

MINUTES OF DECEMBER 4, 1972
12TH BOARD OF REPRESENTATIVES
STAMFORD, CONNECTICUT

9453

The 12th Board of Representatives of the City of Stamford met in regular session on Monday, December 4, 1972 in the meeting room of the Board, second floor, Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut.

The meeting was called to order by the President, George V. Connors, at 9 P.M. after a Caucus of the respective parties.

INVOCATION - Given by Rabbi Samuel Silver, Temple Sinai

MOMENT OF SILENCE: A moment of silence was observed in memory of the mother of Mrs. Marilyn Laitman, Clerk, recently deceased.

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 taken and everything was in good working order.

ROLL CALL was taken by the Clerk. There were 38 present and 2 absent. The absent members were: Frederick P. Lenz, Jr. (1st District) and Kim Varney (16th District).

ACCEPTANCE OF MINUTES - Special Meeting held October 24, 1972.

The Minutes of the above meeting were approved.

PAGES:

The President announced the presence of two Pages - NANCY BUCK and ROBIN GUARINO

COMMITTEE REPORTS:

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

STEERING COMMITTEE REPORT

Meeting held Monday, November 20, 1972

A meeting of the Steering Committee was held on Monday, November 20, 1972 in the Board of Representatives' Caucus room, Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut.

The meeting was called to order by the President, George V. Connors, at 8 P.M. All members were present with the exception of Mr. Truglia, Mr. Russell and Mrs. Laitman.

The following matters were discussed and acted upon:

(1) Appointments:

Twelve appointments, as well as one held in Committee at the October Board meeting were ORDERED ON THE AGENDA under the Appointments Committee.

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(2) Additional Appropriations:

All appropriations held in Committee at the October Board meeting, were ORDERED ON THE AGENDA under FISCAL COMMITTEE. Items in excess of \$2,000 were referred to a secondary Committee.

(3) BEDFORD STREET PARKING GARAGE - (Mayor's letter of 9/22/72)

The above matter, having been DEFERRED by the Board of Finance on 11/20/72 was NOT ordered on the agenda.

Other items approved by the Board of Finance tonight, were ORDERED PLACED ON THE AGENDA to various committees concerned. The clerk of the Board of Finance gave these to Mrs. Pont-Briant during the course of the meeting.

- (4) \$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 8/7/72 and again on 9/11/72; DENIED 10/2/72 with recommendation he be retired under Sec. 716 of Charter) -- Above request unchanged and re-submitted by Police Commissioner in letter to Chairman of Fiscal Committee.

Above ORDERED PLACED ON AGENDA under FISCAL COMMITTEE.

- (5) 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, 8/7/72, 9/11/72 and 10/2/72 --- Approved for publication 11/13/72; published 11/20/72)

MR. FOX, Chairman of the Legislative & Rules Committee, to whom it had been referred, said his Committee will be holding a hearing on this on November 30th as well as on two other items. ORDERED ON AGENDA UNDER LEGISLATIVE & RULES COMMITTEE.

- (6) Proposed Ordinance (for publication) - CONCERNING LEASE OF CITY-OWNED PROPERTY ON WATER STREET FOR \$1,200 A YEAR FOR A FIVE YEAR TERM, TO ALEXANDER R. KOPROSKI AND PATRICIA A. KOPROSKI - (Mayor's letter of 5/19/72) - (See Minutes of 8/7/72, page 9305 - Deferred 10/2/72 and referred back to Committee 11/13/72) -

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (7) Ordinance (for final adoption) - CONCERNING CURFEW AT NORTHRUP PARK - (Requested by Mr. Morabito at the 8/7/72 Board Meeting - See page 9328 of Minutes - Held in Committee 10-2-72; approved for publication 11/13/72 and published 11/20/72)

Above ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

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- (8) Ordinance for final adoption - ADOPTING AND ENACTING A NEW CODE OF ORDINANCES OF THE CITY OF STAMFORD, CONNECTICUT; ESTABLISHING THE SAME; PROVIDING FOR REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; EXCEPT FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; EXCEPT AS HEREIN EXPRESSLY PROVIDED FOR; PROVIDING FOR THE EFFECTIVE DATE OF SUCH CODE AND PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE - (Approved for publication on 11/13/72 and published on 11/20/72)

Above ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (9) Ordinance for final adoption - EASEMENT FOR ROAD PURPOSES, THROUGH CITY-OWNED PROPERTY ON WEST SIDE OF HAIG AVENUE, IN FAVOR OF SHIRLEY H. COBLENTZ AND FRANCES COBLENTZ - (Mayor's letter of 9/14/72) - (Approved for publication 11/13/72; published 11/20/72)

Above ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (10) Proposed Resolution - AUTHORIZING APPOINTMENT OF A HISTORIC DISTRICT STUDY COMMITTEE, FOR THE PURPOSE OF MAKING AN INVESTIGATION FOR THE PROPOSED ESTABLISHMENT OF A FORT STAMFORD HISTORIC DISTRICT - (Mayor's letter of 10/24/72) -- (For previous Historic District Study Committee, see Minutes of 4/3/72, pages 5027, 5039, 40 and Sec. 7-147a and Sec. 7-147b of Conn. General Statutes) -- (Also, see letter dated 9/2/72 from Asst. Corporation Counsel John E. Smyth) - (Held in Committee 11/13/72)

Above ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (11) Proposed Ordinance - TO ESTABLISH A CULTURAL COMMISSION FOR THE CITY OF STAMFORD - (Pursuant to enabling legislation passed by the 1971 session of the General Assembly) -- (Requested in Mayor's letter of 9/27/72) - (Held in Committee 11/13/72)

Above matter was referred to the LEGISLATIVE & RULES COMMITTEE, but NOT ordered on the agenda.

- (12) Ordinance for final adoption - "PROVIDING FOR THE CREATION OF A BUILDING BOARD OF APPEALS IN ACCORDANCE WITH PROVISIONS OF SEC. 19-395 OF THE GENERAL STATUTES OF CONNECTICUT, AS AMENDED, AND THE STATE BUILDING CODE

Above ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (13) TRANSFER OF JURISDICTION OF STEVENS SCHOOL UNDER PROVISIONS OF ORDINANCE NO. 144, FROM BOARD OF EDUCATION TO THE DEPARTMENT OF PUBLIC WORKS - (Mayor's letter of 10/26/72) - (See Minutes of 7/10/72, page 9290, 9291 and 9292 --- DENIED by the Public Works Committee --- also, see letter from Corporation Counsel sent to Dr. Carpenter, dated 7/21/72 in which he states this remains with the Board of Education UNLESS AND UNTIL transferred by the Board of Representatives - Referred BACK to Committee on 11/13/72 by vote of 24 yes and 14 no)

MR. FOX, Chairman of the Legislative & Rules Committee, stated his Committee is also holding a public meeting on this item on November 30th.

Above ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

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- (14) LEASE OF CITY-OWNED PROPERTY KNOWN AS THE "STEVENS SCHOOL", COMPRISING 103,158 SQ. FT. TO THE WEST MAIN STREET COMMUNITY CENTER, INC. - (With certain stipulations made by the Board of Finance on Oct. 25, 1972 as follows: (Referred back to Committee on 11/13/72)

1. Property comprising 15,611 sq. ft., provided that the term is not less than 65 years, and further provided that the West Main Street Community Center terminates its leasehold interest in the 14,000 sq. ft. which it is presently leasing from the City of Stamford; property being more fully described in the Mayor's letter of 10/20/72.
2. That a title search reveals that there are no restrictions or dedicatory language contained in the deed of transfer to the City by the prior owners which would inhibit or preclude a transfer except for specific public purposes; and
3. That the buildings and property be maintained at all times to the standards of the Health Code of the City of Stamford and the City of Stamford Building Code; and
4. That the property be open to ALL citizens of the City of Stamford and no one be excluded; and
5. That the facility be used only as a Community Center.

Above ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE.

- (15) Proposed Revisions to Ordinance No. 246 "MINIMUM HOUSING STANDARDS"
(Held in Committee 11/13/72)

MR. FOX said that his Committee is holding a public meeting on this on November 30th.

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE.

- (16) WAIVER OF BUILDING PERMIT FEE - For a four story addition to the Union Baptist Church, located at 12 Vista Street, in order to provide additional school rooms - (Requested in letter dated 11/10/72 from law firm of Fraser & Landau)

Above ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (17) Proposed Ordinance - "ESTABLISHING A FLOOD ENCROACHMENT LINE FOR PROPERTY OF HENRY A. LOCKWOOD, JR., AND ANN LOCKWOOD, FORMERLY KNOWN AS ANN D. ECKART, UNDER PROVISIONS OF SEC. 7-147 OF THE GENERAL STATUTES OF THE STATE OF CONNECTICUT" -- (requested in letter dated 11/17/72 from Louis A. Casale, Jr., Chairman of Flood & Erosion Control Board)

Above ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

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- (18) Request for approval of an amendment to the LEASE BETWEEN THE CITY OF STAMFORD AND THE UNITED STATES OF AMERICA, concerning NAVAL TRAINING CENTER ON MAGEE AVENUE, to enable Stamford's Sewage Treatment Plant, located in this area, to be expanded to include a portion of the leased premises - (Mayor's letter of 9/19/72)

Above ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (19) Proposed Ordinance CONCERNING METHOD OF CONDUCTING TAG SALES IN CITY OF STAMFORD AND RULES GOVERNING SAME - (Requested in letters dated 10/19/72 and 11/1/72 from Attorney Alphonse C. Jechimczyk, and submitting similar Ordinance adopted by the City of Danbury as a pattern)

The above matter was referred to the LEGISLATIVE & RULES COMMITTEE, but NOT PLACED on the Agenda.

