

MINUTES OF MARCH 5, 197312TH BOARD OF REPRESENTATIVESSTAMFORD, CONNECTICUT

A regular monthly meeting of the 12th Board of Representatives of the City of Stamford was held on Monday, March 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 9 P.M.

INVOCATION - Given by Captain A. Lugiano, Salvation Army.

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

PAGES:

Linda Price and John Francis Martin

MOMENT OF SILENCE:

MRS. LAITMAN called for a moment of silence in memory of John Francis Xavier Martin, of Radio Station WSTC who died since our last meeting.

ROLL CALL was taken by the Clerk. There were 39 present and 1 absent. The absent member was Richard J. Schade (R), 18th District.

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 January 26, 1973
Regular meeting of February 5, 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 Tuesday, February 20, 1973

A meeting of the Steering Committee was held on Tuesday, February 20, 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. The following members were present: George Connors, Gerald Fox, Stephen Kelly, Fred Lenz, John Colasso, Edith Sherman, Robert Exnicios, Thomas Morris, Marilyn Laitman, Lois Pont-Briant, John Boccuzzi, and Matthew Rose.

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Also present were Warren Knapp and Gerald Rybnick. Absent members were: Joseph Morabito, Theodore Boccuzzi, Charles Heinzer, George Russell and Fred Miller.

The following matters were discussed and acted upon:

(1) Appointments:

All appointments held in Committee at the February 5th meeting were ORDERED ON THE AGENDA under APPOINTMENTS COMMITTEE.

Mayor's letter of 2/20/73 received this afternoon, appointing EDWARD J. BANKOWSKI (D), 203 Hubbard Avenue, Replacing Samuel Bernstein and MELVIN STERN (D), 144 Pond Road, Replacing Chico Vejar were ORDERED ON THE AGENDA under APPOINTMENTS COMMITTEE.

(2) Additional Appropriations:

All appropriations held in Committee at the February 5, 1973 Board meeting were ORDERED 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 meeting held Thursday, Feb. 8, 1973 were ORDERED ON THE AGENDA and referred to the Committees concerned.

Three items which were ORDERED ON THE AGENDA under FISCAL COMMITTEE appear below: (These were not yet approved by the Board of Finance, they are to act on them at a meeting on 2/22/73)

- (3) \$73,000.00 - PUBLIC WORKS DEPARTMENT - Code 620.0101, Salaries, Incinerator and Sewage Treatment - (Mayor's letter of 2/14/73) - (Approved prior to the Board of Finance)

(Above also referred to the PUBLIC WORKS COMMITTEE)

- (4) \$157,000.00 - PUBLIC WORKS DEPARTMENT - Code 620.0620 - Sanitation - Removal of Sludge and Ashes - (Mayor's letter of 2/16/73) (Approved prior to the Board of Finance)

(Above also referred to PUBLIC WORKS COMMITTEE)

- (5) \$49,599.72 - POLICE DEPARTMENT - Various Accounts - (Mayor's letter of 2/8/73) - (Approved prior to the Board of Finance)

(Above also referred to HEALTH & PROTECTION COMMITTEE)

- (6) \$199,225.00 - See Resolution No. 879 - adopted 2/5/73, which balance as aforesaid held in Committee -- Proposed resolution amending 1972-1973 Capital Projects Budget by adding to Project known as "DEPARTMENT OF PUBLIC WELFARE - ADDITION TO SMITH HOUSE" and appropriation therefor - (Mayor's letter of 11/27/72) - (Partially approved on 2/5/73 by adoption of Res. No. 879 in amount of \$307,000.00 with balance of \$199,225.00 held in Committee)

Above matter was NOT ordered on Agenda, referred back to Committee

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- (7) \$5,000.00 - (Held in Committee 2/5/73' only partially approved - original request was for \$15,000.00 with \$10,000.00 approved -- DEPARTMENT OF PUBLIC WORKS - Buildings and Grounds, Various Accounts - (Mayor's letter of Oct. 10, 1972) - (Approved by Board of Finance on 1/18/73 in REDUCED amount of \$15,000.00 to maintain the Stevens School Building)

Above matter was NOT ordered on Agenda, referred back to Committee

- (8) 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 Board of Finance per their Minutes of 1/18/73) - (Held in Committee 2/5/73)

(Above ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE)

- (9) Proposed Resolution - AUTHORIZATION TO PROCEED WITH CONDEMNATION PROCEEDINGS TO ACQUIRE THE LEVINE TRACT, LONG RIDGE ROAD - (Mayor's letter of 1/9/73)

(Above ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE)

- (10) Proposed Ordinance - AUTHORIZATION OF THE SALE OF A STRIP OF LAND ON HILLDALE AVENUE IN THE CITY OF STAMFORD TO J. JOSEPH MORRIS - (Mayor's letter of 1/2/73) -- (Note: Planning Board - in letter of 1/18/73 recommended the property be sold at public auction)

(Above was NOT ordered on Agenda, referred to Legislative & Rules Committee)

- (11) Ordinance (for final adoption) - TAX EXEMPTION FOR PROPERTY OWNED BY STAMFORD DAY NURSERY ON PALMER'S HILL ROAD - Adopted for publication 2/5/73 and published 2/12/73)

(Above ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE)

- (12) Ordinance (for final adoption) - ESTABLISHING FLOOD ENCROACHMENT LINES ALONG A PORTION OF THE RIPPOWAM RIVER BETWEEN BUCKINGHAM DRIVE AND LONG RIDGE ROAD - (Levine Property) -- (Adopted for publication 2/5/73 and published 2/12/73)

(Above was ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE)

- (13) Ordinance (for final adoption) - CONCERNING THE LEASHING OF DOGS - (adopted for publication 2/5/73 and published 2/12/73)

(Above was ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE)

- (14) Ordinance (for final adoption) - CONCERNING A CITY EMPLOYEE SUING A CITY BOARD OR AGENCY -- (Adopted for publication 2/5/73 and published 2/12/73)

(Above was ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE)

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- (15) Ordinance (for final adoption) - APPROVING THE ESTABLISHMENT OF A TRANSIT DISTRICT - (Approved for publication at a Special Board meeting on 1/26/73, published 2/1/73)

(Above was ORDERED ON THE AGENDA under LEGISLATIVE & RULES COMMITTEE)

- (16) Ordinance (for final adoption) - COVENANT TO MAKE ANNUAL APPROPRIATIONS TO BE PLEDGED TO THE PAYMENT OF SERIES A REVENUE BONDS OF THE STAMFORD PARKING AUTHORITY - (Adopted for publication 2/5/73 under suspension of the rules; published 2/9/73)

(Above matter was NOT ordered on Agenda, Referred to Legislative & Rules Committee)

- (17) Resolution AUTHORIZING FILING OF APPLICATION FOR STATE ASSISTANCE WITH THE COMMISSIONER OF COMMUNITY AFFAIRS IN ORDER TO UNDERTAKE A PROGRAM OF DAY CARE CENTERS FOR STAMFORD - (Mayor's letter of 2/5/73)

(Above was ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE)

- (18) Letter dated 1/30/73 from STAMFORD FIRE DEPARTMENT, Requesting transfer of City-owned property, namely a 65 foot ladder truck to the Belltown Fire Department - (Requires a resolution - none submitted)

(Above was ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE)

- (19) Ordinance - CONCERNING RETALIATORY ACTION BY LANDLORDS - (Submitted by Representatives Thomas Morris and Warren Knapp at Steering Committee on 2/20/73)

(Above ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE also referred to PUBLIC HOUSING AND GENERAL RELOCATION COMMITTEE)

- (20) Letter dated 1/2/73 from Ms. Joan Fitzpatrick - Concerning Park Manor Housing - Request for a Place - Re: Housing for the Elderly

(Above matter was NOT ordered on the Agenda - Referred to PUBLIC HOUSING AND GENERAL RELOCATION COMMITTEE)

There being no further business to come before the Committee, on motion, duly seconded and CARRIED, the meeting adjourned at 8:45 P.M.

