

MINUTES OF ADJOURNED MEETING HELD
MONDAY, MAY 7, 1973
12TH BOARD OF REPRESENTATIVES
STAMFORD, CONNECTICUT

An Adjourned monthly meeting of the Board of Representatives of the City of Stamford was held on Monday, May 7, 1973 in the meeting room of the Board, second floor, at 429 Atlantic Street, Municipal Office Building, Stamford, Connecticut.

The meeting was called to order by the President, George V. Connors, at 9:10 P.M. after a lengthy Caucus by the respective parties.

ROLL CALL was taken by the Clerk. There were 36 present and 4 absent at the calling of the roll. However, two members resigned and were replaced, changing the final roll call to 38 present and 2 absent. The absent members were:

Edith Sherman (R), 11th District
Michael Tresser (R), 11th District

It was noted by the President that both of the above absent members were ill, with Mr. Tresser being in the hospital at the present time.

RESIGNATIONS: JAMES IACOVO (R), 10th District Representative
GERALD FOX, JR. (D), 12th District Representative

The President presented the resignations of the above two Board members at this time and called for nominations to fill the respective vacancies under Section 113 and Section 201 of the Charter (also Section 115).

ELECTION:

JAMES KELLY (D), 12th District, 13 Faucett Street, Glenbrook, was elected as a replacement for Mr. Fox by unanimous vote. The oath of office was administered to Mr. Kelly by the President and he assumed his seat as a member of the Board representing the 12th District.

EDWARD K. SCOFIELD (R), 111 Bridge Street, was elected as a replacement for Mr. Iacovo by unanimous vote. The President administered the oath of office to Mr. Scofield and he assumed his seat on the Board as a representative from the 10th District.

ACCEPTANCE OF MINUTES: April 2, 1973 Regular meeting.

The Minutes of the above meeting was accepted.

COMMITTEE REPORTS:

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

STEERING COMMITTEE REPORT

Meeting held on Monday, April 16, 1973

A meeting of the Steering Committee was held on Monday, April 16, 1973 in the Board of Representatives' Caucus Room, Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut.

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The meeting was called to order at 8 P.M. by Mr. Joseph Morabito. The Chairman, George Connors arrived shortly afterward. The following members were present:

John Boccuzzi (D)	Thomas Morris (R)
Frederick Lenz (D)	George Russell (R)
Joseph Morabito (D)	Steve Kelly (D)
Gerald Rybnick (D)	John Colasso (D)
Matthew Rose (D)	George Connors (D)
Gerald Fox (D)	

The following matters were discussed and acted upon:

(1) Appointments

All appointments held in Committee at the April 2, 1973 meeting were ORDERED PLACED ON THE AGENDA under APPOINTMENTS COMMITTEE.

Mayor's letter, dated 4/14/73, received this afternoon, submitting 6 appointments was noted. 4 of the appointments were ORDERED PLACED ON THE AGENDA and 2 others REFERRED TO THE APPOINTMENTS COMMITTEE.

(2) Additional Appropriations:

All appropriations held in Committee at the April 2, 1973 meeting were ORDERED ON THE AGENDA and referred to the FISCAL COMMITTEE and other concerned Committees.

All items approved by the Board of Finance at their 4/12/73 meeting were ORDERED ON THE AGENDA and referred to the Committees concerned.

