

12TH BOARD OF REPRESENTATIVES

STAMFORD, CONNECTICUT

A regular monthly meeting of the 12th Board of Representatives of the City of Stamford was held on Monday, February 5, 1973 in the meeting room of the Board, second floor, 429 Atlantic Street, Municipal Office Building, Stamford, Connecticut.

The meeting was called to order by the President, George V. Connors, at 8:45 P.M.

INVOCATION - Given by Rev. Joel Baehr, Unitarian Universalist Society of Stamford.

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

PAGE: Pat Rybnick

THE PRESIDENT announced the presence of the above Page.

MOMENT OF SILENCE - In memory of Joseph McEvoy, Controller of the City of Stamford, who recently passed away.

ROLL CALL was taken by the Clerk. There were 38 present and 2 absent at the calling of the roll. However, Mr. Colasso who had been attending a meeting of the Sewer Commission, arrived shortly afterward, changing the roll call to 39 present and 1 absent. The absent member was Alfred Perillo (D), 9th District, who has been in the hospital.

CHECK OF VOTING MACHINE:

The President ran a check of the voting machine which was found to be in good working order.

ACCEPTANCE OF MINUTES: Special meeting of December 8, 1972
Meeting of January 8, 1973

The Minutes of the above meetings were accepted.

COMMITTEE REPORTS:

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

STEERING COMMITTEE REPORT

Meeting held Monday, January 22, 1973

A meeting of the Steering Committee was held on Monday, January 22, 1973 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 Theodore Boccuzzi.

The following matters were discussed and acted upon:

(1) Appointments:

All appointments held in Committee at the January 8th meeting were ORDERED ON THE AGENDA under APPOINTMENTS COMMITTEE.

Mayor's letter dated 1/22/73, received this afternoon, appointing WILLIAM CAPORIZZO (R), 39 Warwich Lane, reappointment to the GOLF AUTHORITY, term expiring 1/1/76.

Above ORDERED ON THE AGENDA under APPOINTMENTS COMMITTEE.

(2) Additional Appropriations:

All appropriations held in Committee at the January 8th Board meeting were ORDERED PLACED ON THE AGENDA and referred to the FISCAL COMMITTEE as well as other Committees concerned.

Other items which were approved by the Board of Finance at their adjourned meeting held Thursday, January 18th, were ORDERED ON THE AGENDA and referred to the Committees concerned.

- (3) Proposed Ordinance for publication - CONCERNING LEASE OF CITY-OWNED PROPERTY ON WATER STREET FOR \$1,200.00 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 11/13/72; deferred again on 12/4/72 and 1/8/73)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (4) 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) -- (Held in Committee on 12/4/72 and again on 1/8/73)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (5) 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) (Held in Committee 11/13/72, 12/4/72 and 1/8/73) - (For previous Historic District Study Committee, see Minutes of 4/3/67, pages 5027, 5039-40 and Sec. 7-147a and 7-147b of the Connecticut General Statutes - Also, see letter dated 9/20/72 from Ass't Corporation Counsel John E. Smyth)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (6) Proposed Resolution - APPROVING THE TRANSFER OF JURISDICTION OF CITY-OWNED LAND FROM THE DEPARTMENT OF PUBLIC WORKS OF THE CITY OF STAMFORD TO THE FIRE DEPARTMENT OF THE CITY OF STAMFORD, IN ACCORDANCE WITH THE PROVISIONS OF ORDINANCE NO. 144 OF THE GENERAL ORDINANCES OF THE CITY - (See Mayor's letter of 11/28/72) - (Approved by Planning Board on 11/28/72; no action needed by the Board of Finance per their Minutes of 1/18/73)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (7) Request in letter of 1/11/73 from Attorney Howard Kaplan for TAX EXEMPTION ON PROPERTY OWNED BY THE STAMFORD DAY NURSERY, located on Palmers Hill Road - (See previous Ordinance No. 184 adopted 1/12/70)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (8) Letter dated 1/19/73 from Tax Assessor, James D. Hyland, concerning Ordinances giving Tax Refunds under Sec. 12-81b of the Connecticut General Statutes - Tax Exemptions -

NOTED AND FILED, with copies given to the Legislative & Rules Committee. The Chairman said they would take Mr. Hyland's recommendations under consideration.

- (9) BEDFORD STREET PARKING GARAGE - PARKING AUTHORITY BONDS - (Letter dated 1/8/73 from SACIA and Mayor's letter dated Sept. 22, 1972)

NOTED AND FILED - This matter is in the Fiscal Committee and appears on the Agenda under that Committee.

- (10) Proposed Ordinance - FLOOD ENCROACHMENT LINES FOR LEVINE PROPERTY - (Mayor's letter of 1/5/73) - (Held in Committee 1/8/73)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (11) Proposed Ordinance - CONCERNING THE LEASHING OF DOGS - (Re-submission, in letter dated 1/22/73 by Warren Knapp, 14th District Representative) (See Minutes of 11/13/72, page 9436, 37)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (12) Proposed Repeal of Sec. 18-36 of Code of Ordinance - "MINIMUM HOUSING STANDARDS"

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (13) Proposed Ordinance - "TO EXTEND TERM OF TOWN CLERK FROM TWO YEARS TO FOUR YEARS" - (Pursuant to provisions of Public Act No. 494, 1971 Session of Legislature, and Sec. 8-189a of General Statutes, entitled "Four year terms for Town Clerk and Registrars") - (Similar to Ordinance No. 236 adopted 4-3-72 which extends terms of Registrars from two to four yrs.) See Minutes of 5/1/72, page 9140

The above matter was NOT ordered on the agenda as the consensus of opinion was that the terms of the Town Clerk and the Mayor have always been tied together and they ran in the same election and one should not be changed without the other.

- (14) Concerning signs on Willow Street reading "TRESSER BOULEVARD - Formerly Willow Street" (Name changed to "Tresser Boulevard" by Ordinance No. 252 on 11/13/72, but NOT to take effect until Jan. 1, 1974)

MR. LENZ, new Chairman of the Public Works Committee, said some residents are objecting to the signs, as this street will not officially become Tresser Boulevard until January 1974 and it is confusing.

REFERRED TO PUBLIC WORKS COMMITTEE, but NOT ordered on the Agenda.

- (15) Letter from CASTLEWOOD PARK HOMEOWNERS ASSOCIATION, INC., to the Chairman of the SEWER COMMISSION, Protesting Sewer Commission's decision to allow HILLTOP ACRES TO CONNECT INTO THE LONG RIDGE SANITARY SEWER SYSTEM - (Dated Jan. 19, 1973 - Also attached correspondence pertaining thereto)

REFERRED TO SEWER COMMITTEE and ORDERED ON THE AGENDA

- (16) COLLECTIVE BARGAINING CONTRACT WITH TEAMSTERS LOCAL 145 FOR TWO YEAR PERIOD FROM JULY 1, 1972 THROUGH JUNE 30, 1974 - (Copies of contract given to all Board members with summary of cost) - (Received Dec. 22, 1972 in Board office - Letter from Mayor dated 12/21/72)

MR. HEINZER requested that the above matter be MOVED UP ON THE AGENDA to appear right after the Appointments Committee. It was so ordered placed on the agenda and referred to the PERSONNEL COMMITTEE.