George V. Connors, Chairman
Steering Committee

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APPOINTMENTS COMMITTEE:

MR. THEODORE BOCCUZZI, Chairman, said his Committee held two meetings this month -- one on March 1, 1973 and one this evening, also in the Municipal Office Building. He said the following were present: Representatives Rose, Perillo, Costello, Forman, Tresser, Exnicio, Flanagan and the Chairman, with Mr. Dixon being present at this evening's meeting. He reported on the following appointments:

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PLANNING BOARD:

<u>SAMUEL BERNSTEIN</u> (D)	HELD IN COMMITTEE	<u>Term Ending:</u>
355 Cascade Road	(Also held in Committee	
(Replacing Timothy Curtin,	on 2/5/73)	Dec. 1, 1977
whose term expired)		

BOARD OF ETHICS:

<u>MAURICE J. BUCKLEY</u> (D)	HELD IN COMMITTEE	June 1, 1977
325 Bayberrie Drive	(Also held in Committee on	(5 yr. Term)
(Reappointment)	On 2/5/73)	

GOLF AUTHORITY:

<u>WILLIAM CAPORIZZO</u> (R)	Vote: 27 yes	Jan. 1, 1976
39 Warwick Lane	11 no	
(Reappointment)	(Held in Committee on 2/5/73)	
<u>JUNIUS McKEITHAN</u> (R)	(Second submission) - HELD IN	Dec. 1, 1976
164 Franklin Street	COMMITTEE	
(Reappointment)		

PARKING AUTHORITY:

<u>JACK PINSKY</u> (R)	(Second Submission)	Dec. 1, 1976
1 Strawberry Hill Court	VOTE: 20 yes	
(Reappointment)	18 no	

PLANNING BOARD:

<u>EDWARD J. BANKOWSKI</u> (D)	HELD IN COMMITTEE	Dec. 1, 1976
203 Hubbard Avenue		
(Replacing Samuel Bernstein,		
whose term expired)		

HUMAN RIGHTS COMMISSION:

<u>MELVIN STERN</u> (D)	VOTE: 26 yes	Dec. 1, 1973
144 Pond Road	11 no	
(Replacing Chico Vejar,		
who resigned)		

FISCAL COMMITTEE:

MR. JOHN BOCCUZZI, Chairman, reported that the Fiscal Committee met on Wednesday, Feb. 28th with 7 members present and the following items were discussed and voted upon:

- (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) - NOTE: Board of Finance has requested a cost estimate) -- (Held in Committee 12/4/72, 1/8/73 and 2/5/73)

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Item No. 1 continued:

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

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

MR. HEINZER, Chairman of the Personnel Committee, also reported on this item. He said his Committee felt before tonight that this should be a half payment rather than a full payment and it was his understanding tonight in Caucus that the Fiscal Committee was coming out with a recommendation for half payment and now all of a sudden, with his Committee not having an opportunity to discuss it, the Fiscal Committee has suddenly changed its mind and is coming out with approval of the whole package. He said, not having talked with his Committee, he would assume they are still in favor of half payment.

MRS. PONT BRIANT said apparently there is a misunderstanding and she thought the Fiscal Committee was coming out with a recommendation for half payment and that there was going to be a motion on the floor to make it 100%.

MR. BOCCUZZI said they had been trying to find out how many people were still in this category who are employed by the City at this time in various Boards and Commissions and Mrs. Pont-Briant said this is the end of it, with the exception of one. He said it was his understanding that he was to poll the Democratic members and Mrs. Pont-Briant was to poll the Republican members, but the communication line must have broken down. He apologized to Mr. Heinzer for this. He said the only reason that the Committee has held this up for such a long time, is because they were trying to find out how many employees were in this category.

MR. HEINZER said that is basically the reason why his Committee was also holding it up. He said what we are talking about is whether or not we are opening up a "Pandora's box" or not and if there is only one person left to come up for consideration, then it would not be so bad. He said every time we organize these Commissions it is always stipulated that they will not be Civil Service and not be entitled to fringe benefits. He said he urged the members not to think of this in terms of how many are left to get these benefits, but to all of the people who are getting the insurance, whose next step will undoubtedly be to come looking for retirement or some of the other fringe benefits. He said here we are opening up something that we swore we never would do, if we give these people this insurance package. He said he is still in favor of letting them participate, but paying half of the share of its cost themselves.

MR. HEINZER MOVED to amend by reducing these benefits to one half by giving them half of the insurance costs.

MRS. LAITMAN spoke against the amendment, saying she fees these employees deserve the full insurance payment.

MR. RUSSBACH asked the Fiscal Committee Chairman what group would these people come under as far as Blue Cross and Blue Shield are concerned, or is it a separate package?

MR. BOCCUZZI said he believes they will be with the City employees.

MR. RUSSBACH asked if this is a contributory plan, or non-contributory?

MR. BOCCUZZI said the City picks up the tab and it amounts to about \$705 per person.

MR. RUSSBACH said if this is the case, the law says you cannot show discrimination and cannot have two categories of people in the same group because it is a violation of the law - both State and Federal. He said they must either receive 100% benefits or be in a separate group -- this is the law and it cannot be gotten around.

MRS. SHERMAN said she understands that there were eight other employees that we did approve, who were not Civil Service. She said she thinks we are being too discriminatory and should not have six people paying for half when you permitted eight people to have it in its entirety. She said she feels there are not that many people to worry about and it will permit better working conditions for all employees.

MR. BOCCUZZI said in light of what Mr. Russbach has said, Mr. Heinzer's amendment is illegal.

MR. HEINZER said this is not so.

MR. RUSSBACH MOVED TO AMEND Mr. Heinzer's motion that these employees get involved in a Blue Cross, Blue Shield plan paying 50% of the cost as an independent group, which can be done and then there is no problem.

MR. FRIEDMAN said this is like being a little bit pregnant and he does not quite understand what they mean by opening up a Pandora's Box - whether you open it up a little bit or you open it up a lot. He said if you are going to open the door and all other City employees are paid 100% with these fringe benefits, then there is no question but that these employees should be given the same thing.

MR. TRESSER said these people deserve these benefits and should get them.

MRS. PONT BRIANT said she can go along with not opening a Pandora's Box, but we are not creating new Commissions every month. She said she understands that anybody under Grants get full coverage and these people are full time employees - however, she would not like to see part-time employees get these benefits; but regarding Mr. Russbach's suggestion that these people come under another group, and the City pay half, probably the City's half would be more than if we were allowed to legally do it within the City's package. She said she does not think the saving would amount to very much and after all we are only talking about six employees.

MR. KELLY spoke in favor of these people getting full insurance benefits.

MR. IACOVO MOVED THE QUESTION on Mr. Russbach's amendment. Seconded and CARRIED.

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MR. RUSSBACH re-stated his motion - HE MOVED that the listed employees contribute 50% of the total cost in order to obtain a separate Blue Cross-Blue Shield (or whatever plan they may desire).

VOTE taken on the above amendment. LOST.

VOTE taken on Mr. Boccuzzi's motion - to approve 100% insurance benefits to be paid by the City. LOST by a vote of 24 yes and 14 no (needs a 2/3rds vote to carry).

- (2) \$3,000.00 - MAYOR'S OFFICE - Code 108.1401, Emergency Bus Transportation, during current Connecticut Co. Bus strike - (Mayor's letter of 1/23/73)

MR. BOCCUZZI MOVED for approval of the above item. Seconded by Mr. Miller, who said the Education, Welfare & Government Committee also approved this item.

MR. GUROIAN spoke against the motion for the reason that he feels certain residents are being discriminated against because their tax dollars are also paying for this bus and they can't ride it.

After considerable discussion, a vote was taken on Mr. Boccuzzi's motion and CARRIED.

- (3) \$7,267.00 - POLICE DEPARTMENT - Code 530.1206, Traffic Light Maintenance - (Mayor's letter of 1/16/73)

MR. BOCCUZZI MOVED for approval of the above item. He said this represents five different insurance claims that the City has. He said the City has done some work on some of the lights already and what the Police Department wants now is to have that money transferred to the Traffic Light Maintenance account.

MR. ROSE, Chairman of the Health & Protection Committee, seconded the motion and said his Committee concurs. CARRIED unanimously.

- (4) \$12,427.02 - POLICE DEPARTMENT - Code 530.1705 - Automotive Maintenance - (Mayor's letter of 1/19/73) - (REDUCED from \$15,880.00 by Board of Finance)

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

- (5) \$36,500.00 - POLICE DEPARTMENT - Code 530.2210 - New Equipment - Patrol Cars - (Mayor's letter of 1/19/73)

Note: Above items No. 4 and 5 are contained in the same letter. However, one item in the Mayor's letter - \$8,931.00 for Code 530.0501 was deferred by the Board of Finance on 2/8/73. vf

MR. BOCCUZZI MOVED for approval of item #5 above. Seconded by Mr. Rose who said his Committee also approves. CARRIED with one abstention (Mrs. Pont-Briant).

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- (6) \$120,000.00 - Resolution No. 881 - Amending 1972-1973 Capital Projects Budget, by adding Project to be known as "ROGERS SCHOOL REHABILITATION" and appropriation therefore, to cover costs of planning which amount is to be financed by the issuance of bonds --- (Mayor's letter of 1/17/73)

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. 881

AMENDING 1972-1973 CAPITAL PROJECTS BUDGET BY ADDING THE SUM OF \$120,000.00 THERETO FOR PROJECT KNOWN AS "ROGERS SCHOOL REHABILITATION" 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 "ROGERS SCHOOL REHABILITATION" and appropriation of \$120,000.00 therefore, in accordance with the provisions of Section 611.5 of the Stamford Charter, to cover the costs for that project, which amount is to be financed by the issuance of bonds.