- (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; published 2/12/73 - held in Committee 3/5/73 and 4/2/73)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (4) Proposed Ordinance - CONCERNING GRANT OF BASEMENT FOR ROAD PURPOSES BY THE CITY OF STAMFORD TO CHARLEY H. COBLENTZ AND FRANCES COBLENTZ - (Mayor's letter of 2/20/73 - Approved by Board of Finance 3/8/73; held in Committee 4/2/73)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (5) Ordinance, for final adoption - AUTHORIZATION OF THE SALE OF A STRIP OF LAND, containing 581 Square feet, LOCATED ON HILLDALE AVENUE IN THE CITY OF STAMFORD TO ELFRIEDA BROCKLEHURST - (For the sum of \$1,411.00 based on current assessment) - (Mayor's letter of 2/27/73) - (Approved for publication 4/2/73 and published 4/6/73)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (6) Ordinance, for final adoption - AUTHORIZATION OF THE SALE OF A STRIP OF LAND CONTAINING 1,120 SQUARE FEET, LOCATED ON HILLDALE AVENUE IN THE CITY OF STAMFORD, TO JOHN J. MORRIS - (Mayor's letter of 2/1/73) - (For the sum of \$2,732.00 based on current assessment) - (Approved for publication 4/2/73 and published 4/6/73)

ORDERED ON AGENDA UNDER LEGISLATIVE & RULES COMMITTEE

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- (7) Ordinance for final adoption - ESTABLISHING A FLOOD ENCROACHMENT LINE FOR PROPERTY OF SALLY D. WEBB UNDER PROVISIONS OF SECTION 7-147 OF THE GENERAL STATUTES OF THE STATE OF CONNECTICUT - (Requested in letter of 3/11/73 from Louis J. Casale, Jr., Chairman of Flood & Erosion Control Board)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (8) Proposed CONSUMER PROTECTION ORDINANCE (Creating a Consumer Protection Commission for the City, consisting of 3 members) ---- (Presented by the women members of the Board at Steering Committee meeting held 3/19/73) (Held in Committee 4/2/73)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (9) Ordinance, for final adoption - CONCERNING POWERS & DUTIES OF SEWER BOARD (Adopted for publication 4/2/73 and published 4/6/73)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (10) Mayor's letter of 2/20/73 requesting appointment of a 10TH CHARTER REVISION COMMISSION - (Pursuant to Section 7-188 of the Connecticut General Statutes -- Note: See previous Resolutions Nos. 556 and 557 adopted by the Board of Representatives on 4/1/68, which appointed a 9th Charter Revision Commission; finally went to Referendum on Nov. 4, 1969 --- 135 Proposals were submitted to the Board, of which 33 received final approval by the voters. (Held in Committee 4/2/73)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (11) WAIVER OF BUILDING PERMIT FEE - (Requested in letter of 4/6/73 from Attorney for the RUSSIAN ORTHODOX CHURCH OF THE ASSUMPTION OF ST. MARY OF STAMFORD, CONN., INC. for construction of new church at new location on Den Road)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (12) Proposed Ordinance (Amendatory) CONCERNING AUTHORIZATION OF EASEMENTS FROM THE CITY OF STAMFORD TO THE STAMFORD ELECTRIC LIGHT COMPANY FOR THE PURPOSE OF PROVIDING ELECTRICAL AND GAS SERVICE DISTRIBUTION FACILITIES FOR THE ICE SKATING RINK ON THE SOUTH SIDE OF COVE ROAD AT COVE ISLAND - (Mayor's letter of 4/11/73) -- Note: Approved 4/16/73 by Board of Finance at a Special Meeting called for the purpose.

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (13) Two Proposed Ordinances: (1) AN ORDINANCE OF THE CITY OF STAMFORD, CONNECTICUT, PROVIDING FOR THE REPEAL OF SECTION 10-61 OF THE CODE OF ORDINANCES, CITY OF STAMFORD, AND DECLARING SAME TO BE NULL AND VOID AND OF NO EFFECT, and (2) AN ORDINANCE OF THE CITY OF STAMFORD, CONNECTICUT, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF STAMFORD, BE AMENDED BY REVISION OF SECTION 10-12 OF SAID CODE: PROVIDING THAT THE DIRECTOR OF HEALTH OF THE CITY OF STAMFORD WILL SUBMIT, ON AN ANNUAL BASIS, SUBJECT TO THE APPROVAL OF THE BOARD OF REPRESENTATIVES, A PLAN FOR SCHEDULING INSPECTIONS -