- (17) DEED dated March 31, 1906, from Albert J. Hatch and Lizzie R. Hatch, to the Town of Stamford, conveying a parcel of land upon which the Stevens School now stands, which certain restrictions as to its use ("Only for the erection of a public school building thereon, or as a ground appurtenant to and used in connection with a public school building, or as a public playground.") - (Above filed in book 118, page 9, in Town Clerk's Office)

MR. CONNORS presented the above copy of Deed and said inasmuch as this appears to be a restriction on the Stevens School property, perhaps the Legislative & Rules Committee should look into this.

REFERRED TO THE LEGISLATIVE & RULES COMMITTEE, but NOT ordered on the Agenda.

There being no further business to come before the Committee, on motion, duly seconded and CARRIED, the meeting was adjourned at 9:15 P.M.

George V. Connors, Chairman
Steering Committee

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APPOINTMENTS COMMITTEE:

MR. THEODORE BOCCUZZI, Chairman, said a meeting of his Committee was held this evening here at 6:45 P.M. and present were Representatives Tresser, Forman, Exmicios, Flanagan, Rose, Dixon and Costello as well as the Chairman. Mr. Ferillo was absent, being in the hospital.

He reported on the following appointments. The action is recorded below: Action was taken first on the two appointments to the Board of Tax Review for the reason that this Board is meeting tonight and their presence is needed. After their appointments were approved, the President administered the Oath of Office and they left to attend the meeting of the Board of Tax Review.

PLANNING BOARD:

SAMUEL BERNSTEIN (D)
355 Cascade Road
(Reappointment)

HELD IN COMMITTEE

Term Ending:

Dec. 1, 1976

Minutes of February 5, 1973

PLANNING BOARD:

RICHARD COLHOUN (R) VOTE: 29 yes
 118 Davenport Ridge 9 no
 (Replacing James Hagen,
 who resigned)

Term Ending:

Dec. 1, 1975

BOARD OF ETHICS:

MAURICE J. BUCKLEY (D) HELD IN COMMITTEE
 325 Bayberry Drive
 (Reappointment)

June 1, 1977
 (5 yr. Term)

COMMISSION ON AGING:

REV. CYRIL PETERS (R) VOTE: 35 yes
 15 Rose Park Avenue 3 no
 (Reappointment)

Dec. 1, 1975

MRS. EFFIE MASSIE (R) VOTE: 30 yes
 26 Main Street 8 no
 (Reappointment)

Dec. 1, 1975

HUMAN RIGHTS COMMISSION:

ALBERT JACKSON (R) VOTE: 33 yes
 53 Parker Avenue., 6 no
 Glenbrook (Reappointment)

Dec. 1, 1975

LOUISE WORSHAM (R) VOTE: 23 yes
 638 Hope Street 16 no
 (Reappointment)

Dec. 1, 1975

JOHN WILTRAKIS (R) VOTE: 28 yes
 44 Strawberry Hill Ave. 11 no
 (Reappointment)

Dec. 1, 1975

PATRIOTIC AND SPECIAL EVENTS COMMISSION:

ALPHONSE PIA (R) VOTE: 33 yes
 135 Don Bob Road 5 no
 (Reappointment)

Dec. 1, 1977
 (5 yr. Term)

PERSONNEL COMMISSION:

MRS. JACQUELINE FRISBIE (R) VOTE: 13 yes LOST
 3 Old Colony Court 25 no
 (Reappointment) (First submission)

Dec. 1, 1975

GOLF AUTHORITY:

JAMES LACERENZA (R) VOTE: 29 yes
 Schuyler Avenue 9 no
 (Reappointment)

Dec. 1, 1976

GOLF AUTHORITY:

JUNIUS McKEITHAN (R)
164 Franklin Street
(Reappointment)

LOST - VOTE: 13 yes
26 no
(First Submission)

Term Ending:

Dec. 1, 1976

PARKING AUTHORITY:

JACK PINSKY (R)
1 Strawberry Hill Court
(Reappointment)

LOST - VOTE: 16 yes
23 no
(First Submission)

Dec. 1, 1976

AIR POLLUTION CONTROL APPEALS BOARD:

GEORGE CASTELLION (R)
340 Briar Brae Road
(Reappointment)

VOTE: 28 yes
11 no

Dec. 1, 1975

COMMISSION ON AGING:

JULIAN SCHWARTZ (R)
15 Meadow park Avenue. West
(Replacing Andy Robustelli,
who did not seek reappointment)

VOTE: 21 yes
17 no

Dec. 1, 1975

BOARD OF TAX REVIEW:

EMANUEL TERENCE (R)
501 Roxbury Road
(Replacing Salvatore Delavventura)

VOTE: 29 yes
9 no

Dec. 1, 1976

HALL DEMING (R)
1100 High Ridge Road
(Replacing Joseph Schmelzeis,
who resigned)

VOTE: 24 yes
14 no

Dec. 1, 1973

CONSERVATION COMMISSION:

H. AMES RICHARDS (R)
Long Close Road
(Replacing Roberts N. Fish)

VOTE: 28 yes
10 no

Dec. 1, 1977
(5 yr. term)

GOLF AUTHORITY:

WILLIAM CAPORIZZO (R)
39 Warwick Lane
(Reappointment)

HELD IN COMMITTEE

Jan. 1, 1976

PERSONNEL COMMITTEE:

COLLECTIVE BARGAINING CONTRACT - WITH TEAMSTERS LOCAL 145 FOR TWO YEAR PERIOD - FROM JULY 1, 1972 THROUGH JUNE 30, 1974 - (Copies of contract given to all Board members with summary of cost) - (Received Dec. 22, 1972 in Board office - letter from Mayor dated 12/21/72)

MR. HEINZER, Chairman, reported that we actually have four contracts before us tonight - the Teamster's contract as it applies to the Public Works Dept., the Parks Dept., Hubbard Heights Golf Course and the Parking Authority.

He said his Committee is recommending approval of this contract and think we have a contract that is about as good as can be expected. He said time does not permit going through the entire contract, but one of the highlights which the Committee thought was very important was the fact that retroactivity no longer applies to overtime earned during the year if the new contract is not formulated, and this one wasn't until well after the beginning of the time period - and retroactivity only applies to the base wage scale and not to such things as overtime and some of the other differential pays that Union members get.

He said this should improve negotiations next time, because they will want to get their base pay raises in as fast as possible, because the retroactivity won't apply to anything other than the base pay.

He said the contracts are much easier to read and there are much fewer ambiguities than there were before. He said if anyone has any specific questions they would like answered, he will try to answer them.