- (7) \$30,000.00 - Resolution No. 882 - Amending 1972-1973 Capital Projects Budget by adding Project to be known as "SPRINGDALE SCHOOL MULTI-MEDIA CENTER AND NINE CLASSROOMS" and appropriation therefore to cover costs of planning, to be financed by the issuance of bonds --- (Mayor's letter of 1/16/73)

MR. BOCCUZZI said the Fiscal Committee approved the above item and SO MOVED. Seconded by Mr. Miller, who said the Education, Welfare & Government Committee concurs in approval.

MRS. PERKINS spoke in favor of the appropriation.

MR. RUSSELL also urged approval.

MR. RUSSBACH said he favors the appropriation, but would like to ask the Chairman a question in regard to the space for nine classrooms. He asked if we have a guarantee from the Board of Education that they will tear down the old portion with the nine classrooms presently in it, when they replace it with the new?

MR. BOCCUZZI said they have no guarantee that they are going to do it, but believes it is their intention to take it down and if someone wants to make a move to preserve the building, he is not sure that the Board of Education would go along with it, but presumes that they will take down the old portion.

MR. RUSSBACH MOVED TO AMEND to include a sense of the Board resolution that this Board go on record in favor of the demollishment of the space of nine classrooms when the new ones are built because if they are left, we will continue to have the same problem - they will move others into the vacated space and frankly, it is a dungeon right now. He said he would like to move that this Board go on record of being in favor of the demollishment of the old one when the new one is built.

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MR. BOCCUZZI said he would like to second the motion and accept the amendment.

MRS. LAITMAN said she will go along with the amendment, but not think it is really necessary, because they were told by Dr. Carpenter and by the Architect that this building is going to be torn down because it was a hazard and was not repairable.

VOTE taken on above motion. CARRIED.

THE PRESIDENT said we now have to vote on the appropriation. VOTE taken on the following resolution and CARRIED unanimously:

RESOLUTION NO. 882

AMENDING 1972-1973 CAPITAL PROJECTS BUDGET BY ADDING PROJECT TO BE KNOWN AS "SPRINGDALE SCHOOL MULTI-MEDIA CENTER AND NINE CLASSROOMS" AND APPROPRIATION OF \$30,000.00 THEREFORE

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 "SPRINGDALE SCHOOL MULTI-MEDIA CENTER AND NINE CLASSROOMS" and appropriation of \$30,000.00 therefore, in accordance with the provisions of Section 611.5 of the Stamford Charter, to cover the planning costs for that Project, which amount is to be financed by the issuance of bonds.

- (8) \$276,000.00 - Resolution No. 883 - Amending 1972-1973 Capital Projects Budget for Project to be known as "LAND ACQUISITION - LEVINE TRACT" to be financed by the TRANSFER of funds in above amount from the RESERVE FUND -- (REDUCED by Board of Finance on 2/8/73 from \$322,000.00 requested) (Mayor's letter of 1/9/73 in two parts - one an appropriation and the other a condemnation resolution)

MR. BOCCUZZI MOVED for approval of the following resolution. Seconded.

MR. FOX said his Committee will report on a resolution concerning condemnation when he gives his Committee report.

MR. COLASSO said he supports this and there is a dire need for a play area here and if they don't do something about it soon they are going to destroy the whole Rippowam River.

MRS. VARNEY said this is in her District and has been endorsed by the Three Lakes Park residents, Castlewood and Long View and she urged approval.

MR. KNAPP said he also endorses this resolution and having lived down river from this particular tract since 1951, he has seen what can happen - the 1955 flood - and saw a whole raft of houses just wiped out down river.

MRS. FORMAN said she thinks this is necessary and desirable for that particular area. She asked if Mr. Boccuzzi could clarify a question she has - in the letter from EPA it states that they will pay up to \$161,000 and in the letter to this Board, it said 50% - which amount is that?

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MR. BOCCUZZI said he thinks the \$161,000 is derived from the original figure that was going to be offered for the property, which was \$322,000 and B.O.R. approved 50% of the figure that was sent to them, which was the \$322,000 and if we go to Court, B.O.R. will also pick up 50% of the additional moneys which might be awarded to Dr. Levine through Court action and the State's share (which is 25%) of the \$276,000 regardless of the Court action.

MRS. PONT BRIANT said the Fiscal Committee had asked Mr. Bromley to look into this and he said the payment would be based upon the final Court settlement, but would not include Court costs or appraisal fees, but would be based upon the final Court settlement.

MRS. SHERMAN said the facts as Mr. Bromley has them now are that whatever the condemnation award made by the Court is arrived at, the Federal Government will pick up 50% of whatever that award is in the condemnation and the State will pick up 25% of whatever the final condemnation award is, which means that Stamford will only have to pay the difference.

MRS. LAITMAN MOVED THE QUESTION. Seconded and CARRIED.

VOTE taken on the following resolution and CARRIED by a vote of 38 in favor and one opposed:

RESOLUTION NO. 883

AMENDING 1972-1973 CAPITAL PROJECTS BUDGET BY TRANSFERRING THE SUM OF \$276,000.00 FROM THE RESERVE FUND TO A PROJECT TO BE KNOWN AS "LAND ACQUISITION - LEVINE TRACT"

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 "LAND ACQUISITION - LEVINE TRACT" to be financed by the transfer of funds in the amount of \$276,000.00 from the RESERVE FUND, in accordance with the provisions of Section 611.5 of the Stamford Charter.

- (9) Proposed Resolution - AUTHORIZATION TO FILE A PREAPPLICATION AND FORMAL APPLICATION TO ACTION (a Federal Agency) FOR A GRANT IN THE AMOUNT OF \$10,000.00 TO BE USED FOR A VOLUNTEER PROGRAMS COORDINATOR PROGRAM - (Mayor's letter of 2/16/73)

The above item was held in Committee.

- (10) \$30,000.00 - PUBLIC WORKS DEPARTMENT - Code 620.0101, Salaries, Incinerator and Sewage Treatment - (Mayor's letter of 2/14/73)

MR. BOCCUZZI said the Board of Finance REDUCED this from the original \$73,000.00 requested, to \$30,000.00. He said the Fiscal Committee approved the \$30,000.00 and HE SO MOVED. Seconded by Mr. Lenz who said the Public Works Committee concurs in approval of this item. CARRIED.

- (11) \$157,000.00 - PUBLIC WORKS DEPARTMENT - Code 620.0620 - Sanitation - Removal of Sludge and Ashes - (Mayor's letter of 2/16/73)

MR. BOCCUZZI MOVED for approval of the above item. Seconded by Mr. Lenz, who said the Public Works Committee concurs in approval. CARRIED.

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- (12) \$28,068.75 - POLICE DEPARTMENT - Various Accounts - (Mayor's letter of 2/8/73) - (REDUCED by Board of Finance from \$49,599.72)

MR. BOCCUZZI said the Fiscal Committee approved this item and he SO MOVED. Seconded by Mr. Rose who said the Health & Protection Committee concurs in approval.

MR. BOCCUZZI explained that the appropriation is for 8 Patrolmen and 1 Clerk.

MRS. FORMAN said she thinks this should have been in the Budget and approved at that time, rather than having it come in as an additional appropriation.

MR. BOCCUZZI said it was in the Budget, but was cut out at that time and they are now asking for the appropriation.

VOTE taken on the above appropriation, as reduced by the Board of Finance. CARRIED.

LEGISLATIVE & RULES COMMITTEE:

MR. FOX, Chairman, reported on the following matters:

- (1) Resolution No. 384 - 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 provisions of Ordinance No. 144 of the General Ordinances of the City - (Mayor's letter of 11/28/72) - (Approved by Planning Board on 11/28/72; no action needed by Board of Finance per their Minutes of 1/18/73)

MR. FOX said this is basically a transfer of property now held by the Public Works Department on Washington Boulevard for the purpose of erecting a fire house. HE MOVED for approval of the following resolution. Seconded and CARRIED unanimously:

RESOLUTION NO. 884

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

WHEREAS, the Department of Public Works presently has jurisdiction of the property listed as Lots No. 3, 4, 5 and 6 on Tax Map Sheet 109, a total of 15,964 square feet on the west side of Washington Boulevard just South of the pedestrian bridge in Stamford; and

WHEREAS, Ordinance No. 144 of the General Ordinances of the City provides for the transfer of jurisdiction between the City and its agencies and departments; and

WHEREAS, the transfer of jurisdiction is in the public interest and is desired by both the Department of Public Works and the Fire Department;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED BY THE BOARD OF REPRESENTATIVES OF THE CITY OF STAMFORD, CONNECTICUT that the jurisdiction of the property is

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hereby transferred 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.