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- Item 13 Continued: (Submitted in letter from the Mayor, dated 4/13/73) - (To meet with HUD's requirements on housing inspections, as they are holding up recertification of our Workable Program for this reason.)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (14) Final adoption of Ordinance - "COVENANT TO MAKE ANNUAL APPROPRIATIONS TO BE PLEDGED TO THE PAYMENT OF SERIES A REVENUE BONDS OF THE STAMFORD PARKING AUTHORITY -- (Pursuant to provisions of Resolution No. 877 adopted 2/5/73 and above Ordinance approved for publication at that time published on Feb. 9, 1973) - (See Minutes of 2/5/73 pages 9536-36-37-38 under Fiscal Committee)

ORDERED ON AGENDA - REFERRED TO LEGISLATIVE & RULES COMMITTEE and FISCAL COMMITTEE

- (15) Concerning amendment to Ordinance No. 263 Supplemental, entitled: "CONCERNING RETALIATORY ACTIONS BY LANDLORDS" adopted 3/5/73 - (See Minutes of 3/5/73 Pages 9585-86)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (16) PUC notice concerning increase in WATER RATES of 27.4% - Hearing to be held May 15, 1973 in Room 565A, State Office Building, 165 Capitol Avenue, Hartford, at 10:30 A.M.

ORDERED ON AGENDA under COMMUNICATIONS

- (17) Request to designate City-owned tract at southeast corner of TRESSER BOULEVARD and GREENWICH AVENUE, as "ROTARY CLUB PARK"- (Approved by Park Commission on 3/14/73; with the Rotary Club agreeing to defray the costs)
- (18) CHANGE OF NAME OF "SLEEPY HOLLOW PARK" to "EXCHANGE PARK" --- (Approved by the Park Commission on 3/14/73 with the Exchange Club agreeing to defray the cost)

There was considerable discussion on items Nos. 17 and 18. They were both DISAPPROVED and NOT ordered on the agenda, it being considered that the name changes should not be given capriciously. Mr. Russell pointed out that he had been instrumental in the original name change of the former "Black Swamp" to "SLEEPY HOLLOW PARK" which had been in use for some years now and the residents do not want the name changed.

- (19) COLLECTIVE BARGAINING CONTRACTS - From July 1, 1972 to June 30, 1974 for the following Contracts (if ready):

- (1) Connecticut Nurses' Association
- (2) Fire Fighters Association
- (3) Police Association
- (4) Dental Hygienists
- (5) Municipal Employees Association

The above Collective Bargaining Contracts were NOT ordered placed on the Agenda, as they will not all be ready at the same time and it was felt better to handle these separately as they are presented because of time limits under the Collective Bargaining Act.

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- (20) Appointments to Sewer Commission - Stanley Baron (D), replacing J. Clyde O'Connell, to term expiring 12/1/77; and Roger Taranto (D) Replacing Sandy Guinta, who resigned, to term expiring 12/1/76.

The above appointments were NOT ordered on the agenda for the reason that there also appears on the agenda a proposed ordinance abolishing the Sewer Commission and creating a Sewer Board, and until action has been taken on this, no appointments will be made.

- (21) Problems on Sound-Avenue and other older roads in the City that have never been brought up to meet specifications for acceptance as City streets

Referred to the Public Works Committee and the Planning & Zoning Committee, but NOT ordered on the agenda.

- (22) Spring Clean-up

MR. BOCCUZZI brought up the matter of people leaving items on the street in front of their homes for the Spring Clean-up and pointed out that because the Mayor has not been able to obtain a spot to dump, it should not be allowed unless and until the City has obtained a location where these items can be taken. It was decided that the Commissioner of Public Works should enforce the law - that nothing should be left outside until public notice has been given and if people persist in doing so that they should be stopped and the laws enforced. It was agreed that this practice is making the whole City look like a dump and is untidy and unhealthy.

- (23) Dyke Park

MR. MATTHEW ROSE asked when Dyke Park is going to be brought up to park like conditions, as nothing has been done. This was referred to the PARKS & RECREATION COMMITTEE.