MR. ROOS said he thinks Mr. Barrett can be commended for a good cost analysis breakdown and good active negotiating. However, he said he does object to the point where a City employee is given 60 days in which to join the Union or be discharged by the City. He said the City becomes a party to depriving employees of their rights in this respect. He said he does not believe a person in order to work for the City, should be forced to join a Union. He said the 37 1/2 hour week is just built in overtime and he does not like they Friday after Thanksgiving being given as a holiday for a Department such as the Public Works Department and in many cases they work around the clock, such as the Incinerator going 24 hours a day. He said he does not think we should be paying men \$75 a year for hand tools and paying everyone \$125 for clothes and thinks these could be negotiated better by providing uniforms which he can understand. He said he believes the hours could be re-arranged and thus reduce overtime. He said he also wonders about the Union Stewards who automatically go to the top in seniority when they are elected and it could possibly happen in the event of a layoff, that we would be laying off older people with longer service and be forced to keep Union officers and Steward on even though they did not really have as much seniority with the City.

He said he thinks our Retirement Plan is too generous and by reducing the retirement age to 60 is too generous. He said he thinks the time spent on Union affairs should be spelled out. He said it is an improved contract and he will vote for it, but still thinks we should knock out some of these gimmicks.

MR. HEINZER said as far as the closed shop provision, we had something similar to that in the last contract --- and if you did not join the Union, you had to pay a "Service charge" which had the effect of a man paying Union dues even if he didn't if he didn't belong. He said Mr. Barrett felt that if you are going to make him pay dues, you might as well make him a member of the Union, because he would get all the rights that went along with it. He said there is really very little difference, except a man will not get something for the dues he has to pay. He said the 37 1/2 hr. work week is rather ridiculous,

because if we have three shifts and there are 24 hours in a day, that works out to an 8 hour day and not a 7½ hour day. He said Mr. Barrett wasn't able to do anything about that this time, but it is one of his target areas for future negotiations. He said the Friday after Thanksgiving was another negotiated point that he gave for something else. He said hand tools and clothing allowance were in the contract before. He said the clothing allowance is another point on which to bargain. He said uniforms supplied by a laundry service would be much better than a clothing allowance. He said to be able to identify someone in your backyard at 5 A.M. who is wearing a City uniform would make people feel a lot better.

He said as far as officers and Shop Stewards moving to the top of the scale in seniority, that is a problem for the Union alone to decide. He said if Union members are willing to give up their seniority to their Stewards — that is a problem for the Union itself to worry about.

He said the cost of these contracts, conservatively, will come to \$404,684.00 next year or maybe something a little less than that.

MR. RUSSBACH said he agrees with many things that Mr. Roos expressed and he is particularly against compulsory membership in the Union, because that is non-democratic and he intends to vote accordingly.

MR. TRUGLIA rose on a point of information and asked if it is legal to have a "closed shop"?

THE PRESIDENT said to his knowledge they can have a "Closed shop".

MRS. PONT-BRIANT said that when they asked about this, they were told that the Board of Representatives could only vote on matters where money was concerned and can't vote to take something out when there is no monetary value concerned.

MR. MILLER said it is a Union Shop and not a "closed shop".

MR. HEINZER MOVED for approval of the contract. Seconded and CARRIED, with one "no" vote (Mr. Russbach).

FISCAL COMMITTEE:

MR. JOHN BOCCUZZI, Chairman, gave his report on the following items referred to his Committee:

- 1) Resolution authorizing the City of Stamford to provide insurance coverage for six City employees who are not now included in the Group Insurance Plan as follows: (Mayor's letters of 10/4/72 and 10/12/72) (Held in Committee 12/4/72 and 1/8/73)

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

The above matter was held in Committee.

Minutes of February 5, 1973

- (2) Proposed Resolution authorizing the SALE OF REVENUE BONDS by the STAMFORD PARKING AUTHORITY to finance the building of the BEDFORD STREET PARKING GARAGE - (Mayor's letter of Sept. 22, 1972) - (Held in Committee on 1/8/73)

MR. BOCCUZZI said this is being held in Committee

MR. FOX said this item was also referred to the Legislative and Rules Committee and his Committee approved this item for publication only this evening and he SO MOVED.

MR. HEINZER asked if this is an Ordinance - he thought it was a resolution.

MR. FOX said there are two items here. The substance of a portion of the action on this item is an Ordinance for publication only.

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

RESOLUTION NO. 877

PROVIDING FOR PUBLICATION OF AN ORDINANCE AND THE FILING OF A RESOLUTION OF THE STAMFORD PARKING AUTHORITY RELATING TO THE ISSUANCE OF BONDS OF SAID AUTHORITY

WHEREAS, pursuant to Section 204.1 of the City of Stamford Charter and proposed Ordinance entitled: "COVENANT TO MAKE ANNUAL APPROPRIATIONS TO BE PLEDGED TO THE PAYMENT OF CERTAIN REVENUE BONDS OF THE STAMFORD PARKING AUTHORITY" the proposed Ordinance was introduced at the February 5, 1973 meeting of the Board of Representatives concurrently with the adoption of this resolution and is to be published in an official paper on Friday, February 9, 1973, at least three (3) days prior to its passage; and

WHEREAS, said proposed Ordinance makes reference to a resolution of the Stamford Parking Authority, to be dated March 5, 1973 and designated "GENERAL PARKING SYSTEM BOND RESOLUTION", which Resolution in substantially final form has been introduced for consideration at the February 5, 1973 meeting;

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

1. The Clerk of the Board of Representatives is hereby authorized and directed to cause the proposed Ordinance to be published in an official paper at least three (3) days prior to the meeting of the Board of Representatives to approve this item; and
2. The Clerk of the Board of Representatives shall cause such Resolution of the Authority as introduced at this meeting to be placed on file for public inspection at the office of the Town and City Clerk. Upon final passage of such Resolution by the Stamford Parking Authority and approval of same by the Board of Representatives, a copy of such Resolution in final form, certified by the Chairman or Secretary of said Authority as so passed and approved, shall be filed for public inspection at the office of the Town and City Clerk in lieu of such Resolution previously filed pursuant to Section 2 hereof.
3. This Resolution shall take effect immediately.