- (2) Resolution No. 885 - AUTHORIZATION TO PROCEED WITH CONDEMNATION PROCEEDINGS TO ACQUIRE THE LEVINE TRACT, LONG RIDGE ROAD - (Mayor's letter of 1/9/73) - (Note: Also see item No. 8 under Fiscal Committee)

MR. FOX called attention to the appropriation for the above, which has already been made. He said the Committee approved this with one amendment, namely, the reduction of the appropriation from \$322,000.00 to \$276,000.00 (see Resolution No. 883 under Fiscal Committee). MR. FOX MOVED for adoption of the following resolution. Seconded and CARRIED unanimously:

RESOLUTION NO. 885

AUTHORIZATION TO PROCEED WITH CONDEMNATION PROCEEDINGS
TO ACQUIRE THE LEVINE TRACT, LONG RIDGE ROAD

WHEREAS, the City of Stamford, Connecticut, desires to acquire and develop interest to certain land known as the "Levine Tract, Long Ridge Road" being that tract of land situated totally in the City of Stamford, Connecticut, containing in area 9.7339 acres (more or less), as recorded in the land Records in the Office of the Stamford Town and City Clerk, in Book 1130 at Page 203, bounded northerly by land of the City of Stamford and land now or formerly of Norman A. Feiber and Alvin G. Lampke; easterly and northerly again by said Norman A. Feiber and Alvin G. Lampke; then easterly, then southerly by the land now or formerly of Three Lakes Park, Incorporated and then still southerly by land of the City of Stamford and westerly by the Long Ridge Road, Stamford, Connecticut, which land is to be held and used for permanent open-space land for park, recreational, conservation of natural resources and scenic purposes; and

WHEREAS, the sum of \$276,000.00 has heretofore been appropriated for the acquisition of the aforesaid property, and

WHEREAS, the City of Stamford and the owner of said premises have negotiated in good faith and are unable to agree as to the fair market value of said premises.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED BY THE BOARD OF REPRESENTATIVES OF THE CITY OF STAMFORD, CONNECTICUT, that the acquisition of the aforesaid property, to be used for permanent open-space land for park, recreational, conservation of natural resources and scenic purposes, is desirable for the welfare and general well being of the citizens of this City.

IT IS FURTHER RESOLVED that the Corporation Counsel of the City of Stamford is herewith authorized, on behalf of the City of Stamford, to institute and file condemnation proceedings to acquire title to said real property.

- (3) Ordinance (for final adoption) - TAX EXEMPTION FOR PROPERTY OWNED BY STAMFORD DAY NURSERY ON PALMER'S HILL ROAD - (Adopted for publication 2/5/73 and published on Feb. 12, 1973)

The above item was held in Committee.

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MR. FOX said he wishes to report that the Committee did meet with the Tax Assessor with regard to the manner and form in which we have been passing Tax Abatements and he is preparing for us at this time a sample Ordinance which will set forth all of the necessary items for a tax exemption and expect to follow this as a form for all future requests for exemptions for this Board.

- (4) Ordinance No. 259 (for final adoption) - ESTABLISHING FLOOD ENCROACHMENT LINES ALONG A PORTION OF THE RIPPOWAM RIVER BETWEEN BUCKINGHAM DRIVE AND LONG RIDGE ROAD - (Levine Property) - (Adopted for publication on 2/5/73; published 2/12/73)

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

ORDINANCE NO. 259 SUPPLEMENTAL

ESTABLISHING FLOOD ENCROACHMENT LINES ALONG A PORTION OF THE RIPPOWAM RIVER BETWEEN BUCKINGHAM DRIVE AND LONG RIDGE ROAD (Levine Property)

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 the Rippowam River Between Buckingham Drive and Long Ridge Road Stamford, Connecticut," certified by Roger 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:

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, 116.472 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 the following courses and distances:

South 3° 45' 11" East, 214.122 feet; South 18° 46' 32" East, 36.820 feet; South 53° 24' 26" East, 204.739 feet; South 18° 26' 57" East, 100.505 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,

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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 K. Wallfesh, Irma Kim Varney, Dorothy C. DeCrescenzo, Joseph V. Palumbo, Albert A. and Mary A. Annunziata.

This Ordinance shall take effect upon its adoption.

- (5) Ordinance No. 260 (for final adoption) - CONCERNING THE LEASHING OF DOGS -
(Adopted for publication 2/5/73; published 2/12/73)

MR. FOX MOVED for final adoption of the following Ordinance. Seconded by Mr. Knapp.

MR. ROOS spoke against the Ordinance, saying there are no means of enforcing such an Ordinance and it will just become another Ordinance cluttering up the books.

MR. RUSSELL agreed with Mr. Roos and said when it is advertised it should be in large print, to call everyone's attention to it and the Dog Warden and Chief of Police should be requested to urge enforcement.

MR. KNAPP said he agrees with Mr. Russell that this get the widest possible dissemination to all sections of the Stamford community. He said everyone knows that the dogs roam and attach people and other animals and are constantly in danger of being hit by cars.

MR. THEODORE BOCCUZZI MOVED THE QUESTION. Seconded and CARRIED.

VOTE taken on the following Ordinance which was CARRIED with three "no" votes:

ORDINANCE NO. 260 SUPPLEMENTAL

CONCERNING 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 (\$25.00) dollars nor more than one hundred (\$100.00) dollars, or imprisoned not more than thirty (30) days, or both, for each subsequent offense.

This Ordinance shall take effect upon its adoption.

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- (6) Ordinance No. 261 - CONCERNING A CITY EMPLOYEE SUING A CITY BOARD OR AGENCY - (For final adoption - adopted for publication on 2/5/73; published 2/12/73)

MR. FOX said his Committee met and listened to discussion by the Corporation Counsel and from representatives of the Stamford Municipal Employees' Association, both of whom expressed reservations regarding the item. He said the Committee approved the Ordinance and HE SO MOVED. Seconded and CARRIED with one "no" vote:

ORDINANCE NO. 261 SUPPLEMENTAL

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.

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

- (7) Ordinance No. 262 - APPROVING THE ESTABLISHMENT OF A TRANSIT DISTRICT - (Approved for publication at Special Board meeting on 1/26/73; and published 2/1/73)

A recess was requested at 10:10 P.M. which was granted. The recess was declared over at 10:30 P.M. and the members resumed their seats.

MR. FOX said his Committee met on this item and voting for a recommendation tonight the vote was: No votes in favor and six against and one abstention; therefore it is being brought on the floor tonight without the recommendation of the Legislative & Rules Committee. However, for purposes of form, HE MOVED for the adoption of the Ordinance. He referred this to Mr. Miller.

MR. MILLER offered an amendment to the proposed Ordinance.

MR. MORRIS rose on a POINT OF ORDER. He said he wished to ask the President's opinion on the following: If the Ordinance is substantially changed, this can't be voted on, but would have to be re-published. He asked if this is true or not.

THE PRESIDENT did not rule at this time, but said he first wants to hear what Mr. Miller has to offer.

MR. MILLER submitted the following amendment on behalf of the Democratic members of this Board. He said they are very much concerned over the loss of bus service and are troubled by the fact that so many people who need buses in order to get to and from work have been so inconvenienced and are also disturbed by the fact that so many of our senior citizens who have other means of transportation, have been so inconvenienced and are distressed because the lack of bus service has disrupted the lives of many of our citizens. However, he said they don't feel that the responsibility for the present state of affairs rests entirely with this Board. He said they believe that responsibility rests with the Legislative leaders in Hartford.....

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MR. MORRIS interrupted at this point and asked if what Mr. Miller is reading is part of the Transit District Ordinance.

THE PRESIDENT said Mr. Miller is explaining his amendment, and what he is saying now is the preamble.

MR. MILLER continued -----"and for these reason, we wish to offer an amendment to the proposed Ordinance. We wish to create a Transit District, but want to create it subject to a number of conditions."

He said the amendment consists of a number of conditions precedent to the Ordinance which is on the Agenda, including some not on the mimeographed sheets and one slight change in the first paragraph of the Ordinance which appears on the Agenda. Therefore, he said he feels he should read the revised Ordinance in its entirety, which he proceeded to do at this time. The Ordinance follows:

ORDINANCE NO. 262 SUPPLEMENTAL

APPROVING THE ESTABLISHMENT OF A TRANSIT DISTRICT SUBJECT TO CERTAIN CONDITIONS

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Pursuant to the authority granted under Public Act 261 (May 1972 session) of the Connecticut General Statutes, State of Connecticut, a Transit District is hereby established in and for the City of Stamford, to become effective only as hereinafter provided;

The City of Stamford, may, by itself, or in cooperation with Norwalk, Darien, and/or Greenwich, form a Transit District in the manner and for the purposes provided, in accordance with the authority granted under Public Act 261 (May 1972 session) of the Connecticut General Statutes;

The affairs of the Transit District shall be managed in accordance with the statutory authority of said Public Act 261 (May 1972 session) of the Connecticut General Statutes. The Directors shall be appointed by the Mayor with the approval of a majority vote of the Board of Representatives of the City of Stamford.