- (24) Letter from Fair Rent Commission - Complaint brought before them by a tenant who has serious plumbing difficulties and the landlord refuses to remedy same -- (Letter dated 4/16/73 to Mr. Rose, Chairman of Health and Protection Committee)

REFERRED TO HEALTH & PROTECTION COMMITTEE - NOT On Agenda

There being no further business to come before the Committee, on motion, duly seconded and CARRIED, the meeting was adjourned at 9:20 P.M.

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George V. Connors, Chairman
STEERING COMMITTEE

APPOINTMENTS COMMITTEE:

MR. THEODORE BOCCUZZI, Chairman, gave his Committee report. He said his Committee met on Thursday, April 26th. In attendance were Representatives Forman, Costello, Flanagan, Rose and Tresser. He reported on the following: The votes are recorded below:

Term Ending:

June 1, 1977
(5 yr. Term)

BUILDING BOARD OF APPEALS:

Dec. 1, 1975

Dec. 1, 1974

Dec. 1, 1977

Dec. 1, 1975

Dec. 1, 1974

Jan. 1, 1974

Jan. 1, 1974

MR. JOHN BOCCUZZI, Chairman, said the Fiscal Committee has been meeting every night - Wednesday, Thursday, Saturday morning, Monday evening and at not one of those meetings did they have time to take up the agenda. He reported on

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the following:

- (1) \$1,000.00 - COMMISSION ON AGING - Code 195.0920, Gifts & Donations -
(Having been received as a gift from the Stamford Kiwanis Club, to be used for furnishings for program for the elderly at the South End Community Center) - (Mayor's letter of 3/7/73)

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

- (2) \$11,864.13 - REGISTRARS OF VOTERS - Code 102.5108, Reapportionment Account -- (Mayor's letter of 3/29/73)

MR. BOCCUZZI MOVED for approval of the above request. Seconded by Mr. Livingston (New Chairman of the Education, Welfare & Government Committee) who said his Committee concurs. CARRIED.

- (3) \$500.00 - STAMFORD CIVIL DEFENSE & EMERGENCY SERVICE, Code 560.1701, Auto Operation & Maintenance - (Mayor's letter of 3/21/73)

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

- (4) \$2,172.24 - DEPARTMENT OF PARKS & NATURAL RESOURCES - Code 710.0101 Salaries For Ice Skating Rink Stationary Engineer,
effective 5/1/73, based on REDUCED annual salary of \$12,551.00 - (Mayor's letter of 3/12/73)

The original request which appears on the agenda was for a salary of \$14,504.00. the Above appropriation was REDUCED by motion of Mr. Russbach, who said this new figure of an annual salary of \$12,551.00 represents the beginning salary at Step 1 under Marcom and a weekly rate of \$241.36 which he believes to be an ample starting salary. His motion to REDUCE was CARRIED, although some members expressed some doubt that this reduction might put this project in jeopardy. Mr. Russbach's motion carried by a machine vote of 30 in favor and 8 opposed.

- (5) \$46,609.80 - DEPARTMENT OF PUBLIC WORKS - RESOLUTION NO. 893 - AMENDING 1972-1973 CAPITAL PROJECTS BUDGET BY ADDING THE SUM OF \$46,609.80 THERETO FOR PROJECT KNOWN AS "PUBLIC WORKS - NEW CONSTRUCTION, MULTI-PURPOSE INCINERATOR MATERIAL HANDLING IMPROVEMENT" and appropriation therefor - (Mayor's letter of 3/16/73)

MR. BOCCUZZI MOVED for approval of the following resolution. Seconded by Mr. Lenz, Chairman of the Public Works Committee, who said the Committee concurs in approval. CARRIED by unanimous vote.

