair, if Mr. Fox would check with the Tax Assessor's Office on future exemptions, maybe there should be an amendment

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at the end of the Resolution to read that if at any time property is not used for the purpose for which it was originally given exemption, the Tax Assessor may tax them AS OF THAT DATE.

MR. FOX said his Committee will take the matter up.

PLANNING & ZONING COMMITTEE:

MR. RUSSELL, Chairman, presented his Report. He said his Committee met on only one item.

ACCEPTANCE OF ROADS AS CITY STREETS:

MR. RUSSELL said the following have been recommended for acceptance as City streets by the City Engineer who has inspected them and certifies that they meet all requirements. HE MOVED for their acceptance. Seconded and CARRIED unanimously:

LANELL DRIVE: Extending easterly from Shippan Avenue to the property line as shown on Map No. 8991 on file in the Town Clerk's Office - length: approximately 932 ft.

BARNCROFT ROAD: Extending easterly and northerly from Overhill Road to the already accepted portion. As shown on Map No. 1323 on file in the Town Clerk's Office-Length: approximately 990 ft. Note: This road was accepted under the provisions of Chapter 64 of the Charter.

PARKS & RECREATION COMMITTEE:

PETITION NO. 370 - Permission requested in letter 8/25/72 from Director of Urban League of Southwestern Fairfield County, Inc. for permission to hold a PARADE on September 30 at 10 A.M. to celebrate VOTER REGISTRATION- (Route to start on West Main Street toward center of Town)

MR. KELLY said the Police Department has given permission. HE MOVED that the request be granted, provided they provide all financial liability for the Parade. Seconded and CARRIED.

Proposal to plant 12 Cherry Trees along WASHINGTON BOULEVARD IN HONOR THE ISRAELI ATHLETES WHO LOST THEIR LIVES DURING THE 1972 OLYMPIC GAMES IN MUNICH (Letter from Mrs. Kim Varney, 16th District Representative)

Referred to Steering Committee.

URBAN RENEWAL COMMITTEE:

MR. ROOS reported that the URC Commission met Aug. 16, 1972 and Urban Renewal Committee was represented. He presented the following Report: They acted on the Fifth Amendatory Contract, which provides project funds of approximately 2.7 million for the fiscal year beginning July 1, 1972 and ending June 30, 1973.

The Hartford Office of HUD met with the URC regarding the mandatory of the downtown URC Project - this is a Federal Government procedure for setting a maximum amount to which the Federal Government will be obligated.

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As of August 16th a family relocation workload of 83 families, 24 single householders and 10 roomers exists. Since then, four families have been moved to the Ludlow Town Houses. It is expected that 14 to 18 families will be accepted for the Ludlow Street Town Houses. In addition, some over income families will be moving to Ludlow Street, thereby freeing up public housing units for URC families.

The Commission has received a draft of a proposed Social Services Contract with the Family & Childrens' Services, which it submitted to Hartford HUD for review and approval. HUD considers Family Services to be best qualified -- \$39,000 has been allotted.

Re-use Parcel 9, the Twin Theatre site, has, as yet, not shown much progress. Financial arrangements, as yet, have not been concluded.

Additional meetings with Hartford HUD are being held this month with promising results.

HOUSE COMMITTEE:

MR. RYBNICK, Chairman, said several Members have asked him about cars that are parked at the entrance to our parking area. He said he has taken the matter up with the Police Chief and he assured him that this area will become a TOW AWAY zone. He said the Board Members complain that they are unable to make the turn with cars blocking the entrance.

SPECIAL COMMITTEE ON DRUG ABUSE:

MR. FRIEDMAN presented the following Report:

A meeting was held on August 9th with the following Members present: Mr. Livingston, Mr. Iacovo, Mrs. Sherman and Mr. Friedman.

Mr. George Allen was interviewed relative to the effectiveness of our Drug Liberation Program. Mr. Allen's feeling was that there was much to be desired during the past year and a half, primarily due to insufficient funding. He was somewhat optimistic, however, now that we have an expanded funding program and that steps are currently being taken to step up the effectiveness of our existing programs, and to add programs where they are needed.

A more complete and detailed Report will be forthcoming from our Committee as we progress with our meetings.

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OLD BUSINESS:

Proposed Resolution - Requesting the PUBLIC WORKS DEPARTMENT to pick up collections as requested by individual taxpayers and/or home owners within the City limits (with certain restrictions)

MR. TRUGLIA spoke on the above matter, which was referred to the Steering Committee.

NEW BUSINESS:Next Meeting of Steering Committee

THE PRESIDENT announced that the next Meeting of the Steering Committee will not be held on the usual Monday, because of YOM KIPPUR, but instead will be held on TUESDAY, SEPTEMBER 19th.

Concerning Vandalism at STEVENS SCHOOL

MR. LIVINGSTON said Stevens School is literally being destroyed and we cannot stand by and watch the taxpayers' money being thrown away and something has to be done. He said he thinks some firm action should be taken and taken tonight.

MR. MORABITO said that Stevens School is now under the jurisdiction of the Board of Education and it is the responsibility of the Board of Education to maintain that building. He said we were told by Dr. Carpenter that he would maintain Stevens School as any other school building and since Stevens School is within the jurisdiction of the Board of Education, then it is their responsibility, if anyone has to be censured, it should be the Board of Education.

MR. KNAPP said he agrees with Mr. Livingston and also with Mr. Morabito and since this is within the realm of the Board of Education, since we have not taken any action in turning the Stevens School over to the Public Works Department. He said he has heard that the alarms are still working within Stevens School and evidently when a window breaks, the Police Department check this out. He said it has now become a fact that not only do they have to pay for the breakage of windows, but are also taking the Police off beats where they should be in order to investigate the breakage of these windows and if there is anybody in the building. He said he thinks this is a little silly and the Board of Education really should look after their own property.

MR. COLASSO said he attended a meeting when Dr. Carpenter made the statement that the Board of Education will maintain that building. He said he also said he is coming back to ask for a \$45,000 appropriation in order to maintain that building.

MR. HEINZER said he has not seen any request from the Board of Education for an appropriation to take care of maintaining Stevens School, so the fault lies squarely with them in the event that building is damaged.

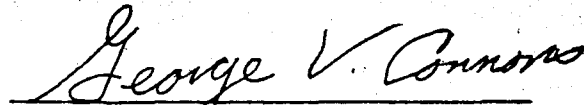
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ADJOURNMENT:

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

NOTE: The above Meeting was
broadcast over Radio Station
WSTC until 11 P.M.

VF.