This Ordinance shall take effect, and a Transit District established, only upon the complete performance of the following conditions:

1. That certain legislation be adopted by the Connecticut General Assembly and approved by the Governor as follows:

(a) The provisions of any act which effectively enable Transit Districts to impose an excise tax of one cent per gallon upon gasoline and special fuel sold within the Transit District over and above the existing State tax of ten cents per gallon of gasoline and special fuel, shall be repealed; and

(b) In lieu thereof, legislation be enacted which will provide that any Transit District which, by vote of three fourths (3/4) of the entire membership, requests the imposition of a one cent tax per gallon on gasoline and special fuels sold within the boundaries of said Transit District, for mass transportation purposes, shall directly receive from

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the State of Connecticut proceeds equal to one cent per gallon on all gasoline and special fuels sold within the boundaries of said duly requested Transit District; provided that the total gasoline and special fuel tax shall be and remain uniform throughout the State of Connecticut; and

(c) Further, said legislation shall state that in the event that there shall be funds in excess of that needed to apy any deficit incurred by the Transit District derived from said procedure, such excess funds shall be applied to the General Fund of the City of Stamford from the District on a quarterly basis.

2. In addition to payments under Section 1 (b) hereof, that the State agree to pay any and all amounts required to subsidize the operation of bus services in the Stamford area for a period of not less than one (1) year from the effective date of this Ordinance.
3. That the State establish and maintain a funded pension program for the employees and retirees of the Connecticut Company's Stamford Division.
4. That the State agree, in writing, with the City of Stamford to pay any difference in cost incurred to acquire all new air-conditioned buses and related equipment, locked fare boxes, bus shelters, benches, bus stop signs, two-way radios and a base radio, and air-conditioning and pollution control equipment for all buses deemed necessary by said Transit District to operate effectively in said District over the amount allocated for said purchases by the Federal Government.
5. That the State guarantee that 100% of existing union employees will be employed at the end of five months following the resumption of bus service.
6. That the State guarantee that the District shall receive such "start up" funds as the State has previously represented that is shall receive.
7. In the event that the State should agree, prior to the effectiveness of this Ordinance, or should provide a more favorable proportion of aid or assistance, to any other Transit District, municipality or private carrier to subsidize the operation of mass transit service, the State shall provide a comparable proportion of aid or assistance to the Transit District of Stamford when it becomes effective.

It is the legislative intention of this Board of Representatives that all of the aforementioned conditions must be fully performed before any part of this Ordinance shall become effective and a Transit District established.

In the event that any one, or all of the foregoing conditions are deemed to be contrary to law or are not fully performed in every respect, this entire Ordinance shall be void and of no force and effect.

The effective date of this Ordinance shall be the date on which all of the conditions herein are fully performed and on that date a Transit District is established.

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MR. MILLER said he wants to make it very clear that no Transit District shall come into existence and that no person shall be confirmed as members of a Transit Authority, until all of the conditions mentioned herein have been fulfilled. He also requested that when the vote is taken that it be taken by a ROLL CALL VOTE.

MR. LIVINGSTON said he has always supported the concept of buses for the bus riding public from the very beginning. He said he firmly believes that the Governor of this State is trying to take us all for a "bus ride" and he fully supports the amended Ordinance as proposed by Mr. Miller and seconds the motion for its adoption.

MR. MORABITO said he wishes to report that in the Democratic Caucus all of the Democrats unanimously supported this amendment.

MR. MORRIS asked the President if he thinks this amendment ordinance substantially changes the original Ordinance that was published. (laughter)
He said the Republicans are very interested in getting the Transit District started and came here tonight with the intent of getting the buses rolling immediately by voting for final adoption of the Transit District Ordinance. He said he is very sorry that the Democrats unbeknown to the Republicans have put this amendment Ordinance in just as the meeting started, so if anything can be called hasty legislation, this surely was. He said he believes that this is "hamstringing" the effort made to now and that the people who ride the buses will not be taken in. Now, he said, we are trying to tell the State of Connecticut to go by what we are telling them to do, or we are not going to have a Transit District or have buses rolling. He said he believes this to be a sham and a fraud what is being perpetrated on us tonight. He said while he is not in favor of the 1¢ per gallon tax on gasoline, every one who is being appointed by the Mayor as a member of the Transit District, have stated in letters to every member of this Board that they would come before the Board of Finance and the Board of Representatives before imposing a one cent tax.

MRS. SHERMAN said there only three paragraphs which appear in the original Ordinance as adopted for publication at the January 26, 1973 Board meeting, with the addition of TEN paragraphs which do not appear in the original published version --- and if the President does not consider this a substantial change, then she gives up. She said this Board is in no position to try to tell the State legislature what they have to do, because we can only control what is handed to us. She urged getting the buses back on the streets again.

MR. JOHN BOCCUZZI said he has a question - that Mr. Morris has stated that by forming a Transit District we will get the buses rolling right away - he said is it not a fact that the bus drivers will not drive until ALL contracts have been settled in Stamford, New Haven and Hartford and isn't it also a fact that these same amendments which are being proposed tonight are the very same amendments that are being proposed by other cities in the State of Connecticut?

MR. FOX said this is true. He said he would like to comment on some of the comments that are coming from the other side - that we ought to be doing what Hartford is doing. He said he'd like to tell them just what Hartford IS doing. He said he has a resolution which is now before the Common Council of the City of Hartford, which is being held in abeyance only by specific request of the Governor's office and has the support of the majority of the

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Hartford City Council. He said he will read the last statement in the resolution, and the resolution was attached to a contract and contains most of the terms which we have just incorporated into the Ordinance presented tonight, and which the Hartford City Council is requesting be incorporated into any agreement between their Transit District and the State of Connecticut. He said if these terms are NOT incorporated into that agreement, the City of Hartford proposes as follows:

"BE IT FURTHER RESOLVED that the City of Hartford hereby withdraws from the Greater Hartford Transit District, which withdrawal shall become effective immediately upon the making of any attempt by the Transit District to approve any agreement between the State of Connecticut and the Greater Hartford Transit District, other than the one that has been approved by the Court of Common Council of the City of Hartford, in which event the City of Hartford shall no longer be a member of said Transit District."

He said for those on the other side who appear to be pointing to Hartford as an example for us, had better take another look at Hartford carefully.

MRS. SHERMAN addressed a question to the speaker: She said - has Hartford created a Transit District?

MR. FOX said Hartford has had a Transit District for about six years and is now preparing to withdraw if the Governor does not meet these terms.

MRS. SHERMAN asked if Stamford could do the same thing.

MR. FOX said that is what we are now doing --- only, we are doing it BEFORE we get it, and they are doing it AFTER and are trying to get out.

MRS. SHERMAN asked if we can get out after we get in.

MR. FOX said why should we get in, if we can make the adoption of the Ordinance contingent upon these terms being met?

MR. TRESSER said he believes that original Transit District Ordinance has been sabotaged and he believes we should vote on the original Ordinance and not on the proposed amendments.

MRS. FORMAN spoke against the amendments and said it so changes the original published Ordinance as to make it a completely different one.

MR. EXNICIOS said he considers this to be a very cruel act upon the Democratic members of this Board, and as Mr. Morris said earlier it is a sham and a fraud and they are using the bus riders for purely political purposes. He said he considers this amendment a stalling tactic, and is unalterably opposed.

MR. GURDIAN said he would like to repudiate some of the charges coming from the other side of the aisle and he believes these amendments are a far greater security to the taxpayers than the original proposal. He said the original proposed Ordinance is taking us right to the "cleaners" and for a "bus ride". He said if the members think the amendments so great as to require prior publication, he has no objection.

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MR. MORRIS said the Ordinance as originally published will be drastically changed by the amendments and the way the amendments are, until the State Legislature makes these required changes, there cannot possibly be any Transit District, so there is no sense in fooling the people of this City that buses are going to roll and it is now up to the State Legislature and whether or not they will get the Bills passed this year or not he does not know. He said most of the Bills have been filed, so we are not talking in terms of a month or two, but talking about a year which was his objection.

MR. FRIEDMAN said he sits here in a state of stupor and amazement to listen to a play on human lives, dictated by political partisanship. He said the Ordinance on the Agenda is the one which should be voted on tonight.

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

THE PRESIDENT said the VOTE will now be taken on the original amendment of Mr. Miller's.