- (20) Concerning flat rate of \$600 for Sewer Charges

MR. COLASSO brought the above matter up and moved it to be placed on the agenda, but after considerable discussion, it was decided to NOT place it on the agenda.

- (21) Letter from Mrs. Lois Pont-Briant, dated 11/13/72, 20th District Representative, concerning ALLEGED ZONING IRREGULARITIES ON HIGH RIDGE ROAD, and requesting these be investigated.

Referred to PLANNING & ZONING COMMITTEE, but NOT ordered on the agenda.

- (22) COLLECTIVE BARGAINING AGREEMENT between City of Stamford and TEAMSTERS LOCAL #145, including the following Departments: PUBLIC WORKS, HUBBARD HEIGHTS, PARKS & TREES and PARKING AUTHORITY - (Letter from Thomas J. Barrett, Labor Negotiator, dated 11/15/72 in which he states he hopes to have these contracts in the hands of each member of the Board of Representatives no later than Nov. 27th or 29th)

Above NOT ordered placed on the Agenda until the contract is ready for ratification. However, it was referred to the PERSONNEL COMMITTEE.

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

vf

George V. Connors,
Chairman, Steering Committee

APPOINTMENTS COMMITTEE:

MR. THEODORE BOCCUZZI, Chairman, said his committee did not meet this month. He said they had originally scheduled their meeting for last Thursday, November 30th, but because many of the appointees wanted to attend a public hearing, it was post-poned to Friday night, and as everyone is aware a special meeting of the Democratic members of this Board was called the same evening. As a result he said the meeting will be held next month at which time they expect to act on each one of them.

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SUSPENSION OF THE RULES:

MR. KNAPP MOVED for SUSPENSION OF THE RULES in order to act on items No. 8 and 9 which appear on the Agenda under the Legislative & Rules Committee. Seconded.

MRS. PONT BRIANT said she will agree to suspension if the Board members who are now present will remain until the end of the meeting - sometimes they talk and then they leave.

MR. KNAPP said the only reason he made this request is because there are members of the audience present who are vitally interested in this and also people listening to the Radio who wish to know what we do here tonight.

MR. LIVINGSTON said he opposes taking matters up out of the order in which they appear on the agenda, but that he would not object that when we reach the Legislative and Rules Committee, to then let it be the first thing acted upon, but opposes acting upon it before matters before the Fiscal Committee are acted upon as they are just as important. He said he sees no haste in moving this ahead of other matters.

MR. IACOVO said if the meetings would start at 8 o'clock, we would not always be suspending the rules. He said the meetings are starting later and later.

VOTE taken on the motion to suspend the rules. CARRIED.

LEGISLATIVE & RULES COMMITTEE:

- (8) Concerning TRANSFER OF JURISDICTION OF STEVENS SCHOOL UNDER PROVISIONS OF ORDINANCE NO. 144, FROM BOARD OF EDUCATION TO THE DEPARTMENT OF PUBLIC WORKS - (Mayor's letter of 10/26/72) -- (See Minutes of 7/10/72, pages 9290, 9291, 92 - DENIED by the Public Works Committee -- Also, see letter from Corporation Counsel to Dr. Carpenter, dated 7/21/72 in which he states this remains with the Board of Education UNLESS AND UNTIL transferred by the Board of Representatives) -- (Referred back to Committee on 11/13/72 by vote of 24 yes and 14 no--- Public hearing held 11/30/72 on this.)

MR. FOX reported on the above matter. He said the Legislative & Rules Committee held a public hearing at Cloonan School last Thursday, November 30th, which was attended by 8 members of his Committee and other members of the Board, including members of the Public Works Committee. He said they heard testimony from approximately 50 individuals, 80% to 90% of whom seemed to favor the transfer of the facility to the West Main Street Community Center. Therefore, he said his Committee has voted by a division of 6 to 2 to approve this item as well as item No. 9, namely, approval of the transfer of this property from the Board of Education to the Public Works Department, and also a proposed Ordinance (see No. 9 below):

- (9) Proposed Ordinance - CONCERNING THE MUTUAL LEASING OF PROPERTIES BETWEEN THE CITY OF STAMFORD --- STEVENS SCHOOL PROPERTY AND PROPERTY OF THE WEST MAIN STREET COMMUNITY CENTER, INC. (With certain stipulations made by the Board of Finance on Oct. 25, 1972)

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MR. FOX said the Ordinance has been approved by his Committee with certain modifications, as follows: First of all, he said we are calling for a swap of leases for a 65 year term and there is no option to buy on either side -----

MR. EXNICIOS objected to discussing item #9 at this time. He said he thinks these should be taken up in their order.

MR. FOX said he will then withhold any comments on #9 until we come to it.

MRS. SHERMAN objected, saying both items deal with the same subject and it will be very difficult to speak of one without mentioning the other. She said she would like to waive what Mr. Exnicios has just said.

MR. GUROIAN said he wants a clarification from the Chair, because as everyone knows, two members of this Board appeared at the public hearing and spoke on the subject. He said he would like the Chair's ruling as to whether these two members have prejudiced their vote, and if not, he would like the record to show that henceforth any member of this Board can appear before a public hearing, then come to this Board and vote on that particular subject.

THE PRESIDENT said he knows for a fact that members of this Board cannot appear before the Zoning Board, but as far as public hearings are concerned, we have no choice whatsoever.

MR. GUROIAN said then in other words, it is quite all right for the members of this Board to appear at public hearings and then appear and speak again on the matter at a Board of Representatives meeting.

The President said "yes". He said as far as he knows, members of this Board can also appear before the Planning Board and the Zoning Board of Appeals.

MR. KNAPP said he would like a ruling from the Chair --- we have four members sitting on this Board who work for the Board of Education. He said this is a very vital issue to the Board of Education and he does not believe these people should be allowed to vote on this matter, and would like to have a ruling from the Chair on this, in case at a later date there are any Court cases and this vote should be challenged.

THE PRESIDENT said we tried that years ago and it didn't work - they are legitimate members of the Board of Representatives with all the rights and privileges that go to each member and can't be challenged.

MR. KNAPP asked - then, they are allowed to vote on this matter?

THE PRESIDENT said that is correct.

MR. HEINZER (a teacher) said this has gone to the Courts in the past and the ruling has been that since those who work for the School Board are, in fact, working for the State, the Courts have ruled they do have the right; that each member of this Board has, to vote on matters pertaining to the Board of Education.

MR. SHERER said he feels the same way and being a teacher, he is also a duly elected member of this Board and has the right to vote on any and all matters, perhaps with the exception of salaries for teachers and at that time he abstains from voting.

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There was considerable discussion at this point as to how Nos. 8 and 9 were to be discussed - one at a time, or as two separate items.

THE PRESIDENT said he thought they were to be voted on as separate items.

RECESS DECLARED at 9:25 P.M.

The recess was declared over at 10 P.M.

MR. FOX stated that the motion on the floor is for the approval of item #8 -- for the transfer of Stevens School from the Board of Education to the Department of Public Works. Seconded.

MR. EXNICIOS spoke in opposition to the motion. He referred the members to the letter written by the Corporation Counsel to Dr. Carpenter on July 21, 1972 at which time he pointed out very strongly that the responsibility of Stevens School remains with the Board of Education. He said he thinks this Board is really acting after the fact, as the Mayor has been keeping the building in repair, in spite of the fact that we have not as yet approved its transfer to the Dept. of Public Works.

MR. HEINZER objected to the fact that this Board makes decisions - resolution after resolution - and these have been ignored by various City agencies. He said if the school Board decides to abandon a school, there is nothing much that anyone can do about it - they were duly elected and that is a decision that they made. He said as far as the Corporation Counsel's "Ruling" is concerned, there is no such thing, because it is his "opinion" only, because he doesn't rule the Board of Representatives. He said he believes it is up to us to honor the decision made by the School Board, even though we do not agree with it.

MR. RUSSBACH spoke against the transfer. He said every time the Board of Education decides to "dump" a school, we are faced with this problem. He said he feels it is ironic that at the same time they are closing Stevens School, they are requesting a new school be built in the 1973-1974 Capital Projects Budget. He asked if this Board is going to be a rubber stamp and sanction their action.

MR. GURDIAN spoke about an article in tonight's Stamford Advocate to tie in the subject of Stevens School with a so called "CONA" block of 12 members of this Board. He said his vote will be what his conscience dictates and nothing else.