RESOLUTION NO. 893

AMENDING 1972-1973 CAPITAL PROJECTS BUDGET BY ADDING THE SUM OF \$46,609.80 THERETO FOR PROJECT KNOWN AS "PUBLIC WORKS - NEW CONSTRUCTION - MULTI-PURPOSE INCINERATOR MATERIAL HANDLING IMPROVEMENT" AND APPROPRIATION THEREFOR

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BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford to amend the 1972-1973 Capital Projects Budget by adding thereto a Project to be known as "PUBLIC WORKS - NEW CONSTRUCTION, MULTI-PURPOSE INCINERATOR MATERIAL HANDLING IMPROVEMENT" and appropriation of \$46,609.80 therefor, in accordance with the provisions of Section 611.5 of the Stamford Charter, said amount to be received as a Grant from the State of Connecticut Department of Environmental Protection.

- (6) \$9,612.00 - BOARD OF RECREATION - Code 720.0107 - Seasonal Help -
(Mayor's letter of 3/26/73) --- REDUCED from ~~\$19~~,612.00
for reason that the Board of Representatives on 4/2/73
gave the Board of Recreation an appropriation of \$10,000
with the understanding that the above request be reduced
accordingly.

MR. BOCCUZZI MOVED for approval of the above request. Seconded by Mr. Kelly, who said the Parks & Recreation Committee concurs. CARRIED.

- (7) \$25,919.94 - BOARD OF EDUCATION - To be received as a 100% Federal
Grant from State of Connecticut, under Title II,
Elementary and Secondary Education Act, for Library-
Audio Visual Resources for public and non-public schools
for 1973 - (See letter from Dr. Carpenter, Supt. of
Schools, dated 3/14/73)

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

- (8) \$15,000.00 - BOARD OF EDUCATION - Being 100% Grant from State of
Connecticut under Title II, Elementary and Secondary
Education Act, for Middle School reading centers -
(See letter from Dr. Carpenter dated 4/12/73 -
REDUCED from original figure of \$20,000.00)

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

- (9) \$511.39 - ZONING BOARD OF APPEALS, Covering the following: (See
Mayor's letter of 3/14/73)

Code 140.0701 - Janitor Service	-----	\$308.25
Code 140.0501 - Telephone & Telegraph	-----	100.00
Code 140.0101 - Salaries	-----	103.14
		<u>\$511.39</u>

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

- (10) \$49,273.63 - COLLECTOR OF TAXES - Code 148.0000 - Reserve for Tax
Refunds, representing a Personal Property Tax refund
on the 1970 Assessment List, due Audio Devices, Inc.
(Mayor's letter of 4/3/73)

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

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- (11) Resolution No. 894 - TO ACCEPT FEDERAL GRANT OF \$403,081.00 (SECTION 5) AND \$109,080.00 (SECTION 6a) UNDER THE EMERGENCY EMPLOYMENT ACT OF 1971 AND CITY'S CONTRIBUTION, IN-KIND, OF \$56,988.00 - (See Mayor's letter of 3/28/73)

NOTE: This is for the E.E.A. and is allocated as designated in the application for Contract. VF

MR. BOCCUZZI MOVED for approval of the following resolution. He said this money will carry the E.E.A. program through to June 1973 and from that point on it will gradually be phased out until next year when there will be no E.E.A. in Stamford, or the country. He said this amount will not carry the 90 some employees who are now in the program. The motion was seconded by Mr. Livingston, who said the Education, Welfare & Government Committee concurs in approval. Mr. Heinzer said the Personnel Committee also approves. The following resolution was thereupon CARRIED by unanimous vote:

RESOLUTION NO. 894

AUTHORIZATION TO ACCEPT FEDERAL GRANT OF \$403,081 (Section 5) and \$109,808 (Section 6a) UNDER THE EMERGENCY EMPLOYMENT ACT (EEA) OF 1971 AND CITY'S CONTRIBUTION, IN-KIND OF \$56,988

WHEREAS the Congress and President of the United States passed, signed, and appropriated the Emergency Employment Act of 1971, and

WHEREAS municipalities throughout these United States have accepted funds according to the numbers of their unemployed and placed within municipal services skilled and unskilled unemployed workers and professional people, and