MR. RUSSELL addressed a question to the Chair. He said the President was asked earlier if this is basically the same Ordinance that was originally before the Board. He called attention to Section 204.1 of the Charter which states that for an Ordinance to be adopted at a meeting it shall be presented at a meeting at least five days prior. He said he was very surprised when the President said that an Ordinance which is presented for the first time here tonight is in the President's opinion the same Ordinance which was previously published. He said there is no doubt that we now have an entirely different Ordinance now before us and if this is true, then this Ordinance is improperly before us and if adopted tonight would require a two thirds vote of the entire Board. He said it cannot be considered an amendment when it has received such a drastic change and therefore is not the same Ordinance originally published.

THE PRESIDENT informed the speaker that he can appeal from the ruling of the Chair if he so wishes.

MR. RUSSELL said he believes this is the first time in the history of his tenure on the Board that he ever asked for an appeal from the ruling of the Chair, but he is now doing so. Seconded by several people. A ROLL CALL VOTE was requested.

A ROLL CALL VOTE was taken on the appeal from the RULING OF THE CHAIR that this is the same Ordinance which was originally published, but merely amended.

THOSE VOTING IN FAVOR OF THE RULING
OF THE CHAIR:

BOCCUZZI, John (D)
BOCCUZZI, Theodore (D)
COLASSO, John (D)
CONNORS, George (D)
COSTELLO, Robert (D)
DIXON, Handy (D)
FOX, Gerald (D)
GAMBINO, Philip (D)
GUROIAN, Armen (D)
KELLY, Stephen (D)
KNAPP, Warren (D)
LAITMAN, Marilyn (D)

THOSE VOTING IN OPPOSITION TO
THE RULING OF THE CHAIR:

CAPORIZZO, William (R)
CROSBY, Robert (R)
EXNICIOS, Robert (R)
FORMAN, Barbara (R)
FLANAGAN, William (R)
FRIEDMAN, Bertram (R)
HEINZER, Charles (R)
IACOVO, James (R)
MORRIS, Thomas (R)
PERKINS, Billie (R)
PONT-BRIANT, Lois (R)
ROOS, John (R)

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LENZ, Frederick (D)
 LIVINGSTON, Jeremiah (D)
 MILLER, Frederick (D)
 MORABITO, Joseph (D)
 PERILLO, Alfred (D)
 RAVALLESE, George (D)
 ROSE, Matthew (D)
 RYBNICK, Gerald (D)
 TRUGLIA, Anthony (D)
 WALSH, Peter (D)

RUSSEACH, Daniel (R)
 RUSSELL, George (R)
 SHERMAN, Edith (R)
 TRESSER, Michael (R)
 VARNEY, Kim (R)

The VOTE being 22 in favor and 17 opposed, the RULING OF THE CHAIR was UPHELD.

THE PRESIDENT said a VOTE will now be taken on Mr. Miller's amendment and a ROLL CALL VOTE has been requested.

THE CLERK called the ROLL on the amendment as offered by Mr. Miller which was CARRIED by a vote of 22 in favor and 17 opposed. The vote follows:

THOSE VOTING IN FAVOR:

BOCCUZZI, John (D)
 BOCCUZZI, Theodore (D)
 COLASSO, John (D)
 CONNORS, George (D)
 COSTELLO, Robert (D)
 DIXON, Handy (D)
 FOX, Gerald (D)
 GAMBINO, Philip (D)
 GUROIAN, Armen (D)
 KELLY, Stephen (D)
 KNAPP, Warren (D)
 LAITMAN, Marilyn (D)
 LENZ, Frederick (D)
 LIVINGSTON, Jeremiah (D)
 MILLER, Frederick (D)
 MORABITO, Joseph (D)
 PERILLO, Alfred (D)
 RAVALLESE, George (D)
 ROSE, Matthew (D)
 RYBNICK, Gerald (D)
 TRUGLIA, Anthony (D)
 WALSH, Peter (D)

THOSE VOTING IN OPPOSITION:

CAPORIZZO, William (R)
 CROSBY, Robert (R)
 EXNICIOS, Robert (R)
 FORMAN, Barbara (R)
 FLANAGAN, William (R)
 FRIEDMAN, Bertram (R)
 HEINZER, Charles (R)
 IACOVO, James (R)
 MORRIS, Thomas (R)
 PERKINS, Billie (R)
 PONT-BRIANT, Lois (R)
 ROOS, John (R)
 RUSSEACH, Daniel (R)
 RUSSELL, George (R)
 SHERMAN, Edith (R)
 TRESSER, Michael (R)
 VARNEY, Kim (R)

MR. FOX MOVED for final adoption of the Ordinance as amended. Seconded by Mr. Miller.

MRS. SHERMAN asked if it is necessary to take another roll call vote as we know the vote will be the same.

MR. MILLER said he wishes to request a ROLL CALL VOTE. Seconded and CARRIED by a vote of 22 in favor and 17 opposed.

MR. HEINZER said he thinks we should take a vote to waive publication and SO MOVED.

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MRS. PERKINS said since the Republicans do not have copies of the amendments Nos. 5, 6, 7 and 8, she would like to know just what she is voting on.

MR. MILLER read them over again.

RECESS:

MR. MORRIS MOVED for a five minute recess at 11:30 P.M., which was approved.

The recess was declared over at 11:40 P.M. and the members resumed their seats. MR. MORRIS said on behalf of the Republicans he wishes to announce that we came here tonight to vote on the Transit District, assuming that we could get the buses rolling soon in the City of Stamford. Tonight, he said, we were given many amendments to the Transit District Ordinance and really at this point have no idea of what's in it. Therefore, he said, all the Republicans are going to abstain from voting and it will be up to the Democrats, because the Republicans are not going to buck it.

THE PRESIDENT said the vote will now be taken by ROLL CALL.

The Clerk called the roll. The Ordinance, as amended, was CARRIED by the following vote of 22 in favor and 17 abstentions:

THOSE VOTING IN FAVOR:

BOCCUZZI, John (D)
BOCCUZZI, Theodore (D)
COLASSO, John (D)
CONNORS, George (D)
COSTELLO, Robert (D)
DIXON, Handy (D)
FOX, Gerald (D)
GAMBINO, Philip (D)
GUROIAN, Armen (D)
KELLY, Stephen (D)
KNAPP, Warren (D)
LAITMAN, Marilyn (D)
LENZ, Frederick (D)
LIVINGSTON, Jeremiah (D)
MILLER, Frederick (D)
MORABITO, Joseph (D)
PERILLO, Alfred (D)
RAVALLESE, George (D)
ROSE, Matthew (D)
RYBNICK, Gerald (D)
TRUGLIA, Anthony (D)
WALSH, Peter (D)

THOSE ABSTAINING FROM VOTING:

CAPORIZZO, William (R)
CROSBY, Robert (R)
EXNICIOS, Robert (R)
FORMAN, Barbara (R)
FLANAGAN, William (R)
FRIEDMAN, Bertram (R)
HEINZER, Charles (R)
IACOVO, James (R)
MORRIS, Thomas (R)
PERKINS, Billie (R)
PONT-BRIANT, Lois (R)
ROOS, John (R)
RUSSBACH, Daniel (R)
RUSSELL, George (R)
SHERMAN, Edith (R)
TRESSER, Michael (R)
VARNEY, Kim (R)

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- (8) Resolution No. 886 - AUTHORIZING FILING OF APPLICATION FOR STATE ASSISTANCE WITH THE COMMISSIONER OF COMMUNITY AFFAIRS IN ORDER TO UNDERTAKE A PROGRAM OF DAY CARE CENTERS FOR STAMFORD - (Mayor's letter of 2/5/73)

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MR. FOX said this is the annual filing on behalf of Stamford for their Day Care Centers and they are seeking a State cash Grant in the amount of \$339,000.00 and it was unanimously approved by the Legislative & Rules Committee. HE MOVED for adoption of the following resolution which was seconded and CARRIED unanimously:

RESOLUTION NO. 886

AUTHORIZING FILING OF APPLICATION FOR STATE ASSISTANCE WITH THE COMMISSIONER OF COMMUNITY AFFAIRS IN ORDER TO UNDERTAKE A PROGRAM OF DAY CARE CENTERS FOR STAMFORD IN THE AMOUNT OF \$339,123.37

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

WHEREAS, it is desirable and in the public interest that the City of Stamford make application to the State for \$339,123.37 in order to undertake a program of Child Day Care and, to execute an Assistance Agreement therefore. It is understood that the City of Stamford will provide a local grant-in-aid in accordance with the requirements of Chapters 128, 129, 132 and 133 of the Connecticut General Statutes, as appropriate.

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

1. That it is cognizant of the conditions and prerequisites for State assistance imposed by Chapters 128, 129, 132 and 133 of the Connecticut General Statutes especially the requirement of a Community Development Action Plan in Chapter 133.
2. That it recognizes the responsibility for the provision of local grants-in-aid to the extent that they are necessary and required for said program.
3. That the filing of an application by the City of Stamford in an amount not to exceed \$339,123.37 is hereby approved, and that the City of Stamford is hereby authorized and directed to execute and file such application with the Commissioner of Community Affairs, to provide such additional information, to execute such documents as may be required by the Commissioner, to execute an Assistance Agreement with the State of Connecticut for state financial assistance if such an Agreement is offered, to execute any amendments, recisions, and revisions thereto, and to act as the authorized representative of the City of Stamford.