MRS. SHERMAN said she wants to make one point and that is the high cost of heating Stevens School, while the school lies idle.

MR. KNAPP said the City Charter is the law of the City and Ordinances are laws and Ordinance No. 144 should be obeyed by the Board of Education.

MR. MORABITO said he and Mr. Perillo chastise the Board of Education for spending so much money on a building for their Maintenance Crew, while letting Stevens School lie empty. He said this Board appropriated \$96,000 one year for portable classrooms for the use of the Board of Education and they turn around and close Stevens.

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MRS. LAITMAN said she thinks we should proceed with approval of the transfer of this school immediately.

MR. ROSE said he thinks we cannot expect the Board of Education to take care of a school which they are no longer able to have classes in.

MR. MORRIS spoke against the motion. He said since some of the minority groups have gone to Court through Regional Legal Services regarding cross-busing, he would not even consider transferring Stevens School until this is settled. He said the Courts might decide these people are right and then what would we do for schools?

MRS. PONT BRIANT said Mr. Knapp is correct about Ordinance No. 144 which does say that approval is needed by the Board of Representatives. However, she said the school would get run down if the Department of Public Works fails to take it over. She said this, of course, does not make it right, because the Board of Education is derelict in their duties and should have requested funds.

MR. MILLER said this Board has never accepted the contention that the Board of Education could simply abandon Stevens School and this is the 3rd time we are voting on the question of transferring jurisdiction. He said on two occasions his Committee has recommended transfer of the school and have never accepted the theory that the Board of Education should be able to simply abandon the school. He said as far as the matter before the Courts -- they are not asking that Stevens School be re-opened.

MR. LIVINGSTON said the Mayor is going to ask us for over \$60,000 for maintenance of Stevens School. He said the Board of Education has made its decision -- that they don't need or want Stevens School, so the question should be how best can those facilities serve the people of Stamford?

MR. FOX said he is speaking on two points - One, regarding the alleged impropriety of the Board of Education in failing to maintain the school. He said whether or not this is so, it is begging the question because he does not see that it is relevant to the question before the Board. He said if the Board of Education has abused their prerogative in failing to maintain the school, perhaps this Board can take action by refusing the transfer requested here tonight. He said he does not know who is being penalized, but it is certainly not the Board of Education and it will end up with the City picking up the tab for maintaining the school. He said he feels that the Board of Education has complete autonomy in deciding what facilities are to be used for educational purposes and have exercised their discretion and we have no say in the matter. The second point, he said, is in regard to the suit brought by Legal Services. He said the suit claims that the busing plan in Stamford is illegal and this, again, has nothing to do with the transfer of Stevens School, because even if the busing plan is considered illegal in Stamford, no Judge is going to order a certain facility to be opened up for education when the Board of Education has decided otherwise. He said the best that the Judge could do is to send the buses to other existing schools in the school system and we will not be required to open a new school. Therefore, he said, the outcome of the suit now being brought, will have no effect on the ultimate use this facility is put to.

MRS. SHEREMAN requested a ROLL CALL VOTE.

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The question was MOVED. VOTE taken on moving the question. FAILED by a vote of 21 in favor and 16 opposed, the President saying it requires a two-thirds vote to carry.

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

VOTE taken on #8 on the agenda under Legislative & Rules Committee, concerning the jurisdiction over Stevens School. The following ROLL CALL VOTE was taken and CARRIED by a vote of 23 yes and 15 no:

THOSE VOTING IN FAVOR

BOCCUZZI, John
BOCCUZZI, Theodore
CAPORIZZO, William
COSTELLO, Robert
DIXON, Handy
FORMAN, Barbara
FLANAGAN, William
FOX, Gerald
FRIEDMAN, Bertram
HEINZER, Charles
LAITMAN, Marilyn
LIVINGSTON, Jeremiah
MILLER, Frederick
PERKINS, Billie
FONT-BRIANT, Lois
ROOS, John
ROSE, Matthew
RUSSELL, George
SCHADE, Richard
SHERER, Sidney
SHERMAN, Edith
TRESSER, Michael
TRUGLIA, Anthony

THOSE VOTING IN OPPOSITION

COLASSO, John
CONNORS, George
EXNICIOS, Robert
GAMBINO, Philip
GUROIAN, Armen
IACOVO, James
KELLY, Stephen
KNAPP, Warren
MORABITO, Joseph
MORRIS, Thomas
PERILLO, Alfred
RAVALLESE, George
RUSSBACH, Daniel
RYBNICK, Gerald
WALSH, Peter

- 2) Proposed Ordinance - CONCERNING THE MUTUAL LEASING OF PROPERTIES BETWEEN THE CITY OF STAMFORD --- STEVENS SCHOOL PROPERTY AND PROPERTY OF THE WEST MAIN STREET COMMUNITY CENTER, INC. - (Mayor's letter of Oct. 25, 1972)

MR. FOX said this concerns the mutual leasing between the City and the West Main Street Community Center, Inc., and the lease is for a period of 65 years, and there shall be no option to buy on either side and in addition the following restrictions have been added by the Planning Board:

That a title search reveals that there are no restrictions or dedicatory language in the deed of transfer to the City by the prior owners which would inhibit or preclude a transfer except for a specific public purpose;

That the buildings and property be maintained at all times up to the standards of the Health Code of the City of Stamford and the Building Code of the City of Stamford;

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That the property be open to all citizens of the City of Stamford and no one excluded; and

That the facility be used only as a Community Center.

MR. FOX said the division in his Committee was six in favor and two opposed.

MR. FOX MOVED for approval of the Ordinance, for publication. Seconded by Mr. Russell.

MR. HEINZER said he would prefer to wait for amendments before voting on the proposed Ordinance, as he intends to propose an amendment himself.

MR. KNAPP said he objects to consideration of the question. Seconded.

MR. HEINZER said that would require a two-thirds vote, and unless the speaker has a good reason, the use of Robert's Rules is dilatory which may not be used in a dilatory fashion.

MR. KNAPP said he thinks he has a very good reason --- that it is not in the best interests of the City that this property be transferred to the West Main Street Community Center, and there can be no other reason.

MR. EXNICIOS (quoting from Robert's Rules) said it is not amendable, not debatable and it takes a two-thirds vote to carry.

VOTE taken on Mr. Knapp's motion. LOST by a vote of 15 in favor and 23 opposed.

MR. JOHN BOCCUZZI MOVED TO AMEND, which amendment was seconded and CARRIED:

- (1) Unless it be used for municipal purposes for the duration of the lease.

MR. HEINZER MOVED TO AMEND, which amendment was seconded and CARRIED:

- (2) That the Board of Representatives must approve the final lease when drawn.

MRS. PONT BRIANT MOVED TO AMEND, which amendment was seconded and CARRIED:

- (3) That programs currently conducted in Rice School, where feasible, in the opinion of the City, could be conducted at the new West Main Street Community Center at the Stevens School site.

MR. EXNICIOS MOVED TO AMEND: "That the Mayor not enter into a lease until January 1, 1974." This amendment was LOST, by a vote of 21 no and 16 yes.

MR. RUSSBACH MOVED to AMEND the last paragraph to read as follows:

"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 such right, title and interest to effectuate the leasehold herein described of the City of Stamford to the hereinabove described premises."

The above amendment was seconded and CARRIED.

After considerable further debate, a ROLL CALL VOTE was requested and granted.

MR. PERILLO presented a petition signed by 600 people protesting the transfer of Stevens School.

MR. EXNICIOS requested that the Clerk read the proposed Ordinance, including the amendments which have been included therein. He said he also wants to make it clear that we are voting for publication only. He withdrew his request to have the Ordinance read after several people objected to such a lengthy reading.

MR. HEINZER reminded the members that the Mayor does not need an Ordinance in order to bring a lease before this Board.

MR. FOX said the lease will be coming back to us and there is no sense in publication.

MR. MORRIS said it takes two thirds vote to waive publication.

MR. FOX MOVED for a waiver of publication. CARRIED by a vote of 27 yes and 10 no.

THE PRESIDENT said we will now go back to the main motion, which will require a simple majority vote to carry.

MR. FOX MOVED for adoption of the Ordinance, as amended. Seconded and CARRIED by the following ROLL CALL VOTE of 24 in favor and 14 opposed:

THOSE VOTING IN FAVOR:

BOCCUZZI, John
BOCCUZZI, Theodore
CAPORIZZO, William
CONNORS, George
COSTELLO, Robert
DIXON, Handy
FORMAN, Barbara
FLANAGAN, William
FOX, Gerald
FRIEDMAN, Bertram
HEINZER, Charles
LAITMAN, Marilyn
LIVINGSTON, Jeremiah
MILLER, Frederick
PERKINS, Billie
FONT-BRIANT, Lois
ROOS, John
ROSE, Matthew
RUSSELL, George
SCHADE, Richard
SHERER, Sidney
SHERMAN, Edith
TRESSER, Michael
TRUGLIA, Anthony

THOSE VOTING IN OPPOSITION:

COLASSO, John
EXNICIOS, Robert
GAMBINO, Philip
GUROIAN, Armen
IACOVO, James
KELLY, Stephen
KNAPP, Warren
MORABITO, Joseph
MORRIS, Thomas
PERILLO, Alfred
RAVELLESE, George
RUSSBACH, Daniel
RYBNICK, Gerald
WALSH, Peter

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ORDINANCE NO. 256 SUPPLEMENTALCONCERNING THE MUTUAL LEASING OF PROPERTIES BETWEEN THE CITY OF STAMFORD
--- STEVENS SCHOOL PROPERTY AND PROPERTY OF THE WEST MAIN STREET
COMMUNITY CENTER, INC.