PROPOSED ORDINANCECOVENANT TO MAKE ANNUAL APPROPRIATIONS TO BE PLEDGED TO THE
PAYMENT OF SERIES A REVENUE BONDS OF THE STAMFORD PARKING
AUTHORITY

WHEREAS, the Stamford Parking Authority (herein called the "Authority") is authorized to establish, construct, maintain and operate public parking facilities, to purchase, lease or otherwise own and acquire land and buildings, to be used for public parking of vehicles within the limits of the City of Stamford, and as a body corporate and politic created and continuing in existence under and pursuant to Special Act No. 374 of the January 1953 Session of the General Assembly of the State of Connecticut, as amended (herein called the "Act"), has authorized the issuance of revenue bonds of the Authority to be issued in series from time to time pursuant to a general resolution of the Authority adopted on the date of sale and award of the first series of such bonds (herein called the "Series A Bonds") to be issued thereunder and on file in the office of the Town Clerk of Stamford (herein called the "General Revenue Bond Resolution"); and

WHEREAS, the Series A Bonds of the Authority are designated "Parking System Revenue Bonds (Additionally Secured by City of Stamford Appropriations Covenant), 1973 Series A" and are to be issued for the purpose of constructing and financing a multi-level parking garage, known as the Bedford Street Garage; and

WHEREAS, in accordance with the Act, the Board of Representatives by ordinance may covenant with the holders of bonds of the Authority to make annual appropriations in amounts to be determined or limited as provided in such ordinance which appropriations shall be pledged to the payment of such bonds and the interest thereon as the same become due; and

WHEREAS, in accordance with the Act, the Board of Representatives concurrently with the adoption of such an ordinance is required to adopt a resolution authorizing and approving the issuance of revenue bonds of the Authority; and

WHEREAS, in accordance with the Act, revenue bonds of the Authority shall not constitute a pledge of the faith and credit of the City of Stamford and such bonds shall not be subject to the debt limitations prescribed by Section 7-374 of the General Statutes of Connecticut, as amended, and the obligation evidenced by such bonds shall not constitute an indebtedness of the City of Stamford; and

WHEREAS, such General Revenue Bond Resolution of the Authority requires the Board of Representatives of the City of Stamford to adopt an ordinance and resolution as set forth above at any time the Authority proposes to issue a series of bonds pursuant to such General Revenue Bond Resolution; and

WHEREAS, such General Revenue Bond Resolution provides prior to the issuance of any Series of Bonds thereunder that there shall be on deposit in a reserve account (herein called the "Reserve Account") from the proceeds of such Series or otherwise an amount equal to the maximum amount of principal of and interest on any such Series becoming due in any succeeding bond year of the Authority which moneys in such Account may be used only to pay principal of and interest on bonds in the event that revenues from the parking facilities are insufficient therefor and pursuant to such resolution there shall be on deposit such required amount with respect to the Series A Bonds; and

WHEREAS, the Board of Finance of the City, charged with any and all incidental powers necessary to enable it to investigate and determine the fiscal policy of Stamford, has approved the proposed covenant of the City as set forth in this ordinance; and

WHEREAS, this ordinance, in proposed form, has been reviewed and approved by the appropriate committees of the Board of Representatives prior to its submission for consideration to this Board of Representatives; and

WHEREAS, the Board of Representatives has introduced this ordinance on February 5th for the first reading and such ordinance has been duly published as required by the City of Stamford Charter and the General Revenue Bond Resolution of the Authority has been placed on file for public inspection; and

WHEREAS, concurrently with this ordinance the Board of Representatives of the City of Stamford has reviewed the bids received, after public bidding upon published notice of sale, for such Series A Bonds of the Authority and has adopted a resolution specifically authorizing and approving the resolution of the Authority providing for the issuance of such Series A Bonds to finance the Bedford Street Garage upon the terms and conditions, at the rate or rates of interest and in the amount and maturities as stated in such resolution; and

WHEREAS, the Board of Representatives has duly considered the proposed ordinance and has found that the adoption of same is in the best interest of the City of Stamford;

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

1. Pursuant to the Act, the City of Stamford hereby determines and covenants with the holders of the Series A Bonds to make annual appropriations from its General Fund of such amounts, if any, as shall be certified by an authorized officer of the Authority, on behalf of the Authority, on or prior to April 1 in each year to be necessary to restore the amount in the Reserve Account created by the General Revenue Bond Resolution to an amount equal and limited to the maximum amount of principal of and interest on the Series A Bonds maturing in any succeeding year as provided in such General Revenue Bond Resolution.
2. Any amounts so appropriated from the General Fund shall forthwith be paid directly to the Trustee for deposit in said Reserve Account.
3. Said appropriations are hereby pledged to the payment of the bonds and the interest thereon as the same become due.
4. The officers of the City are hereby authorized and directed to do and perform any and all acts necessary or convenient to carry out the provisions of this ordinance.
5. This ordinance shall become effective on the date that the Mayor of the City of Stamford shall endorse his approval hereon or on the date it shall become effective without such endorsement.

MR. HEINZER asked if this was brought out by the Fiscal Committee and was told "no" and that it was also referred to the Legislative & Rules Committee who only moved for publication.

MR. HEINZER asked if it was an appropriation.

THE PRESIDENT said Mr. Fox only moved for publication.

- (3) \$14,500.00 - Resolution No. 878 - Amending 1972-1973 Capital Projects Budget by authorizing transfer of above sum in DEPARTMENT OF PUBLIC WORKS, from Project known as "HIGHWAYS AND LAND BANK" in order to complete the paving of the parking area behind the Superior Court House, thereby providing needed additional parking for the expanded Court House - (Memo sent to Board of Finance from Commissioner of Public Works, dated 11/3/72 - None sent to Board of Representatives Approved by Bd. of Finance 12/13/72 - Held in Committee 1/8/73)

MR. BOCCUZZI MOVED for approval of the following resolution, which was seconded and CARRIED unanimously:

RESOLUTION NO. 878

AMENDING 1972-1973 CAPITAL PROJECTS BUDGET BY AUTHORIZING TRANSFER OF \$14,500.00 IN DEPARTMENT OF PUBLIC WORKS, FROM PROJECT KNOWN AS "HIGHWAYS AND LAND BANK" IN ORDER TO COMPLETE THE PAVING OF THE PARKING AREA BEHIND THE SUPERIOR COURT HOUSE, THEREBY PROVIDING NEEDED ADDITIONAL PARKING FOR THE EXPANDED CIRCUIT COURT HOUSE

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 transferring thereto a Project to be known as "CIRCUIT COURT ADDITION - PAVING" the sum of \$14,500.00 from Project known as "DEPARTMENT OF PUBLIC WORKS, HIGHWAYS AND LAND BANK".

- (4) \$307,000.00 - Resolution No. 879 - Amending 1972-1973 Capital Projects Budget by adding to Project known as "DEPARTMENT OF PUBLIC WELFARE - ADDITION TO SMITH HOUSE" and appropriation therefore (Mayor's letter of 11/27/72) - (Held in Committee 1/8/73)

MR. BOCCUZZI said the Fiscal Committee is holding in Committee the amount of \$199,225.00 which is the amount that the Welfare Department states is for "Equipment" -- the original request being in the amount of \$506,225.00 (which appears on the agenda). He said this \$307,000 will give the Department of Public Welfare enough money to send out for bids in order to get the construction of the building started.