- (9) Resolution No. 887 - Request dated 1/30/73 from Stamford Fire Department, for transfer of City-owned Property, namely a 65 foot ladder truck, to the Belltown Fire Department - (Resolution submitted in letter of 3/5/73 from John E. Smyth, Assistant Corporation Counsel)

MR. FOX presented the following resolution and MOVED for its adoption. Seconded and CARRIED with 2 abstentions (Mr. Morris and Mr. Caporizzo):

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RESOLUTION NO. 887AUTHORIZING THE TRANSFER OF 1950 MACK 65 FOOT AERIAL LADDER AND
BOOSTER PUMP TO THE BELLTOWN FIRE DEPARTMENT UNDER PROVISIONS OF
ORDINANCE NO. 144 SUPPLEMENTAL

WHEREAS, the Central Fire Department of the City of Stamford has purchased a new fire truck; and

WHEREAS, the Belltown Fire Department is in need of another fire truck for fire purposes:

NOW, THEREFORE, BE IT RESOLVED that the 1950 Mack 65 foot Aerial Ladder and Booster Pump be transferred from the City of Stamford to the Belltown Fire Department.

- (10) Proposed Ordinance (for publication) - CONCERNING RETALIATORY ACTIONS BY
LANDLORDS - (Submitted by Representatives Thomas Morris and Warren Knapp
at Steering Committee meeting)

MR. FOX said the Committee reviewed the item and approved it for publication. He said he would like to add the following: "In the event that any conciliation process be incomplete at the time of the expiration of a lease of any person pursuing the process afforded in this Ordinance, said lease shall be extended until the conciliation process, and all other proceedings under this Ordinance have terminated." HE MOVED for adoption (for publication as amended.)

MRS. SHERMAN spoke briefly in favor of the Ordinance, and said tenants will suffer any conceivable action on the part of the landlord because of fear of retaliation on his part and the costly expense of trying to obtain legal advice, but on the other hand, landlords do not have this problem, because the great majority of landlords are members of the Stamford Real Estate Owner's Association, with joint legal advice, joint lease advice, joint tax advice and representation and lobby activity in the State Legislature. She urged adoption of the Ordinance in order to give some protection to the thousands of tenants who do not have access to this type of legal assistance without paying prohibitive legal fees and in order to enable them to report lack of heat or other essential services without fear of retaliation.

MRS. SHERMAN MOVED for a WAIVER OF PUBLICATION on the proposed Ordinance. Seconded and CARRIED unanimously:

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

ORDINANCE NO. 263 SUPPLEMENTALCONCERNING RETALIATORY ACTIONS BY LANDLORDS

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

1. It shall be a retaliatory action for a landlord to refuse to offer to renew the lease of any tenant (whether said lease be oral or written, month-to-month or for a specific term) after the tenant has in good faith attempted to remedy by any lawful means any condition constituting a nuisance or a danger

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to public health and safety. Said condition need not be confined to the particular dwelling unit which such tenant occupies, but may exist anywhere in the tenement, lodging or boarding house, or buildings or structures in which such tenant's dwelling unit is located, including areas of common use and other units.

2. "Lawful means", as used in Section One, above, shall be defined to include, but is not limited to, the following:

- (a) Contacting or filing a formal complaint with the officials of any state or municipal public agency;
- (b) Requesting the landlord to make repairs;
- (c) Organizing tenants in the house, building, structures, or project for the purposes of improving housing, health and safety conditions in said premises; and
- (d) Organizing the withholding of rents by tenants in the premises for the purposes of seeking such improvements, provided that said activities are undertaken pursuant to the provisions of the Connecticut General Statutes.

3. Any person who is not offered a renewal of his lease and claims that such refusal to renew by his landlord constitutes retaliatory action may file a complaint with the Fair Rent Commission that he has been aggrieved under the terms of this ordinance.

4. Upon the receipt of any complaint of a retaliatory action by a landlord, the Fair Rent Commission shall give notice of the complaint to the landlord and shall investigate the complaint. If the Commission's initial investigation of a complaint establishes probable cause that the landlord has engaged in retaliatory action, the Commission shall attempt to conciliate the complaint. If conciliation attempts are not successful within 30 (thirty) days of their commencement, the Commission shall convene a hearing for the purpose of determining whether the landlord has engaged in a retaliatory action.

5. If, after such hearing, the Fair Rent Commission finds that the landlord has engaged in a retaliatory action in violation of the provisions of this ordinance, the Commission shall order the landlord to renew the tenant's lease for a term and on such conditions equivalent to the prevailing terms and conditions in the particular building or project.

6. In the event that any conciliation process be incomplete at the time of the expiration of a lease of any person pursuing the process afforded in this Ordinance, said lease shall be extended until the conciliation process, and all other proceedings under this Ordinance have terminated.

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

PERSONNEL COMMITTEE:

MR. HEINER said a month ago he had requested that his Committee be moved up to the top of the agenda and perhaps our secretarial staff has been copying from the old agendas and he noticed that his Committee was left off the Agenda this month. He requested that it be placed on the Agenda next month.

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SEWER COMMITTEE:

MR. COLASSO, Chairman, said he has a small report to give. He said his Committee met with the Sewer Commission on March 1, 1973 and present were: Mr. Morris, Mr. Friedman, Mrs. Perkins and Mr. Colasso. He said after hearing testimony on Hilltop Acres, the Committee felt that the Commission acted too hastily in granting a tentative agreement to a tie-in. He said his Committee feels that the Commission should rescind this agreement until such time as there is a legal subdivision.

MR. CROSBY said he wants to thank Mr. Colasso and his Committee for their support as this controversial decision by the Sewer Commission affects the constituents of his District. He said both he and Kim Varney have attended several meetings of the Castlewood Three Lakes Association and it would appear that the Sewer Commission has put the proverbial "cart before the horse" by allowing the developers at Hilltop Acres to tie in to the Long Ridge Sanitary Sewer System before homes are even built. He said it would see abundantly clear that the Sewer Commission favors tomorrows builders and not todays home owners and taxpayers. He said these people who live in Castlewood Park and Three Lakes have been paying their fair share of taxes over the years to support Capital Projects, including the Long Ridge Sanitary Sewer system and have paid their way, meanwhile facing their own septic tank problems at home. He said he feels that the homeowners who reside in these areas should have first priority in the tie in to the Long Ridge Sanitary Sewer system and unless the decision of the Sewer Commission is reversed, these people will be competing with the builders of non-existing homes with a limited number of residences that the Long Ridge Sanitary Sewer system can serve.

MR. HEINZER MOVED that this Board go on record as requesting the Sewer Commission to change their decision. Seconded.

MRS. PERKINS said she agrees with Mr. Heinzer because that is setting a bad precedent because that is not the only high pressure sewer line in the City of Stamford and the home owners should come first.

MRS. VARNEY said everyone knows her position in this matter and she has been fighting for not only the home owners of Castlewood, but for all the home owners of Stamford and wishes to say again that the Sewer Commission has set a dangerous precedent and concurs with Mr. Colasso.

MR. COLASSO said as Chairman of this Committee, he directs the Administrative Assistant to write a letter to the Commission referring the actions that we took tonight.

VOTE taken on Mr. Heinzer' motion. CARRIED.

PARKS & RECREATION COMMITTEE:

MR. KELLY said he has two letters here and it behooves him to get action on both of them tonight - one is scheduled for March 7th and the other is in regard to approval for the Decoration Day parade. HE MOVED for suspension of the rules to bring these up. Seconded and CARRIED.

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- (1) FEES - SWIMMING PROGRAM AT WESTHILL HIGH SCHOOL, STARTING WEDNESDAY, MARCH 7, 1973 - Letter dated 3/2/73 from Bruno E. Giordano, Supt. of Recreation

MR. KELLY read the above letter at this time:

The Board of Recreation will begin its swimming program at Westhill High School on Wednesday, March 7, 1973.

Inasmuch as your Board wishes us to charge fees for this program, it is our considered opinion that the following maximum fees be permitted until such time as we feel a lower adjustment can be made.

\$.25 - For children under 9th grade
 .50 - For children in grades 9 through 12
 1.00 - For adults
 2.00 - For family groups

This fee system would go into effect after an experimental "Open House Week" in which the general public will be invited to participate in both the swimming and spectator type program. Charges for use of the pool will take effect following approval of the fee schedule by the Board of Representatives.

We wish to express our appreciation for past considerations, and look for your continued cooperation.

(Signed) Bruno E. Giordano
 Superintendent of Recreation

MR. KELLY MOVED for approval of the above fees. Seconded and CARRIED unanimously.