WHEREAS the City of Stamford is still suffering from 7.8% unemployment and witnesses many of its Vietnam veterans, minority workers, its older skilled workers and its professionals search in vain for gainful employment, and

WHEREAS the Emergency Employment Act is continuing until further action by Congress and President renews or terminates the Act,

BE IT HEREBY RESOLVED THAT THE BOARD OF REPRESENTATIVES AND THE BOARD OF FINANCE:

- 1) Accept \$403,081 (Section 5) and \$109,808 (Section 6a) from the Federal Government
- 2) Approve in-kind services of supervision and in-service training equivalent to \$56,988 of matching funds
- 3) Appropriate the funds according to designation of the application for contract.

- (12) \$1,836.51 - POLICE DEPARTMENT - Code 530.0101, Salaries - To hire an additional Clerk-Typist II - (Only partially approved by the Board of Finance, The original appropriation being \$12,256.16 and also included 6 additional Patrolmen and the one Clerk-Typist II. The Board of Finance deferred action on the 6 Patrolmen) -- Mayor's letter 3/28/73

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MR. BOCCUZZI MOVED FOR APPROVAL of Item 12. Seconded and CARRIED.

- (13) \$570.00 - BOARD OF REPRESENTATIVES - Code 106.1106 - Binders for Charters - NOTE: Appropriation requested by Legislative & Rules Committee under item #7 at the 4-2-73 Board meeting. This represents Binders for the 100 unbound books which are being stored according to the contract with the firm who did the recodification. They have now run out of binders and have orders for several Charters which they cannot fill until these Binders are supplied. (Mayor's letter of 4/4/73)

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

- (14) \$394.80 - DEPARTMENT OF PARKS & NATURAL RESOURCES - Code 710.1701, Auto Operations and Maintenance - (Mayor's letter of 4/5/73)

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

- (15) Salary Increases for Police Chief, Fire Chief, Public Works Commissioner, Commissioner of Finance, 2 Registrars of Voters - (Approved by Board of Finance on 4/12/73 with recommendation to hold until all salary requests have been presented. (This was deferred on July 1972) The salary request are as follows:

<u>TITLE</u>	<u>Present Salary</u>	<u>Proposed - Effective 7/1/72</u>	<u>Increase</u>
*Police Chief	\$19,845.00	\$22,500.00	\$2,655.00
*Fire Chief	19,945.00	22,850.00	2,905.00
Public Works Commissioner	20,801.00	23,500.00	2,699.00
Finance Commissioner	19,498.00	22,500.00	3,001.44
Registrars of Voters (2)	10,111.50	12,000.00	1,888.50

*Already received, by transfer of funds,

MR. BOCCUZZI explained that no action is needed on the salaries for the Police Chief and the Fire Chief, because although this Board reduced their salaries during the time action was taken on the 1972-1973 Budget, we can only cut the total appropriation and cannot tell them who to cut. He said the Personnel Commission, the Police Commission and the Fire Commission approved the increases, and they had a surplus of funds in their salary account, so both these gentlemen are now receiving their increased salary as listed above under "Proposed Salary".

MR. HEINZER, Chairman of the Personnel Committee, said his Committee is holding this in Committee.

MR. ROSE, Chairman of the Health & Protection Committee, to whom this was also referred, said his Committee approved these salaries.

However, no action was taken on the above request because it is being held in Committee by the Personnel Committee.

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- (16) \$8,931.00 - POLICE DEPARTMENT - Code 530.0501 - Telephone & Telegraph (Mayor's letter of 1/19/73) - NOTE: Action was deferred on this item by the Board of Finance on 2/8/73 - The original letter requested \$61,311.00 of which one item was reduced - (Automotive Maintenance) and another for Motor Vehicles was approved. (This last item was finally approved by the Board of Finance on 4/12/73)

MR. BOCCUZZI MOVED for approval of the Above request. Seconded by Mr. Rose who said the Health & Protection Committee also approves this. CARRIED.