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 and 2-27 of the Code of General Ordinances of the City of Stamford, the exchange of leases of the properties between the City of Stamford and the West Main Street Community Center, Inc. on the following terms is hereby approved:

Lease from City of Stamford to West Main Street Community Center, Inc.:

Said lease shall be for a period of sixty-five (65) years. Said property to be leased by the City of Stamford to the West Main Street Community Center, Inc. is as follows:

ALL that certain piece, parcel and tract of land, together with the building thereon; beginning at a point on the northerly side of Richmond Hill Avenue as it now exists where the same is intersected by the easterly side of Fairfield Avenue, thence in a northerly direction along said easterly side of Fairfield Avenue for a distance of 315.8 feet more or less, to the southerly side of West Main Street, thence in a easterly direction along said southerly side of West Main Street a distance of 285.2 feet more or less to land now or formerly of Anthony J. Marrucco, et al, thence in a southerly direction along said land now or formerly of Anthony J. Marrucco, et al, a distance of 233.1 feet more or less to a point, thence in an easterly direction along said land of Anthony J. Marrucco, et al, and land of John Steedley, each in part, a distance of 147.8 feet more or less, to the westerly side of Spruce Street, thence in a southerly direction along said westerly side of Spruce Street 185.1 feet more or less, to the northerly side of Richmond Hill Avenue, thence in a westerly direction along said northerly side of Richmond Hill Avenue a distance of 302.7 feet more or less to the point or place of beginning, being more particularly shown and delineated on a certain map filed in the Office of the City Engineer in flat No. 842 and entitled "Stevens School" and dated August 10, 1950.

The above described parcel of land contains 2.5 acres more or less, and lies in Block No. 11 of the Stamford Land Records and is subject to any statement of facts which an accurate survey may reveal.

Said lease shall be subject to the following conditions:

- (a) That a title search reveals that there are no restrictions or dedicatory language contained in the deed of transfer to the City by the prior owners which would inhibit or preclude a transfer except for specific public purposes.

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- (b) That the buildings and property be maintained at all times to the standards of the Health Code of the City of Stamford and the Building Code of the City of Stamford.
- (c) That the property be open to all citizens of the City of Stamford, and no one be excluded.
- (d) That the facility be used only as a Community Center.
- (e) Unless it be used for municipal purposes for the duration of the lease.
- (f) That the Board of Representatives must approve the final lease when drawn.
- (g) That programs currently conducted in Rice School, where feasible, in the opinion of the City, could be conducted at the new West Main Street Community Center at the Stevens School site.

Lease from the West Main Street Community Center, Inc. to the City of Stamford:

Said lease shall be for a period of sixty-five (65) years. Said property to be leased by the West Main Street Community Center, Inc. to the City of Stamford as follows:

ALL that certain piece, parcel and tract of land, together with the building thereon, beginning at a point on the easterly street line of West Main Street as it now exists, at the division line between land of Nick J. Downer, et al and the herein described parcel of land, said point being the Northwest corner of land of the West Main Street Community Center, Inc., thence in an easterly direction along said land of Nick J. Downer, et al, N 72° 14' E a distance of 83.20 feet to a point, thence in a southerly direction continuing along said land of Nick J. Downer, et al, S 23° 48' E a distance of 11.35 feet to a point, thence in an easterly direction, continuing along said land of Nick J. Downer, et al, N 68° 34' E a distance of 77 feet, more or less, to the westerly bank of the Mill River, thence in a southerly direction along said westerly bank of the Mill River a distance of 110.3 feet, more or less, to land of the City of Stamford, thence in a westerly direction along said land of the City of Stamford S 79° 52' W a distance of 178.06 feet, more or less, to the easterly street line of West Main Street, thence in a northerly direction along said easterly street line of West Main Street N 10° 08' W a distance of 93.79 feet to the point or place of beginning.

The above described parcel of land contains 17,057 square feet, more or less, and lies in Block No. 7 of the Stamford Land Records and is subject to any statement of facts which an accurate survey may reveal.

As a further consideration concerning said leases of properties, West Main Street Community Center, Inc. agrees to release all right, title and interest in and to its present ninety-nine (99) year lease with the City of Stamford concerning property adjacent to said West Main Street Community Center, Inc.

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 such right, title and interest to effectuate the leasehold herein described of the City of Stamford to the hereinabove described premises.

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

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SUSPENSION OF THE RULES - TO CONSIDER ADOPTION OF A RESOLUTION REGARDING COLEMAN TOWERS

MR. MORRIS MOVED for suspension of the rules in order to consider the above matter, otherwise, he said, the whole project will be in trouble and it is nearly completed. Seconded by Mr. Fox and CARRIED:

MR. FOX said this item was discussed in length in Caucus. HE MOVED for approval of the following. Seconded and CARRIED unanimously:

RESOLUTION NO. 871

ABATING TAXES AND AUTHORIZING EXECUTION OF TAX ABATEMENT CONTRACT WITH NEW HOPE CORPORATION, IN RELATION WITH COLEMAN TOWERS, LOCATED AT SPRUCE STREET AND FAIRFIELD AVENUE, IN THE CITY OF STAMFORD, CONNECTICUT, WHICH PROPERTY IS OWNED BY NEW HOPE CORPORATION AND KNOWN AS "COLEMAN TOWERS"

NOW, THEREFORE, BE IT RESOLVED by the Board of Representatives of the City of Stamford, in accordance with Ordinance No. 228, and in accordance with agreement between the City of Stamford and the New Hope Corporation, dated December 5, 1972:

1. That the City of Stamford hereby abates up to one hundred percent of the ad valorem taxes applicable to the property described above for a period of forty (40) consecutive years;
2. That the Mayor of the City of Stamford is hereby authorized, directed and empowered in the name of and on behalf of the City of Stamford to execute the Tax Abatement Contract described above and to execute any amendments, revisions, and recisions of said contract in the name of and on behalf of the City of Stamford;
3. That all previous actions of the Mayor of the City of Stamford with respect to said Tax Abatement Contract are hereby ratified.

SUSPENSION OF THE RULES - PARKS & RECREATION COMMITTEE

PETITION NO. 374 - Letter from K of C dated 12/1/72 requesting permission to place a sign over Atlantic Square to publicize their ANNUAL BLOOD DRIVE

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

MR. KELLY MOVED for approval of the petition, providing proper insurance coverage is obtained and approval of the proper City officials (Police Dept., Fire Dept., and furnishing of proof of insurance coverage). Seconded and CARRIED.

THE PRESIDENT said there is just one more item to be approved and then the members can adjourn.

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MRS. PONT BRIANT objected. She said when she agreed to the first suspension of the rules and went along with taking matters up without regard to their appearance on the agenda, it was with the understanding that the members would stay until the business of the Board is finished, because there are fiscal items that we are going to get hung up on if we fail to take action, one is the appropriation for the MILK PROGRAM for the schools. She said she thinks this is irresponsible action.

SUSPENSION OF THE RULES:

MR. JOHN BOCCUZZI MOVED to take up item #2 under Fiscal Committee under suspension of the rules. Seconded and CARRIED.

- (2) \$157,517.00 - BOARD OF EDUCATION - To continue MILK PROGRAM for the 1972-1973 School Year - (Two letters from Dr. Carpenter, Supt. of Schools, dated 8/9/72 and 8/28/72--- To be allocated to Code 305.0000 per letter to Board of Finance from Commissioner of Finance dated 9/14/72---Partially approved in amount of \$20,000 at Board of Representatives meeting of 11/13/72, leaving balance held in Committee--
REDUCED from \$169,591.00 which appears on the Agenda.

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

MR. SHERER MOVED for ADJOURNMENT. MR. HEINZER added "to a day certain - next Monday night". Mr. Sherer agreed.

MR. BOCCUZZI spoke against adjournment.

MR. SHERER said a motion to adjourn is not debatable and to take a vote on it.

THE PRESIDENT called for a vote on motion to ADJOURN. LOST by a vote of 11 in favor and 20 opposed. (machine vote taken.)

MR. MORRIS objected, saying the point is that people are leaving the meeting.

MR. FRIEDMAN suggested that the Chairman of the Fiscal Committee go through his part of the agenda now.

MR. HEINZER said there is a quorum left - that you need a two-thirds vote, but in no case can it be less than 21, (a majority).