- (2) PETITION NO. 375 - MEMORIAL DAY PARADE - MONDAY, MAY 28, 1973 (Requested in letter dated 2/21/73 from Stephen A. Sackman, General Chairman, 1973 Memorial Day Observance Committee)

MR. KELLY read the above letter, requesting permission for a Parade on Memorial Day and setting forth their line of march, starting at 10 A.M. HE MOVED for approval of the petition. Seconded and CARRIED unanimously.

PLANNING & ZONING COMMITTEE:

MR. RUSSELL, Chairman, said the Committee met on Wednesday, February 21, 1973 with all members present; also present was John Rocs, Chairman of URC Committee, all members of the Zoning Board, the Building Inspector James Sotire, the Corporation Counsel Robert Bromley, Arthur Lutz, Chairman of URC, James Hibben, Director of URC. He said they discussed interpretation of Zoning regulations in the URC area.

He said the Committee met for the purpose of hearing and obtaining facts and the circumstances that brought the problem of Zoning regulations in the URC area to the attention of the Board of Representatives. He said the Zoning Board, through Mr. Pete Farraris, explained their problem and pointed out that there are two basic zoned districts within the URC area - namely CCS

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and CCN. In summary, he pointed out that CCS calls for a maximum of ten stories and the CCN a maximum of 21 stories. At present, there is a 14 story building in the CCS and a 23 story building in the CCN. Mr. Farraris pointed out that the Zoning Board feels that certain steps such as an application for such changes, should have been taken before the Zoning Board of Appeals; also that a public hearing should have been held. Mr. Russell said the Corporation Counsel, Robert Bromley, explained that in his opinion to the Building Enforcement Officer on this subject, which was researched by his Assistant, Theodore Godlin, as an opinion from a former Corporation Counsel, Frank D'Andrea, who said this procedure was not necessary. In his summary, it states that the State Statutes are silent as regards zoning in URC areas.

MR. RUSSELL said it appears that the URC area, to a degree, is not bound by firm Zoning regulations. However, an agreement between the Building Inspector Enforcement Officer and the URC in November, it appears that they will in the future, avoid any such height problems. He said the Committee will hold another meeting in the near future to finalize this referred item.

MR. HEINZER said it would seem to him that in the original contract between this Board and the URC, it stipulated that the Zoning regulations would be adhered to. He asked Mr. Russell if he will check that.

MR. RUSSELL said that will be part of the final committee report. He said the plan as submitted to this Board showed a five story building; however, zoning will allow ten stories and of course, there is also a 14 story building. He said something was said that somewhere in the State Statutes there is something that allows them to by-pass this. He said after the next meeting he expects to be able to come up with a final report which will resolve some of the shady areas that are not too clear now.

COMMUNICATIONS FROM OTHER BOARDS AND INDIVIDUALS:

MR. CONNORS announced he is in receipt of two letters pertaining to two appeals - one from Fraser, Landau, Bello and Lapine and the other from Leo Gold, attorney with law firm of Mackler & Gold. He said one is in reference to Henry Crawford, an officer in the Stamford Police Department and the other one is for Stanley G. Czupkowski as a Fireman. He said he is getting a ruling from the Corporation Counsel, because there is something a little peculiar about that and he does not know whether this is within our jurisdiction or not, and he is getting a ruling someday this week ----- rather, an opinion.

CHANGES IN COMMITTEE ASSIGNMENTS:

MR. CONNORS announced that Mr. Flanagan is getting off the Parks & Recreation Committee and he is putting Mr. Crosby on in his place.

MR. HEINZER asked the President to straighten out the membership on the Personnel Committee, which he promised to do as soon as possible.

URBAN RENEWAL COMMITTEE:

MR. JOHN BOCCUZZI said he has a question to ask the Chairman of the URC Committee, Mr. Roos.

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Concerning Showing of Pornographic Movies at the Plaza Theatre

MR. BOCCUZZI said he understands that the Plaza Theatre is owned by Urban Renewal and they are renting or leasing it to the Plaza. He said he has been getting numerous telephone calls and the gripe seems to be that the City should take some kind of a stand in allowing these filthy movies being shown at the Plaza Theatre. He said there is the case where a movie was outlawed in New York - "Deep Throat" and it comes down here and is shown for three or four weeks. He said if this building belongs to Urban Renewal, that this Board, through some sort of resolution or consensus of this Board, that we do something about these filthy movies that are being shown at the Plaza Theatre. He said he thinks they are a disgrace to the City of Stamford -- people are going there from out of town in order to see movies that have been outlawed in their towns and cities. He said we should be ashamed to allow these kind of movies to be shown in the City of Stamford, and if this building belongs to URC perhaps we can put some pressure on them and we should, because it is a disgrace when this type of movie is being shown to the public in our City.

MR. MORABITO said in concurrence with Mr. Boccuzzi's statements, he would like to make a sense of the Board resolution that the Plaza Theatre cease and desist from showing these types of movies.....

MR. HEINZER said he would like to amend that by making it a sense of the Board resolution that we request the Urban Renewal Commission, who owns the building, to control the type of movies that are being shown there, because they certainly can if they are renting to them.

MR. MORABITO said he would accept Mr. Heinzer's amendment.

MRS. LAITMAN said perhaps we should get a ruling from the Corporation Counsel, rather, an opinion from the Corporation Counsel. She said not being an Attorney, she would not know, but the Supreme Court has ruled on this.....

MR. MORABITO said this is merely a sense of the Board resolution and is not a law, but just the feeling of this Board which we wish to convey to the URC.

MRS. PONT BRIANT said she thinks we owe the Mayor a vote of thanks for getting this movie out of the Plaza Theatre, because he did get it removed from there. She said when she spoke to Mr. Luta, she was informed that the people who run the Plaza Theatre are the same combination who also run Ridgeway and the Palace, which are not controlled or owned by URC, so if it wasn't acceptable to the URC at the Plaza Theatre, they could put it at the Ridgeway or the Palace, so the sense of the Board resolution should not be directed at URC but in reference to obscene movies perhaps instead. She suggested that this go to the Steering Committee and have them come out with a proper resolution that the Board could adopt.

MR. THEODORE BOCCUZZI said he does not think this Board can define what is or what is not obscene.

MR. ROOS said he does know that the URC Commission has considered this, but they do have to consider this as censorship of the movies and there is a legal angle to it which they are now looking into. He said he certainly will question them on it. He said he thinks that a sense of the Board would be

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all right, but to go beyond that, he does not think that we have an legal right to tell the URC Commission to censor public movies.

MR. MILLER said he will support a general resolution, but might point out that if any crime is being committed in a particular theatre, it is up to the Prosecutor or the Police Department to enforce the laws and not this Board.

THE PRESIDENT called for a VOTE on what was stated by Mr. Heinzer and Mr. Morabito. CARRIED with a few "no" votes.

SPECIAL INVESTIGATING COMMITTEE UNDER SEC. 204.2 TO INVESTIGATE CAPITAL PROJECTS:

MR. KNAPP said he has nothing to report, except that everybody who has the testimony that has been passed out since the last meeting, he wishes they would bring them back when the Committee meets next Wednesday night in one of the Caucus rooms at 8 o'clock.

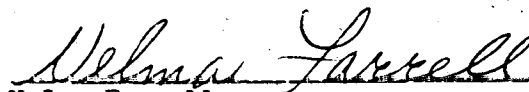
OLD BUSINESS:

Concerning GOLF AUTHORITY POOL

MR. GUROIAN said earlier in the summer the Golf Authority buried a pool and a concerned member of this Board (Steve Kelly) asked the members of the District Board to attend a meeting on the grounds in protest. Subsequently, he said the Golf Authority sent a letter to all Board members, stating that Mr. Kelly was there to "incite a riot". He said he asked for an apology from the Golf Authority on two different occasions and now thinks it is incumbent on this Board in the form of a resolution and the sense of this Board to ask the Golf Authority for a full apology to Mr. Steve Kelly, because he believes that all ten or eleven of the members of the Board of Representatives who were present will testify to the fact that Mr. Kelly did not go there to incite a riot, but rather to protest the "burying" of a pool. He said he wants this put in the form of a motion and wants to vote on that. Seconded and CARRIED.

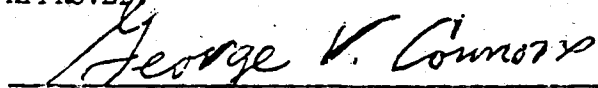
ADJOURNMENT:

On motion, duly seconded and CARRIED, the meeting was adjourned at 12:30 A.M.



Velma Farrell
Administrative Assistant
(Recording Secretary)

APPROVED:



George V. Connors, President
12th Board of Representatives

Note: The above meeting was
broadcast over Radio
Station WSTC until 11:00 P.M.