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

RESOLUTION NO. 879AMENDING 1972-1973 CAPITAL PROJECTS BUDGET BY ADDING TO PROJECT
KNOWN AS "DEPARTMENT OF PUBLIC WELFARE - ADDITION TO SMITH HOUSE"
AND APPROPRIATION OF \$307,000.00 THEREFORE

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, Department of Public Welfare - Addition to Smith House, for the addition of funds in the amount of \$307,000.00 for Project to be known as "DEPARTMENT OF PUBLIC WELFARE - ADDITION TO SMITH HOUSE" and appropriation of \$307,000.00 therefore, to be financed by the issuance of bonds.

MR. FOX returned to item #2 at this time. He said for the information of the Board, what we have done tonight is publish an Ordinance and we have also filed a copy of the master resolution for bonding, with the Town Clerk, which is available for inspection by any citizen. He said he has been advised that the Parking Authority will now advertise for bids for the Project - thereafter, the bids will be opened and the amount of the bonding required will be computed; there will be a hearing with respect to the contract which is let by the Parking Authority sometime between the time for bid and our final approval -- a public hearing. Then, at our May meeting, the Parking Authority will bring to us the master resolution, with the exact amount of the bonding required inserted in it, along with the interest rate as of that date and the sale of the bonds will occur on that date, subject to this Board's final adoption of the Ordinance. He said at our May meeting we will be advised as to the exact cost of this project and will at that time be asked to give it our final approval.

(5) \$7,844.00 - COMMISSION ON AGING - Code 195.5208 - \$7,277.00; Code 195.5208 - \$100.00 and Code 195.0801 - \$567.00 -
(Mayor's letter of 12/21/72)

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.

(6) \$3,000.00 - MAYOR'S OFFICE - To transfer \$3,000.00 from Code 998.0000 SUNDRIES to Code 108.0801, Mayor's Office, Transportation - To cover cost of hiring a bus to provide FREE BUS SERVICE on an emergency basis during the current bus strike -
(Mayor's letter of 12/12/72)

MR. BOCCUZZI MOVED for approval of the above request. There being some objection to the route the bus travels, he explained that in order to get permission for the bus to run at all, they could not run it on any routes that were previously run by the Connecticut Company - the PUC would not give permission to run a bus at all. He said what they tried to do was to run it crossing different bus lines that the city had -- by not going exactly the same route, but crossing the old bus route lines, in order to pick up the most people in the most areas. He said the average now is up to about 300 a day and there is no fare charged on this bus.

After some discussion, the motion was seconded by Mr. Miller, who said the Education, Welfare & Government Committee concurs in approval.

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NOTE taken on the motion and CARRIED with several "no" votes.

- (7) \$6,250.00 - MAYOR'S OFFICE - Code 108.0101 - Salaries - Representing the City's 25% share of a \$25,000.00 Grant from HUD for planning and management assistance under HUD's 701 Program - (Mayor's letter of 12/11/72)

MR. BOCCUZZI MOVED for approval of the above request. Seconded by Mr. Miller who said the Education, Welfare & Government Committee concurs in approval. CARRIED with several "no" votes.

- (8) \$1,080.00 - PARK DEPARTMENT - Code 710.1701 - Maintenance of Equipment To be reimbursed to the General Fund in the form of an insurance payment --- (Mayor's letter of 12/21/72)

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

- (9) \$21,000.00 - HEALTH DEPARTMENT - Resolution No. 880 - Amending 1972-1973 Capital Projects Budget for addition to Health Department building - (REDUCED from \$22,000.00 by Board of Finance on 1/18/73)

MR. BOCCUZZI MOVED for approval of the following resolution. Mr. Rose who said the Health & Protection Committee did not meet on this matter, so he has no report to give. Mr. Lenz seconded the motion and said the Public Works Committee concurs in approval. CARRIED unanimously:

RESOLUTION NO. 880

AMENDING 1972-1973 CAPITAL PROJECTS BUDGET FOR ADDITION TO HEALTH DEPARTMENT BUILDING AND APPROPRIATION OF \$21,000.00 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 "HEALTH DEPARTMENT - BUILDING ADDITION" and appropriation of \$21,000.00 therefor.

- (10) \$8,198.42 - REGISTRARS OF VOTERS - Code 102.5109 - Primary Account - (Mayor's letter of 1/8/73)

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

- (11) \$3,200.40 - REGISTRARS OF VOTERS - Code 102.5104 - Primary Account - (Mayor's letter of 1/8/73)

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

- (12) \$10,000.00 - DEPARTMENT OF PUBLIC WORKS - Buildings and Grounds,
Various Accounts - (Mayor's letter of Oct. 10, 1972)
(REDUCED by Board of Finance to \$15,000 on 1/18/73-
(Original request was for \$56,000.00)

MR. BOCCUZZI said the original amount of \$56,000.00 was to be used for Stevens School and the Board of Finance reduced this to \$15,000.00. He said the Fiscal Committee voted to hold \$5,000.00 of the \$15,000.00 in Committee and just approved \$10,000.00 of it. He said the reason for this is we don't know at this particular time how long it is going to take to straighten out the Stevens School transfer to the West Main Street Community Center. He said as of November 31st the Department of Public Works has bills for \$3,800.00 the largest part of that being the bill for heating the building. He said they have no oil bills for December or for January. He said there are some other small amounts. He said if there is any money left over from the \$10,000.00 we are giving them, that money should be returned to the General Fund and not to be transferred to other accounts. He said Mr. Cooper agreed to this and said if any money is left from the total, it will be returned to the General Fund. Therefore, he said, HE MOVES for approval of the \$10,000 and holding the \$5,000 back.

Seconded by Mr. Lenz, who said the Public Works Committee concurs. CARRIED unanimously.

LEGISLATIVE & RULES COMMITTEE:

MR. FOX, Chairman, said his Committee met this past Wednesday, with five members present on the following matters:

- (1) Proposed Ordinance, for publication - CONCERNING LEASE OF CITY-OWNED PROPERTY ON WATER STREET FOR \$1,200.00 A YEAR, FOR 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 on 10/2/72; referred back to Committee 11/13/72; deferred again on 12/4/72 and 1/8/73)

MR. FOX MOVED for approval of the above proposed Ordinance, for publication although the Committee failed to recommend it for approval, the vote in committee being one in favor and four against. The motion was seconded and LOST by a machine vote of 18 in favor and 20 opposed.

- (2) 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-- Held in Committee 12/4/72 and 1/8/73)

MR. FOX MOVED for approval for final adoption of the above Ordinance. He said the Committee voted one in favor of adoption and four against.

MR. FOX explained that this is an easement through the Public Works facility on Haig Avenue and it was an arrangement worked out between the Law Department of the City and the Coblentz's with reference to an appeal from the Zoning Board of Appeals, namely, the conveyance of the property for road purposes in favor of the Coblentz's in return for their withdrawing the appeal. He said a majority of the Committee felt that the facility could have possibly been placed in a different part of the tract and therefore denied it.

He said they felt the facility can still be built and yet not have to give away the Easement.