The members returned to Fiscal Committee, being assured that a quorum is present.

MRS. PONT BRIANT said if the members will get busy on the fiscal items, maybe we won't have to come back next Monday.

FISCAL COMMITTEE:

- (1) \$4,121.43 - (REDUCED from \$4,438.57 which appeared on the agenda) - DEPARTMENT OF CIVIL SERVICE - Code 174.0101, Salaries - To cover salary of newly created position of BENEFITS MANAGER, effective Oct. 2, 1972 - (Mayor's letter of 8/25/72) - (Held in Committee 10/2/72 and moved back to Committee on 11/13/72 with recommendation it be a lower salary)

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MR. BOCCUZZI MOVED for approval of the above item. He said the reason for reducing the amount is because last month the Board asked the Personnel Commission to start this person off at a lower salary scale. He said the range is \$11,384.00 to \$14,504.00 and it will take approximately five years to reach the top grade.

MR. HEINZER said the Personnel Committee concurs in approval. CARRIED with one "no" vote.

(2) This was taken care of under SUSPENSION OF THE RULES earlier.

(3) \$10,533.75 - POLICE DEPARTMENT - PENSION for Major John J. Gavigan, effective July 22, 1972, based on an annual pension of \$11,153.34 which pension represents two-thirds of his annual salary of \$16,730.00 - (Held in Committee on 11/13/72) -- (Mayor's letter of 9/27/72)

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

(4) \$11,500.00 - OFFICE OF CORPORATION COUNSEL - Code 110.0101, Salaries - To fund new position of DEPUTY CORPORATION COUNSEL - (Mayor's letter of 8/18/72) -- (REDUCED by Board of Finance on 10/18/72 from \$23,000.00) -- (Returned to Committee on 11/13/72)

MR. HEINZER said the PERSONNEL COMMITTEE is holding this in Committee.

(5) \$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 8/7/72; again deferred on 9/11/72 and DENIED on 10/2/72 with recommendation that he be retired under Sec. 716 of Charter)

MR. BOCCUZZI said the Fiscal Committee approved this item and he SO MOVED.

MR. MORRIS said he wants to question this - that he understands this man had only six years service and he is now working and he cannot understand why the Police Department could not have found an opening for him. He said people keep talking about the "poor single family homeowner" and this sort of thing is going to mount up to quite a lot. He said this man is a rather young man and we are talking somewhere in the neighborhood of a million dollars possibly on pension.

MR. BOCCUZZI said the Fiscal Committee discussed all this and talked it over with the Police Commission and as a matter of fact they even tried to get the Commission to pension this man off under a different section of the Charter and he is in receipt of a letter from the Police Commission stating that they are not going to change their position in this matter and claim that the doctors say that this man is no longer suitable for police duty of any kind. He said we "bumped heads" with the Police Commission for a couple of months and everyone is getting up tight about it and the sorry thing about the whole thing is that the man in question is being the "fall guy" and under the Charter he is due a pension whether you agree or not.

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After considerable debate on the matter, a VOTE was taken on Mr. Boccuzzi's motion to approve and LOST by a vote of 21 no and 14 yes.

- (6) \$11,515.87 - REGISTRARS OF VOTERS - Code 102.5105, Primary Expenses - (Mayor's letter of 10-27-72)

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

- (7) \$25,000.00 - Resolution No. 866 - FLOOD & EROSION CONTROL BOARD - Code 650.1807, Cleaning of Rivers and Streams - (Mayor's letter of 10/30/72)

MR. BOCCUZZI said the Fiscal Committee approved this item 10-0 and HE MOVED for approval of the following resolution. Seconded by Mr. Morabito, who said the Public Works Committee concurs in approval. CARRIED unanimously:

RESOLUTION NO. 866

AMENDING 1972-1973 CAPITAL PROJECTS BUDGET BY ADDING \$25,000.00 THERETO FOR PROJECT KNOWN AS "PUBLIC WORKS DEPARTMENT - FLOOD & EROSION CONTROL" AND APPROPRIATION THEREFOR

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford to amend the 1972-1973 Capital Projects Budget by adding thereto a Project to be known as "PUBLIC WORKS DEPARTMENT - FLOOD & EROSION CONTROL" and appropriation of \$25,000.00 therefor, in accordance with the provisions of Section 611.5 of the Stamford Charter, in order to accomplish dredging of rivers and streams.

- (8) \$12,000.00 - BOARD OF FINANCE - Code 150.0901, Special Professional Services (In order to engage the auditing firm of Ernst & Ernst to conduct various studies of procedures and miscellaneous systems assistance) - (Mayor's letter of 10/17/72)

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

- (9) \$7,000.00 - (REDUCED from \$8,000.00) - BUREAU OF ACCOUNTS & RECORDS - Data Processing - Code 117.0101, Salaries - In order to hire an additional PROGRAMMER for the Data Processing Section - (Mayor's letter of 10-11-72)

MR. BOCCUZZI MOVED for approval of the above REDUCED amount of \$7,000.00. HE said the fiscal year is now shorter, so they won't need as much as originally requested.

MR. HEINZER seconded the motion and said the Personnel Committee concurs.

MRS. SHERMAN asked what this man's salary will be.

MRS. PONT BRIANT said his salary will be \$11,954.00.

VOTE taken on the motion. CARRIED.

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- (10) \$27,000.00 - Resolution No. 867 - Amending the 1972-1973 Capital Projects Budget - To be known as "ADDITION TO CIRCUIT COURT HOUSE" and Appropriation of aforesaid sum therefor ---- (Mayor's letter of 11/3/72)

MR. BOCCUZZI MOVED for approval of the following resolution. Seconded by Mr. Miller, who said the Education, Welfare & Government Committee concurs in approve CARRIED unanimously:

RESOLUTION NO. 867

AMENDING 1972-1973 CAPITAL PROJECTS BUDGET BY ADDING \$27,000.00 THERETO FOR PROJECT KNOWN AS "CIRCUIT COURT HOUSE ADDITION" AND APPROPRIATION THEREFOR

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford, in accordance with the provisions of Section 611.5 of the Stamford Charter, to amend the 1972-1973 Capital Projects Budget by adding thereto a Project to be known as "CIRCUIT COURT HOUSE ADDITION" and appropriation of \$27,000.00 therefor.

- (11) \$7,746.54 - Resolution No. 868 - Amending 1972-1973 Capital Projects Budget by adding Project in above amount to be known as "ITALIAN CENTER - SPEAKER'S PLATFORM AND REPAIRS" in connection with the President's visit on October 12, 1970, to be financed by the TRANSFER of funds as listed in the Mayor's letter dated October 4, 1972

MR. BOCCUZZI MOVED for approval of the following resolution. Seconded by Mr. Miller, who said the Education, Welfare & Government Committee approves.

MR. EXNICIOS spoke against the motion. He said he also voted against this in the Fiscal Committee. He said he is against this because he deplores the method in which we are paying a legitimate bill. He said this Board is approving something after the fact and pulling someone's "chestnuts" out of the fire - mainly the Board of Finance. He said the bill was duly rendered by the contractor and the Mayor duly requested its payment and it never got to our Board, because the Board of Finance turned it down and the Mayor has now had to resort to other methods to find the money. He said perhaps some of the citizens would like to know where this money is coming from - it is coming out of bonded money. He said each year we have bonded projects and we get the story we cannot survive we have got to have this money and here we are using this bonded money to pay a legitimate bill which should have been approved as a legitimate bill by the Board of Finance, and for that reason he said he is against the transfer of this money.

MR. COSTELLO, through the Chair, asked Mr. Boccuzzi if we owe any other bills for the President's visit. He said it was his understanding that a number of garages throughout the city were on standby that day and they have not been paid.

MR. BOCCUZZI said it is his understanding that this is the only outstanding bill that we have in reference to the President's visit.

MR. EXNICIOS said he asked that same question to the Commissioner of Finance and all other bills were done the same way --- by transfers from other accounts and

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did not require approval by this Board, because transfers do not come before this Board unless it affects the Capital Projects Budget. He said nothing was called to the attention of the public to see just where the money was used.

MR. BOCCUZZI said he understands that Mr. Exnicics is going to vote against this, but by doing so he is not hurting the Board of Finance, but merely hurting a contractor who would like to be paid for the work he did, because he is the one who is out money -- not the Board of Finance.