MR. BOCCUZZI said the Committee has two other items which will have to be brought up under SUSPENSION OF THE RULES. He moved for approval of the suspension of the rules. Seconded and CARRIED.

- (17) \$5,000.00 - PLANNING BOARD - Code 134.0107 - Geographic Base File to be used for computer mapping - (Mayor's letter of 4/23/73)

MR. BOCCUZZI MOVED for approval of the above request, pending approval by the Board of Finance. Seconded and CARRIED.

- (18) Resolution No. 895 - DEPARTMENT OF HEALTH - Authorizing the filing of an application for State assistance in order to undertake a program of co-ordinated Housing Code Enforcement - (Mayor's letter of March 19, 1973)
NOTE: FOR FISCAL YEAR 1973-1974

MR. BOCCUZZI MOVED for approval of the following resolution. He said the amount is not to exceed \$116,631.00. He said this only in order that they may FILE the application. He said the Board of Health does not know the exact amount that the State is going to give us, but don't think it will be as much as \$116,631.00, but we will have the opportunity to vote on the money when the Grant is approved and the amount of money is known. He said the reason that he is asking for approval is because application should have been approved on May 1, 1973. He said what the Health Department did was to send the application up, with a note saying that a resolution from the Board will follow, so that the application will not be held up. He said when we finally approve the money it will be a 100% Grant from the State.

Mr. Boccuzzi's motion was seconded and CARRIED unanimously:

RESOLUTION NO. 895

AUTHORIZING THE FILING OF AN APPLICATION FOR STATE ASSISTANCE IN ORDER TO UNDERTAKE A PROGRAM OF CO-ORDINATED HOUSING CODE ENFORCEMENT

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 \$116,631.00 in order to undertake a program of Housing Code Enforcement and to execute an Assistance Agreement therefor. It is understood that the City of Stamford will provide a local

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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, 130, 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 grant-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 to exceed \$116,631.00 is hereby approved, and that the Director of Health is hereby authorized and directed to execute and file such application with the Commissioner of Community Affairs, to provide such additional information 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.

LEGISLATIVE & RULES COMMITTEE:

MR. MILLER, the newly appointed Chairman of the Committee, said the Committee met on April 26th with the following present: Representatives Fox, Miller, Knapp, Heinzer, Schade, Costello and Walsh. He reported on the following items referred to his committee:

- (1) Ordinance No. 265 (final adoption) - TAX EXEMPTION FOR PROPERTY OWNED BY STAMFORD DAY NURSERY ON PALMER'S HILL ROAD - (Adopted for publication 2/5/73; published 2/12/73 --- Held in Committee 3/5/73 and 4/2/73)

MR. MILLER said this is an Ordinance for a Tax exemption for property owned by the Stamford Day Nursery on Palmer's Hill Road, under its formal name of Child Care, Inc. He said this Ordinance has met with the unanimous Approval of the Committee and HE MOVED for its final adoption. Seconded and CARRIED with two "no" votes:

ORDINANCE NO. 265 SUPPLEMENTAL

TAX 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 Palmer's Hill Road be exempted from taxation on the List of September 1, 1971.

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

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- (2) Proposed Ordinance - CONCERNING GRANT OF EASEMENT FOR ROAD PURPOSES BY THE CITY OF STAMFORD TO SHIRLEY H. COBLENTZ AND FRANCES COBLENTZ -
(Mayor's letter of 2/20/73 - Approved by Board of Finance 3/8/73; held in Committee on 4/2/73)

MR. MILLER MOVED for approval of the above for publication. He said the vote in the Committee was 5 in favor and on abstention and one in opposition. Seconded.

MR. CROSBY spoke in opposition to leaving these old garages staying and for the erection of a new garage to the north, running perpendicular to our City property.