MR. FOX said he wants to make sure it is understood that although he moved for adoption, it does not have the approval of the Committee. VOTE taken on the motion. LOST by a vote of 30 opposed and 8 in favor.

- (3) 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, 40 and Sec. 7-147a and Sec. 7-147b of Connecticut General Statutes -- Also, see letter dated 9/20/72 from Ass't Corporation Counsel John E. Smyth) - (Held in Committee 11/13/72, 12/4/72 and 1/8/73)

MR. FOX said once again the vote on his Committee was one in approval of the resolution, and four for its denial -- it does not meet with the approval of the Committee. He said the majority of the Committee felt that the restoration of Fort Stamford ought properly to be handled by the City itself without Federal funds. Secondly, he said, residents from the area appealed to the Committee NOT to create a major public site in that area and for these reasons the Committee felt it should be denied. HE MOVED for approval of the resolution. Seconded.

MR. HEINZER said the residents in this area felt they would rather have this area preserved rather than restored. He said they felt that rather than spend a great deal of Federal money to restore this site, which the residents felt would be a "fake" they would rather see what is there cleaned up and preserved as it now is - a true Fort as it existed at that time. He said he and Mr. Friedman held a hearing in the area and invited the residents to attend and they all said the same thing - they were not against having the Fort preserved as a historic site, but did not want the kind of thing that would happen if they go after Federal funds.

After considerable further discussion, MR. LIVINGSTON MOVED THE QUESTION. Seconded and CARRIED with several "no" votes.

VOTE taken on the proposed resolution - LOST by a TIE VOTE - 19 yes and 19 no.

- (4) Proposed Resolution - APPROVING THE TRANSFER OF JURISDICTION OF CITY-OWNED LAND FROM THE DEPARTMENT OF PUBLIC WORKS OF THE CITY OF STAMFORD TO THE FIRE DEPARTMENT OF THE CITY OF STAMFORD, IN ACCORDANCE WITH THE PROVISIONS OF ORDINANCE NO. 144 OF THE GENERAL ORDINANCES OF THE CITY -- (See Mayor's letter of 11/28/72) - (Approved by the Planning Board on 11/28/72; NO ACTION taken by the Board of Finance per their Minutes of 1/18/73)

The above item was held in Committee.

- (5) Proposed Ordinance, for publication - TAX EXEMPTION FOR PROPERTY OWNED BY THE STAMFORD DAY NURSERY ON PALMER'S HILL ROAD - (Requested in letter of 1/11/73 from Attorney Howard Kaplan) - (Similar to Ordinance No. 184 adopted 1/12/70)

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

PROPOSED ORDINANCETAX EXEMPTION FOR PROPERTY OWNED BY STAMFORD DAY NURSERY ON
PALMER'S HILL ROAD

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Pursuant to Section 12-81b of the Connecticut General Statutes that the property of Family and Children Services, known as Card S 005, Lot 0000000D, Palmers Hill Road, be exempted from taxation on the List of September 1, 1971.

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

- (6) Proposed Ordinance for publication - FLOOD ENCROACHMENT LINES FOR
LEVINE PROPERTY - (Mayor's letter of 1/5/73) - (Held in Committee
on 1/8/73)

MR. FOX said this is a proposed Ordinance, setting flood encroachment lines for the Levine property on Longridge Road. He said the Flood and Erosion Control Board has proposed flood encroachment lines for the river up there on the Levine property. He said they appeared before the Committee and said that in their opinion these were fair and reasonable lines. Dr. Levine, through his Attorney, Mr. Tocher, also appeared before the Committee, indicating that they had insufficient data from the Flood and Erosion Control Board upon which to make a judgement. He said what was interesting to the Committee was the fact that Mr. Bingham was also present, along with several of the home owners in the area, who opposed action on the flood encroachment lines and of course, opposed leaving the property as it was. They, however, wished to have the entire, or large portion of the land made a flood plain. He said he does not believe the Board of Representatives has the jurisdiction to do that and would have to be State action and not this Board's, as we only have the power to set flood encroachment lines. He said the majority of the Committee felt that the flood encroachment lines ought to be published, inasmuch as it will offer on this matter at their next meeting.

He said the Committee has approved this for publication, and he SO MOVED.
Seconded and CARRIED by unanimous vote:

PROPOSED ORDINANCEESTABLISHING FLOOD ENCROACHMENT LINES ALONG A PORTION OF THE
RIPPOWAM RIVER BETWEEN BUCKINGHAM DRIVE AND LONG RIDGE ROAD

BE IT ORDAINED BY THE CITY OF STAMFORD that in accordance with Section 7-147 of the GENERAL STATUTES OF THE STATE OF CONNECTICUT Flood Encroachment Lines are hereby created and established along both sides of a portion of the Rippowam River located between Buckingham Drive and Long Ridge Road, Stamford, Connecticut, which flood encroachment lines are shown on a certain map entitled "Map Showing Proposed Channel Encroachment Lines Along a Portion of Rippowam River Between Buckingham Drive and Long Ridge Road, Stamford, Connecticut", certified by Rocco V. D'Andrea, Engineer and Surveyor and dated January 2, 1973, and which map is to be filed in the office of the Town Clerk of said Stamford. Said flood encroachment lines are located and described as follows:

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FIRST: Encroachment Line along the westerly side of the Rippowam River:

Beginning at a point on the southerly side of Buckingham Drive which point is 89.14 feet distant from the intersection of said Buckingham Drive and Long Ridge Road, thence running in a southerly direction through the land of the City of Stamford and the land of William B. Levine the following courses and distances:

South 28° 25' 10" East, 71.498 feet; South 52° 07' 50" East, 216.472 feet; South 18° 58' 16" East, 121.645 feet; South 17° 36' 54" East, 214.214 feet; South 4° 40' 04" West, 182.116 feet; South 2° 38' 57" East, 462.478 feet to a point on the easterly side of Long Ridge Road.

SECOND: Encroachment Line along the easterly side of the Rippowam River:

Beginning at a point on the southerly side of Buckingham Drive which point is 442.17 feet distant from the intersection of said Buckingham Drive and Long Ridge Road, thence running in a southerly direction of the following courses and distances:

South 3° 45' 11" East, 214.122 feet; South 18° 46' 32" East, 86.820 feet; South 53° 24' 26" East, 204.739 feet; South 18° 26' 57" East, 400.505 feet; South 3° 49' 23" West, 210.636 feet; South 2° 54' 08" East, 193.453 feet; South 5° 40' 52" East, 328.519 feet; South 10° 50' 00" East, 406.258 feet to a point on the easterly side of Long Ridge Road, said point being north of Three Lakes Drive intersection and 62.027 feet distant from tangency point of the northeasterly intersection of said Long Ridge Road and Three Lakes Drive.