THE PRESIDENT called for a VOTE on the following resolution. CARRIED by a machine vote of 25 in favor, 8 opposed, with Mr. Morabito abstaining:

RESOLUTION NO. 868

AMENDING 1972-1973 CAPITAL PROJECTS BUDGET BY ADDING AMOUNT OF \$7,746.54 TO BE KNOWN AS "ITALIAN CENTER - SPEAKER'S PLATFORM AND REPAIRS" TO BE TRANSFERRED FROM THE 1969-1970, 1970-1971 AND 1971-1972 CAPITAL PROJECTS BUDGET

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford, in accordance with Section 611.5 of the Stamford Charter, to approve an amendment to the 1972-1973 Capital Projects Budget by adding thereto the amount of \$7,746.54 to be known as "ITALIAN CENTER - SPEAKER'S PLATFORM AND REPAIRS" which amount is to be transferred from the 1969-1970, 1970-1971 and 1971-1972 Capital Projects Budgets as follows:

- (1) \$1,500.00 - To be transferred from Project in the 1969-1970 Capital Projects Budget, known as "Washington Avenue - Mobile Homes"
- (2) \$1,442.20 - To be transferred from Project in the 1970-1971 Capital Projects Budget, known as "Res. Sewer Comm. Emergency Correction a/c"
- (3) \$244.32 - To be transferred from Project in the 1970-1971 Capital Projects Budget known as "Res. Bd. of Recreation - Swimming Pools"
- (4) \$167.00 - To be transferred from Project in the 1970-1971 Capital Projects Budget, known as "Res. Bd. of Recreation - Handball Courts"
- (5) \$4,393.02 - To be transferred from Projects in the 1971-1972 Capital Projects Budget, known as "Public Works Department" as follows:

Culloden Road -----	\$ 23.74
Jeanne Court -----	1,473.28
Barncroft Road -----	250.00
Minivale Road & Hilltop -----	236.76
Sanitary Landfill -----	1,235.51
New Equipment -----	1,173.73
	<u>\$4,393.02</u>

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- (12) Resolution authorizing the City of Stamford to provide insurance coverage for seven (increased from 6 to 7 in Mayor's letter of 10/12/72) City employees who are not now included in the Group Insurance Plan as follows: (Mayor's letter dated 10/4/72) - (NOTE: Board of Finance has requested a cost estimate)

Commission on Aging Director
 Quintard Center Director
 Quintard Center Assistant Director
 Quintard Center Driver
 Commission on Aging Secretary
 Fair Rent Director
 Internal Auditor

The above was held in Committee.

- (13) \$2,000.00 - Resolution amending 1971-1972 Capital Projects Budget, to TRANSFER above amount in item known as "PRESS BOX - CUBETA STADIUM" for the purpose of staking out boundaries of the DOROTHY HEROY DAY CAMP --- (Memorandum dated 8/10/72 from Commissioner of Public Works to Board of Finance - none to Board of Representatives)

MR. BOCCUZZI said the Fiscal Committee DENIED this by a vote of 0 to 10.

In order to have an affirmative motion, he MOVED for approval. He said in order to have this denied, the vote must be a "no" vote.

The above item was DENIED by a vote of 25 opposed and 4 in favor.

- (14) \$38,392.00 - Two Resolutions - Amending 1969-1970 Capital Projects Budget, item known as "WASHINGTON AVENUE EXTENSION - SIGNALIZATION" for the following: --- (Memorandum dated 9/28/72 to the Board of Finance from the Commissioner of Public Works - none sent to the Board of Representatives)

MR. BOCCUZZI introduced TWO RESOLUTIONS on the above matter. HE MOVED for approval of the following resolution, which was seconded by Mr. Morabito, Chairman of the Public Works Committee, who said his committee concurs. CARRIED unanimously:

RESOLUTION NO. 869

AMENDING 1972-1973 CAPITAL PROJECTS BUDGET BY ADDING \$25,400.00 FOR PROJECT TO BE KNOWN AS "POLICE DEPARTMENT - BUCKET TRUCK AND SMALL VAN" TO BE TRANSFERRED FROM 1969-1970 CAPITAL PROJECT KNOWN AS "WASHINGTON AVENUE EXTENSION - SIGNALIZATION"

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford, in accordance with Section 611.5 of the Stamford Charter, to approve an amendment to the 1972-1973 Capital Projects Budget by adding thereto the amount of \$25,400.00 to be known as "POLICE DEPARTMENT BUCKET TRUCK AND SMALL VAN" which amount is to be transferred from the 1969-1970 Capital Projects Budget, item known as "WASHINGTON AVENUE EXTENSION - SIGNALIZATION".

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MR. BOCCUZZI then introduced the second resolution, which was seconded by Mr. Morabito, Chairman of the Public Works Committee, who said his Committee concurred in approval. The following resolution was CARRIED unanimously:

RESOLUTION NO. 870

AMENDING 1972-1973 CAPITAL PROJECTS BUDGET BY ADDING \$12,992.00 FOR PROJECT KNOWN AS "PUBLIC WORKS DEPARTMENT - CITY-WIDE STORM DRAINS" TO BE TRANSFERRED FROM 1969-1970 CAPITAL PROJECT KNOWN AS "WASHINGTON AVENUE EXTENSION - SIGNALIZATION"

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford, in accordance with Section 611.5 of the Stamford Charter, to approve an amendment to the 1972-1973 Capital Projects Budget by adding thereto the amount of \$12,992.00 to be known as "PUBLIC WORKS DEPARTMENT - CITY-WIDE STORM DRAINS" which amount is to be transferred from the 1969-1970 Capital Projects Budget, item known as "WASHINGTON AVENUE EXTENSION - SIGNALIZATION".

- (15) \$6,010.00 - BOARD OF EDUCATION - To cover cost of out-of-district special education placement during the 1971-1972 school year for Oren Gershberg, in accordance with ruling of the State Board of Education Review Committee -- \$4,500 to be applied toward tuition costs and \$1,510 toward transportation costs -- (Dr. Carpenter's letter dated 11/6/72)

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

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

- (16) \$4,500.00 - MAYOR'S OFFICE - Code 108.0305, Photo Copy Supplies - TRANSFERRED from SUNDRIES, Code 998.0000 - (to be approved under Sec. 656 of Charter) -- (No letter on this, but approved by the Board of Finance on 11/20/72)

MR. BOCCUZZI MOVED for SUSPENSION OF THE RULES to act on the above matter. Seconded and CARRIED.

MR. BOCCUZZI MOVED for approval of the above request. He said of the 8 members of his Committee that he contacted tonight, all voted in favor of it. Seconded and CARRIED.

MR. THEODORE BOCCUZZI reminded the members that we have some very important matters before us tonight and we are not acting in a responsible fashion. He asked of the President that he make every effort from hereon to start our meetings at exactly 8 o'clock and not one minute later because this has been going on for months and has gotten to the point where it is absolutely ridiculous. He also asked that we make every attempt to stick to our agenda no matter who is in the audience, because every time we depart from our agenda the same thing happens. He said he thinks it is about time we straighten this out once and for all.

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THE PRESIDENT said the best way to get around that is to go back to our old plan that we had years ago -- the members caucused on Sundays from 11 to one and after two hours caucus, they went home.

ADJOURNMENT:

MR. MORRIS MOVED for ADJOURNMENT. Seconded and LOST.

LEGISLATIVE & RULES COMMITTEE:

MR. FOX, Chairman, presented the following items in his Committee:

- (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, 8/7/72, 9/11/72 and 10/2/72 --- Approved for publication 11/13/72 and published 11/20/72; again published 11/25/72 as all information was not furnished until 11/22/72)

MR. FOX said this concerns revised fees for the Health Department along with a number of ordinances, calling for the licensing of certain commercial activities in the City and his Committee held a hearing on this last Thursday, along with other items before the Committee and the Committee has decided to hold it and send the entire matter along to the Corporation Counsel for his opinion.

- (2) Proposed Ordinance (for publication) - CONCERNING LEASE OF CITY OWNED PROPERTY ON WATER STREET FOR \$1,200 A YEAR, FOR A 5 YEAR TERM, TO ALEXANDER R. KOPROSKI AND PATRICIA A. KOPROSKI - (Mayor's letter of 5/19/72) - (See Minutes of 8/7/72, page 9305 -- Deferred 10/2/72; referred back to Committee on 11/13/72)

MR. FOX said this matter is also being held, pending an opinion from Corporation Counsel, which arrived today and the Committee has not had an opportunity to act on it.

- (3) Ordinance for final adoption - CONCERNING CURFEW AT NORTHRUP PARK - (Requested by Mr. Morabito at the 8/7/72 Board Meeting - See page 9328 of Minutes - Held in Committee 10/2/72; approved for publication on 11/13/72; published 11/20/72)

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

ORDINANCE NO. 253 SUPPLEMENTAL

CURFEW FOR NORTHRUP PARK

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

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

Notwithstanding the foregoing, Northrup Park, a public park, adjacent to Stark School, shall be closed to public use and travel daily from one hour past sunset until 7:00 A.M. of the following day, except by written permit of the Park Department. Persons violating this Ordinance shall be subject to arrest, with

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each violation deemed a separate offense and shall be punishable by not more than thirty days (30) in jail or a fine of not more than one hundred dollars (\$100.00) or both.