The following are the owners of land affected by said flood encroachment lines:

City of Stamford, William B. Levine, Andrew and Madeline K. Choma, Robert L.W. and Geraldine Foshay, Jr., George A. and Shirley Reiss, Ernest N. and Ruth B. McLellan, Gilbert and Eileen Zweig, Anthony and Esther Rascona, James J. and Ann Y. Conditto, James and Dolores Palumbo, Henry M. and Suzanne E. Wallfesh, Irma Kim Varney, Dorothy C. DeCrescenzo, Joseph V. Palumbo, Albert A. and Mary A. Annunziata.

This Ordinance shall take effect upon its adoption.

- () Proposed Ordinance (for publication) - CONCERNING THE LEASHING OF DOGS
(Submitted Jan. 22, 1973 by Warren Knapp, 14th District Representative)

MR. FOX said this item has been before the Board on a previous occasion. He said the vote of the Committee was 3 in favor of publication and 2 opposed. He yielded the floor to the proponent of the Ordinance - Mr. Knapp.

MR. KNAPP said as the previous speaker stated, this has been before this Board on a previous occasion on the Ordinance has not been changed, except for the change made the first time, when we took the \$25 fine out for the first offence and inserted \$10 in place.

He read the following proposed Ordinance and MOVED for approval for publication:

PROPOSED ORDINANCECONCERNING THE LEASHING OF DOGS

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

No person owning, keeping or having the custody of any dog shall permit such dog to wander on any street or sidewalk, or on the property of any person other than its owner, unless such dog is on a leash, held firmly by such person.

Any person who violates this section shall be fined not more than ten dollars (\$10.00) for the first offense, and not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) or imprisoned not more than thirty days (30), or both, for each subsequent offense.

This Ordinance shall take effect upon its adoption.

MR. KNAPP said in the Sunday New York Times, dated Jan. 7th, it says that in Boston, on Jan. 13th dog owners in southern Massachusetts County will have to keep their pets on leashes. He said in a move to protect deer, the State Division of Fisheries and Game has ruled that dogs in counties of Hampshire, Hamden, Franklin, Berkshire, Middlesex and Wooster will have to be kept on leashes.

He said he also has a copy of a paper from Florida where they also have dogs on leashes. He said these Ordinances and laws are all over this country. He said he would like to protect the people and pets who are being attacked in this town. He said he believes this is a very necessary Ordinance and would certainly hope that the Board will vote for its publication this evening.

MR. ROOS spoke against the Ordinance. He said he and Mr. Knapp are in perfect agreement as far as roaming dogs are concerned - they should not be roaming in packs or on other people's land and they are a hazard to motorists, children and other pets. However, he said our State dog laws take care of this. In Massachusetts, he said, they do not have a roaming dog law, but in Connecticut we have dog laws that are exemplary. He said he sat in when these dogs were written, as a representative from the Humane Society and agrees that we must protect children, people, other animals, including deer. But, he said, we do have these laws and adding another law on top of a law that has not been enforced, he fails to see what we will gain. He quoted from Sec. 22-364. He said these laws are already in effect and are not being enforced now, and just by adding another law is not going to get the laws enforced that we already have on the books.

Many people spoke in favor of the proposed Ordinance and several spoke against, after which Mr. Theodore Boccuzzi MOVED THE QUESTION. Seconded and CARRIED.

VOTE taken on approving the proposed Ordinance for publication and CARRIED with several "no" votes.

- (8) Proposed amendment of Ordinance No. 246 Supplemental, to delete Section 18-36 of said "MINIMUM HOUSING STANDARDS"

MR. FOX said that section of the Ordinance applies to the following portion:

"This Ordinance shall not apply to a one family dwelling or a two family dwelling that is owner occupied".

He said the Committee voted in favor of the deletion of this portion of the Ordinance and HE MOVED for publication of the amended Ordinance.

He said as the members know we have received correspondence lately in regard to HUD funding which is in jeopardy by reason of the continuance of this portion of the Ordinance. He said it was the opinion of the Committee that inasmuch as that for 15 years prior to the first of this year, the old Ordinance included one family dwelling and two family owner occupied dwellings and inasmuch as it appeared not to create any great hardship at that time and also throughout the country any housing Ordinance includes all of the housing within the City and that includes one family and two family owner occupied dwellings, the Committee felt it was good thing to do to repeal it, particularly considering the financial gain to the City as a result thereof.

Several members seconded the motion to approve publication of the amended Ordinance.

MRS. LAITMAN said she deplores the scare tactics which have been used by the landlords associations. She said in one communication they received they were urged to go back to the old Ordinance No. 65, because the home owners had less protection under the old Ordinance than they have under the new one. She urged adoption of the motion.

MR. WALSH said he feels this portion of the Ordinance is unconstitutional and and he intends to vote against it.

MRS. SHERMAN said there are laws against yelling "FIRE" in a crowded theatre, but as yet there are none that prevent the use of scare tactics and mis-information supplied to innocent people. She asked why haven't the private home owners been advised by their Associations exactly what the new Housing Code would mean to them, as compared with a return to the old Ordinance 65, which was in effect since its adoption in 1957. She said with the exception of one enlightened Association - the Midridge Civic Association - whose leadership did the job they were supposed to do, studied the advantages and disadvantages to the individual home owner, other Associations who are supposed to represent the best interests of their members, have deliberately misinformed their members. She said it only takes one glance at the old Ordinance 65 (which they request we return to) would be enough to show anyone which is the best for the home owner. She read the portion of the Ordinance pertaining to the home owner. She said the new Ordinance gives the home owner the protection he never had under the old one, and it is only with the consent of the home owner can the Health Officer enter a private home. She said they would have to get a Court order and show reasonable cause for entering a private home.

MR. DIXON said he agrees with Mrs. Sherman, and the Ordinance was as near as he can recall, geared to multi-family housing. He said there are also some one family substandard houses in Stamford, which are divided into many rooms, and yet they are owner occupied.

MR. HEINZER MOVED THE QUESTION. Seconded and CARRIED by a machine vote of 24 in favor and 14 opposed.

MR. FOX MOVED for publication of the amended Ordinance, deleting Section 18-36. Seconded.

A ROLL CALL VOTE was requested and approved, one-fifth of the members signifying their approval.

MR. RUSSBACH asked how many votes would be needed to carry.

THE PRESIDENT said a majority of 21 votes are needed.

The following ROLL CALL VOTE was taken on the motion to publish the amended Ordinance. LOST by the following vote of 20 in favor, 18 opposed and one abstention:

THOSE VOTING IN FAVOR:

BOCCUZZI, Theodore (D)
CROSBY, Robert (R)
DIXON, Handy (D)
EXNICIOS, Robert (R)
FORMAN, Barbara (R)
FLANAGAN, William (R)
FOX, Gerald (D)
FRIEDMAN, Bertram (R)
IACOVO, James (R)
LAITMAN, Marilyn (D)
LENZ, Frederick (D)
LIVINGSTON, Jeremiah (D)
MILLER, Frederick (D)
PERKINS, Billie (R)
PONT-BRIANT, Lois (R)
ROOS, John (R)
ROSE, Matthew (D)
SCHADE, Richard (R)
SHERMAN, Edith (R)
TRESSER, Michael (R)

THOSE VOTING IN OPPOSITION:

BOCCUZZI, John (D)
CAPORIZZO, William (R)
COLASSO, John (D)
CONNORS, George (D)
COSTELLO, Robert (D)
GAMBINO, Philip (D)
GUROIAN, Armen (D)
HEINZER, Charles (R)
KELLY, Stephen (D)
KNAPP, Warren (D)
MORABITO, Joseph (D)
MORRIS, Thomas (R)
RAVALLESE, George (D)
RUSSBACH, Daniel (R)
RYBNICK, Gerald (D)
TRUGLIA, Anthony (D)
VARNEY, Kim (R)
WALSH, Peter (D)

ABSTENTION:

RUSSELL, George (R)

(9) Proposed Ordinance - Concerning A City Employee Suing a City Board or Agency

MR. FOX said the above item was referred to his Committee at the Steering Committee, but there was not written material submitted at that time, so it was left off the Agenda.

MR. FRIEDMAN said a very dangerous precedent has been set in this City during the past few months and for some reason it has been decided by the executive branch of our City government that if a City board, in the proper exercise of its duty overrules a City employee, that employee may sue the Board and the City will subsidize legal fees of this law suit with taxpayers' dollars. He said this is gross misappropriation of City funds and for this

reason he felt that a proper Ordinance should be on the books to prevent any future authorization of such funds. He read the following proposed Ordinance for publication and SO MOVED. Seconded and CARRIED:

PROPOSED ORDINANCE

CONCERNING A CITY EMPLOYEE SUING A CITY BOARD OR AGENCY

BE IT ORDAINED BY THE CITY OF STAMFORD:

That the City of Stamford shall not, either by the use of the Department of Law, or by payment to any outside counsel, subsidize the prosecution of any court action by a Civil Service, or other City employee against any Board, Commission, Agency or employee of said City of Stamford.

SEWER COMMITTEE:

Letter from CASTLEWOOD PARK HOMEOWNERS ASSOCIATION, INC., to the Chairman of the Sewer Commission, protesting Sewer Commission's decision to allow HILLTOP ACRES TO CONNECT INTO THE LONG RIDGE SANITARY SEWER SYSTEM -

(Dated Jan. 19, 1973) - (Also attaching correspondence pertaining thereto)

MR. COLASSO, Chairman, said he has no formal report to present tonight, but he just attended a meeting of the Sewer Commission. He said the reason was to ask them to rescind the application of Hilltop Acres until such time as the developer has a legal subdivision. He said he did see a subdivision, but it was for condominiums and that zone does not exist in that area.

URBAN RENEWAL COMMITTEE:

MR. ROOS said he has a brief report - we are down to 59 families, 20 single house-holders and 9 roomers remaining in the project area to be re-located. He said 3 businesses have been re-located. He said there were four notices posted for demolition this month - 246-250 Pacific Street, 147 Elm Street, 22 Holly Place and 18 Holly Place. He said as we all know, HUD has lifted the freeze and last resort housing has been reviewed by Washington. He said Stamford's last resort housing has been tentatively approved in November and now is in the final review process by HUD.

SPECIAL INVESTIGATING COMMITTEE UNDER SEC. 204.2 OF CHARTER RE: CAPITAL PROJECTS

MR. KNAPP, Chairman, said the only thing he would like to say that the heading should be changed a little bit, as the Committee intends to go into other matters.

He said his Committee has met four times so far and have had two people in for questioning and will be meeting again this Thursday night at 8 P.M.

MR. FLANAGAN said he would like to know why these hearings are being conducted closed to members of the Board of Representatives, but open to the Press and the News Media.

MR. KNAPP said the only answer he can give there is that the Committee voted that it only wanted the Press and News Media in and that they were only going to interview one person at a time. He said this was the feeling of the Committee, and as Chairman all he can do is report what they are doing.

MR. FLANAGAN said it is perfectly all right for the Fiscal Committee to vote on matters before them in Executive Session, but all other Committee meetings, including Fiscal, are open so that other members can sit in and see what is going on.

THE PRESIDENT said in all our investigating committees in the past, we did delete members of the Board for the simple reason that they came in and started asking questions and they ended up with nothing but chaos and the Committee was not able to handle it.

MR. FLANAGAN said he wants to sit in as an observer.

MR. MORABITO said as far as the Press is concerned --- each person that comes in to be questioned asked whether they want the News Media present or not and it is their prerogative if they want the Press to remain in the room.

MR. COLASSO said he thinks it is wrong and that the members of the Board of Representatives should be allowed to sit in on this investigation and not ask questions, because they are going to have to act on their report later on and maybe they don't agree with what they are doing and when their report is handed out, they should be well informed. He said he thinks it is unfair to not allow members of the Board to sit in on the meetings of the investigating committee.

THE PRESIDENT asked the speaker what will happen in the event of "leaks" -- it is possible and it has happened before.

MR. LENZ said even though this is the way it was done in the past, is no reason why it should continue this way. He asked if the Board could take a vote on this.

MR. MORRIS rose on a point of order. He said if they had wanted the whole Board to investigate, they would have appointed the Board as a Committee of the Whole to do the investigation and this was the Board's decision.

MR. JOHN BOCCUZZI said he thinks it is the prerogative of the Committee itself if they want to invite the new media in or not, or members of the Board. He said the Fiscal Committee allows the Press to remain up to the point where they vote and then dismiss the Press and any members of the Board that happen to be in the room. He said he thinks it is up to the Committee to lay down the rules governing their meetings.

MR. RUSSELL said there are rules and laws that govern investigating committees and he believes that through the office of the Corporation Counsel they be given some advice as to whether it is proper or improper for the Press or anybody else to be present during the investigations being conducted by the committee. He said he feels the members do not have all the answers and feels it should be left to the discretion of the Committee itself.

MR. RAVALLESE said when they go into Executive Session, everyone not a member of the Committee is excluded, but it is up to the Committee whether they want the Press or members of the Board there.

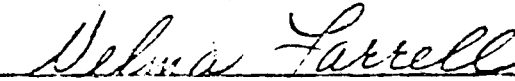
MRS. LAITMAN said the Committee has an Attorney and are being guided by his advice, and every time it is discussed as to whether or not the News Media will be present.

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MR. DIXON said if members show up for one meeting they can end up very confused, as they don't have the whole picture of what is happening. He said he likes it the way it is and wants it to stay that way.

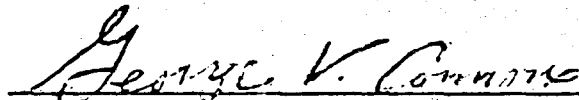
ADJOURNMENT:

There being no further business to come before the Board, on motion, duly seconded and CARRIED, the meeting was adjourned at 11:55 P.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 11:00 P.M.