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

- (4) Ordinance for final adoption - ADOPTING AND ENACTING A NEW CODE OF ORDINANCES OF THE CITY OF STAMFORD, CONNECTICUT; ESTABLISHING THE SAME; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN, EXCEPT AS HEREIN EXPRESSLY PROVIDED FOR; PROVIDING FOR THE EFFECTIVE DATE OF SUCH CODE AND PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE — (Adopted for publication 11/13/72; published 11/20/72)

MR. FOX said this relates to the Code revision which has been sent to us by the Municipal Code Corporation, and as announced at the previous two meetings, it has been on file in the office of the Administrative Assistant. He said the Committee has approved the Ordinance and HE MOVED for its adoption. Seconded and CARRIED unanimously:

ORDINANCE NO. 254 SUPPLEMENTAL

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE OF ORDINANCES OF THE CITY OF STAMFORD, CONNECTICUT; ESTABLISHING THE SAME; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; EXCEPT AS HEREIN EXPRESSLY PROVIDED FOR; PROVIDING FOR THE EFFECTIVE DATE OF SUCH CODE AND A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Section 1. The Code of Ordinances, consisting of Chapters 1 to 21, each inclusive, is hereby adopted and enacted as the "Code of Ordinances, City of Stamford, Connecticut" and shall be treated and considered as a new and original comprehensive ordinance which shall supercede all other general and permanent ordinances passed by the Board of Representatives on or before January 24, 1972, to the extent provided in Section 2 hereof.

Section 2. All provisions of such Code shall be in full force and effect from and after the 15th day of January 1973, and all ordinances of a general and permanent nature of the City of Stamford, Connecticut enacted on final passage on or before January 24, 1972, and not included in such Code or recognized and continued in force by reference therein are hereby repealed from and after the 15th day of January, 1973, except as hereinafter provided.

Section 3. The repeal provided for in Section 2 hereof shall not affect any of the following:

- (1) Any offense or act committed or done or any penalty of forfeiture incurred or any contract or right established or accruing before the effective date of such Code;

- (2) Any ordinance promising or guaranteeing the payment of money for the City, or authorizing the issuance of any bonds of the City, or any evidence of the City's indebtedness;
- (3) Any contract or obligation assumed by the City;
- (4) Any right or franchise granted by the City;
- (5) Any ordinance dedicating, naming, establishing, locating, relocating, opening, paving, widening, vacating, etc., any street or public way or any park, playground or recreational facility;
- (6) Any ordinance relating to specific public improvements or assessments therefor;
- (7) Any ordinance establishing or prescribing grades for streets;
- (8) Any appropriation ordinance or ordinance providing for the levy of taxes or for an annual budget;
- (9) The Zoning Ordinance of the City;
- (10) Any ordinance relating to the investment of municipal funds;
- (11) Any ordinance establishing classification and the compensation of municipal officers or employees not inconsistent herewith;
- (12) Any ordinance dedicating or accepting any plat or subdivision in the City;
- (13) Ordinances or resolutions prescribing traffic regulations for specific streets, such as ordinances or resolutions designating one-way streets, no-parking areas, stop intersection, intersections where traffic is to be controlled by signals, etc.
- (14) Any ordinance enacted after January 24, 1972.

The repeal provided for in Section 2 thereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance which is repealed by this ordinance.

Section 4. Any person violating or failing to comply with any provision of said Code or committing any act or omission to act declared to be a misdemeanor or unlawful, where no specific penalty is provided thereof, shall be punished by a fine of not more than one hundred dollars (\$100.00).

Section 5. Any and all additions or amendments to such Code when passed in such form as to indicate the intention of the Board of Representatives to make the same a part thereof, shall be deemed to be incorporated in such Code so that reference to the "Code of Ordinances, City of Stamford" shall be understood and intended to include such additions and amendments.

Section 6. A copy of such Code shall be kept on file in the Office of the Town and City Clerk, preserved in looseleaf form, or in such other form as the Town and City Clerk may consider most expedient. It shall be the express duty of the

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Town and City Clerk, or someone authorized by the Town and City Clerk, to insert in their proper places all amendments or ordinances which indicate the intention of the Board of Representatives to make the same a part of such Code when the same have been printed or reprinted in page form, and to extract from such Code all provisions which may be, from time to time, repealed by the Board of Representatives.

This copy of such Code shall be available for persons desiring to examine the same and shall be considered the official Code of Ordinances of Stamford, and any copy of such Code certified by the Town and City Clerk, shall be the official Code of Ordinances of Stamford at the date of such certification.

Section 7. In case of the amendment of any section of such Code for which a penalty is not provided, the general penalty as provided in Section 1-8 of such Code shall apply to the section as amended; or in case such amendment contains provisions for which a penalty, other than the aforementioned general penalty, is provided in another section in the same chapter, the penalty so provided in such other section shall be held to relate to the section so amended, unless such penalty is specifically repealed therein.

Section 8. It shall be unlawful for any person, firm or corporation in the City to change or amend by additions or deletions, any part or portion of such Code, or to insert or delete pages, or portions thereof, or to alter or tamper with such Code in any manner whatsoever which will cause the law of the City of Stamford to be misrepresented thereby. Any persons, firm or corporation violating this section shall be punished as provided in Section 4 of this ordinance.

Section 9. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed, as of the operative date of this ordinance, but shall remain in full force and effect until such date.

Section 10. This ordinance shall become effective on January 15, 1973.

- 5) Ordinance for final adoption - EASEMENT FOR ROAD PURPOSES, THROUGH CITY-OWNED PROPERTY ON WEST SIDE OF HAIG AVENUE, IN FAVOR OF SHIRLEY H. COBLENTZ AND FRANCES COBLENTZ - (Mayor's letter of 9/14/72) -- Adopted for publication 11/13/72; published 11/20/72)

The above matter was held in Committee for the reason that some neighbors who live on Haig Avenue where this Easement would be located have objected.

- 6) Proposed Resolution - AUTHORIZING APPOINTMENT OF A HISTORIC DISTRICT STUDY COMMITTEE, FOR THE PURPOSE OF MAKING AN INVESTIGATION FOR THE PROPOSED ESTABLISHMENT OF A FORT STAMFORD HISTORIC DISTRICT - (Mayor's letter of 10/24/72) --- (For previous Historic District Study Committee - See Minutes of 4/3/67, pages 5027, 5039, 49 and Sec. 7-147a and Sec. 7-147b of Conn. General Statutes) -- (Also, see letter dated 9/20/72 from Assistant Corporation Counsel John E. Smyth) -- (Held in Committee 11/13/72)

MR. FOX said this is also being held in Committee - there was some objection raised in Committee because apparently this has some effect on the zoning of the area and it will be investigated further by the Committee.

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- (7) Ordinance No. 255 (for final adoption) - "PROVIDING FOR THE CREATION OF A BUILDING BOARD OF APPEALS IN ACCORDANCE WITH PROVISIONS OF SEC. 19-395 OF THE GENERAL STATUTES OF CONNECTICUT, AS AMENDED, AND THE STATE BUILDING CODE - (Adopted for publication 11/13/72 and published 11/20/72)

MR. FOX MOVED for adoption of the following Ordinance. Seconded and CARRIED with one "no" vote:

ORDINANCE NO. 255 SUPPLEMENTAL

PROVIDING FOR THE CREATION OF A BUILDING BOARD OF APPEALS IN ACCORDANCE WITH PROVISIONS OF SECTION 19-395 OF THE GENERAL STATUTES OF CONNECTICUT, AS AMENDED, AND THE STATE BUILDING CODE

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

A Building Board of Appeals is hereby created pursuant to the terms of Section 19-395 of the General Statutes, as amended, and Section 127.21 of the State Building Code.

The Building Board of Appeals shall consist of five (5) members appointed by the Mayor of the City of Stamford, who each shall serve a five (5) year term, or until his seccessor has been appointed, except that respecting the initial appointees, one member shall be appointed for five (5) years, one for four (4) years, one for three (3) years, one for two (2) years, and one for one(1) year.

All appointments to the Building Board of Appeals shall be subject to approval by the Board of Representatives.

Qualifications of Board members and organization of the Board shall be as provided in the State Building Code.

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

(8) and (9) - MR. FOX said these matters have already been disposed of earlier under suspension of the rules.

- (10) Proposed Revisions to Ordinance No. 246 "MINIMUM HOUSING STANDARDS"- (Held in Committee 11/13/72 --- Public Hearing held 11/30/72)

MR. FOX said the above item is being held in Committee. He said the Committee is awaiting an opinion from the Corporation Counsel and it was the opinion of the majority of the Committee that this opinion was critical to this item.

- (11) WAIVER OF BUILDING PERMIT FEE - For a four story addition to the Union Baptist Church, located at 12 Vista Street, in order to provide additional schoolrooms - (Requested in letter dated 11/10/72 from law firm of Fraser and Landau)

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

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- (12) Proposed Ordinance - "ESTABLISHING A FLOOD ENCROACHMENT LINE FOR PROPERTY OF HENRY A. LOCKWOOD, JR. AND ANN LOCKWOOD, FORMERLY KNOWN AS ANN D. ECKART, UNDER PROVISIONS OF SEC. 7-147 OF THE GENERAL STATUTES OF THE STATE OF CONNECTICUT" - (Requested in letter dated 11/17/72 from Louis A. Casale, Jr., Chairman of Flood & Erosion Control Board)

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

PROPOSED ORDINANCE

ESTABLISHING A FLOOD ENCROACHMENT LINE FOR PROPERTY OF HENRY A. LOCKWOOD, JR. AND ANN LOCKWOOD, FORMERLY KNOWN AS ANN D. ECKART, UNDER PROVISIONS OF SECTION 7-147 OF THE GENERAL STATUTES OF THE STATE OF CONNECTICUT

BE IT ORDAINED BY THE CITY OF STAMFORD:

In accordance with Section 7-147 of the General Statutes of the State of Connecticut, that flood encroachment lines are hereby set on certain property owned by HENRY A. LOCKWOOD and ANN LOCKWOOD, formerly known as Ann D. Eckart, located on the easterly side of Long Ridge Road, in Stamford, Connecticut, said flood encroachment lines being located and described as follows:

FIRST: Commencing at a point on the easterly line of the Long Ridge Road, which point is 403.15 feet distant as measured in a northerly direction along the easterly line of Long Ridge from a Connecticut Highway Department monument, said monument being situated on the easterly line of Long Ridge Road at the westerly end of the curved intersection formed by the westerly line of the Old Long Ridge Road with the easterly line of Long Ridge Road, and thence running North 42° 53' 50" East 38 feet; thence North 22° 45' East 100.84 feet; thence North 11° 13' East 113.16 feet; thence North 27° 41' East 68.88 feet; thence North 41° 25' East 113.35 feet; thence North 0° 58' East 151.02 feet to land now or formerly of Tanya Smith, said line lying Southeast and easterly of the east branch of the Mianus River;

SECOND: Commencing at a point on the east side of the Long Ridge Road, which point is 75.43 feet distant as measured in a northerly direction along said easterly line of Long Ridge Road from the point of intersection of the encroachment line above described with said easterly line of Long Ridge Road, thence running North 14° 27' East 69.19 feet, thence North 11° 13' East 112.00 feet, thence North 30° 45' East 106.05 feet; thence North 41° 25' East 113.35 feet, thence North 0° 58' East 151.30 feet to land now or formerly of Tanya Smith, said line lying Northwest and West of the East branch of the Mianus River.

This Ordinance shall take effect upon its adoption.

- (3) Resolution No. 871 (a) - CONDEMNATION OF SANITARY SEWER EASEMENTS THROUGH AND UNDER PROPERTY OF DAVID H. COGAN, FOR PURPOSE OF COMPLETING THE SHIPPAN SANITARY SEWER PROJECT, KNOWN AS "CONTRACT 2" - (Mayor's letter of 9/27/72)

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

RESOLUTION NO. 871 (a)AUTHORIZING THE CONDEMNATION OF SANITARY SEWER EASEMENT THROUGH AND UNDER PROPERTY OF DAVID H. COGAN, FOR PURPOSE OF COMPLETING THE SHIPPAN SANITARY SEWER PROJECT, KNOWN AS "CONTRACT 2"

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford that authority be granted empowering the City of Stamford, on behalf of the Sewer Commission to condemn easements through and under property of David H. Cogan, which easement is more specifically described in Schedule A, outlined below, for the purpose of completing the Shippan Sanitary Sewer Project, known as "Contract 2".

SCHEDULE A

Beginning at a point on the division line between property of Katherine Dashiell and land of the grantor, said point being located 573.61 feet westerly from the westerly street line of Ocean Drive West as it now exists, as measured along the before mentioned division line, thence in a southerly direction through land of the grantor S 11° 57' E a distance of 213.37 feet and S 76° 56' 30" E a distance of 89.91 feet to land of Thomas D. McCormick et al, thence in a westerly direction along said land of Thomas D. McCormick et al. S 74° 31' W a distance of 20.93 feet to a point, thence in a northerly direction through land of the grantor N 76° 51' 30" W a distance of 77.89 feet and N 11° 57' W a distance of 218.40 feet to land of Katherine Dashiell, thence in an easterly direction along said land of Katherine Dashiell N 70° 25' 20" E a distance of 10.90 feet to the point or place of beginning, being more particularly shown and delineated on a certain map on file in the City and Town 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 Katherine Dashiell, David H. Cogan and Thomas D. McCormick et al. William D. Sabia, City Engineer P.E. No. 6303 Connecticut." certified by Rocco V. D'Andrea, Engineer and Surveyor, Riverside, Connecticut, November 29, 1971.

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

- (14) Resolution No. 872 (a) - Request for approval of an amendment to the LEASE BETWEEN THE CITY OF STAMFORD AND THE UNITED STATE OF AMERICA, CONCERNING NAVAL TRAINING CENTER ON MAGEE AVENUE, to enable Stamford's Sewage Treatment Plant, located in this area, to be expanded to include a portion of the leased premises - (Mayor's letter of 9/19/72)

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

RESOLUTION NO. 872 (a)CONCERNING THE AMENDMENT OF A LEASE BETWEEN THE CITY OF STAMFORD AND THE UNITED STATES OF AMERICA CONCERNING THE NAVAL TRAINING CENTER ON MAGEE AVENUE

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WHEREAS, the City of Stamford entered into an agreement with the United States of America on May 23, 1962, to lease to the Government certain premises located on Magee Avenue to be used as a Naval Training Center, and

WHEREAS, said lease is still in full force and effect, and

WHEREAS, the City of Stamford is desirous of expanding its sewage treatment plant to include a portion of said leased premises, and

WHEREAS, the City of Stamford has entered into a modification of said lease with the Government whereby the Government is willing to relinquish a parcel of land described in said modification of the lease as Schedule A-1, and

WHEREAS, the City of Stamford has agreed to move the present access road to the property from Magee Avenue at the northeast boundary to the southeast boundary,

NOW THEREFORE BE AND IT HEREBY IS RESOLVED

That the Mayor of the City of Stamford be authorized to execute the modification and amendment of said lease so that the City of Stamford may extend the sewage treatment plant as hereinabove mentioned.

SUSPENSION OF THE RULES:

MR. FOX MOVED for SUSPENSION OF THE RULES in order to consider the following matter. Seconded and CARRIED:

- (15) Resolution No. 872 - AUTHORIZING CONDEMNATION OF EASEMENTS FOR STORM WATER DRAINS THROUGH PROPERTIES OF SAMUEL LOTSTEIN REALTY CO. AND GILDA ANDERSON ET AL. IN CONNECTION WITH SANITARY SEWER PROJECT - SHIPPAN CONTRACT #2

MR. FOX MOVED for approval of the following resolution, subject to approval by the Board of Finance, which was seconded and CARRIED:

RESOLUTION NO. 872

AUTHORIZING CONDEMNATION OF EASEMENTS FOR STORM WATER DRAINS THROUGH PROPERTIES OF SAMUEL LOTSTEIN REALTY CO. AND GILDA ANDERSON ET AL IN CONNECTION WITH SANITARY SEWER PROJECT - SHIPPAN CONTRACT #2

WHEREAS, authorization for the condemnation of easements for storm water drains is necessary for the satisfactory completion of the Sanitary Sewer Project known as Shippan Contract #2;

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 for storm water drains through and under properties of SAMUEL LOTSTEIN REALTY COMPANY and GILDA ANDERSON, ET AL, which easements are specifically described in Schedule A, attached hereto, for the purpose of completing the Sanitary and Storm Sewer System known as Shippan Contract #2.

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RESIGNATION OF FREDERICK E. MILLER, DEPUTY ACTING MAYOR - REPLACEMENT OF GERALD J. RYBNICK

THE PRESIDENT read Mr. Miller's resignation at this time, in which he stated that at the time he accepted the position it was with the understanding that he would hold the position for only one year.

MR. KELLY said, on behalf of Mr. Rybnick, who has been on this Board for over 16 years, he would like to nominate him to fill the vacancy from the 1st of December to the end of the term. CARRIED unanimously.

DATE OF NEXT MEETING:

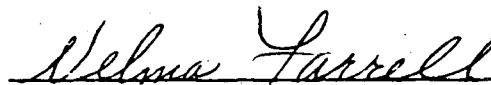
For the reason that the January meeting will fall on New Year's Day, the January meeting was changed to Monday, January 8, 1973.

COMMUNICATIONS FROM OTHER BOARDS AND INDIVIDUALS:Concerning Flooding condition at Lawn Avenue

MR. MORABITO read a letter of complaint on the above matter from George Ravallesse, 8th District Representative. Referred to the Steering Committee for referral to the Public Works Committee.

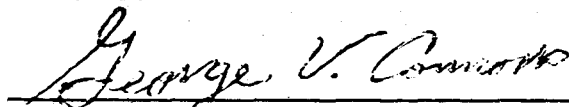
ADJOURNMENT:

There being no further business, on motion, duly seconded and CARRIED, the meeting was adjourned at 1:15 A.M.



Velma Farrell
Administrative Assistant
(Recording Secretary)

vf

APPROVED:

George V. Connors, President
12th Board of Representatives

Note: The above meeting was broadcast over Radio Station WSTC until 11 P.M.

VF