He said this entails the removal of a hill to place it in this position and will abut the land of the Coblentz property, which will necessitate a variance when non conforming use. He said just to apply logic and common sense it is quite apparent that the proposed garage could be placed on a flat open lot where the old garages now stand and it would be far more economical to level the old garages than to remove a hill in order to build the new one. Also, he said, the most important thing is that the building of a new garage would completely alleviate the City from having to grant an Easement. He said our Haig Avenue property is valuable and will and can be used constructively for many years and there is ample property to be utilized and to now split it by granting an easement and sharing it with the public and others seems to be very unsound.

MR. MILLER said he wishes to call attention to the fact that he is merely asking for publication and the Committee acted after consulting with Mr. Bromley (the Corporation Counsel) and it appears that the Corporations Counsel's office thought that putting this through for publication would enable the office of the Corporation Counsel to be in a better position when they negotiate with the Coblentz's.

VOTE taken on the above. LOST.

- (3) Ordinance No. 266 - (for final adoption) - AUTHORIZATION OF THE SALE OF A STRIP OF LAND, CONTAINING 581 SQUARE FEET, LOCATED ON HILLDALE AVENUE IN THE CITY OF STAMFORD TO ELFRIEDA BROCKLEHURST - (For the sum of \$1,411.00 based on current assessment) - (Mayor's letter of 2/27/73) Approved for publication 4/2/73; published 4/6/73)

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

ORDINANCE NO. 266 SUPPLEMENTAL

AUTHORIZATION OF THE SALE OF A STRIP OF LAND 581 SQUARE FEET ON HILLDALE AVENUE IN THE CITY OF STAMFORD TO ELFRIEDA BROCKLEHURST

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

In conformity with Section 488 of the Stamford Charter and notwithstanding any provisions of Chapter 2, Section 2-24 and 2-27 inclusive, of the Code of General Ordinances of the City of Stamford, the conveyance from the City of Stamford to Elfrieda Brocklehurst of the following described property:

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

NORTHERLY 5.551 feet, more or less, by land of the City of Stamford;

EASTERLY 81.588 feet, more or less, by land now or formerly of Elfrieda Brocklehurst, et al;

SOUTHERLY 12.5 feet, more or less, by land of the City of Stamford; and

WESTERLY 84.074 feet, more or less, by Hillandale Avenue containing 581 square feet, more or less.

Is hereby authorized for the sum of One Thousand Four Hundred Eleven Dollars (\$1,411.00) as the fair market value of said property based on the current assessment of said property on file in the tax Office of the City of Stamford.

The Mayor of the City of Stamford is hereby authorized and empowered to act for the City of Stamford and to execute and deliver all documents necessary to transfer title to such above described property to grant the conveyance aforesaid.

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

- (4) Ordinance No. 267 (for final adoption) - AUTHORIZATION OF THE SALE OF A STRIP OF LAND CONTAINING 1,120 SQUARE FEET, LOCATED ON HILLANDALE AVENUE IN THE CITY OF STAMFORD, TO JOHN J. MORRIS - (For the sum of \$2,739.00 based on current assessment) - (Approved by Board of Finance 2/8/73) - Approved for publication 4/2/73; published 4/6/73 --- (Mayor's letter of 2/1/73)

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

ORDINANCE NO. 267 SUPPLEMENTAL

AUTHORIZATION OF THE SALE OF A STRIP OF LAND 1,120 SQUARE FEET ON HILLANDALE AVENUE IN THE CITY OF STAMFORD TO J. JOSEPH MORRIS

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

In conformity with Section 488 of the Stamford Charter and notwithstanding any provisions of Chapter 2, Sections 2-24 to 2-27 inclusive, of the Code of General Ordinances of the City of Stamford, the conveyance from the City of Stamford to J. Joseph Morris of the following described property:

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

NORTHERLY 12.5 feet, more or less, by land of the City of Stamford;

EASTERLY 75.5 feet, more or less, by land of JOHN J. MORRIS, et al;

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SOUTHERLY 19.8 feet, more or less, by land now or formerly of LAURA SWEENEY, and

WESTERLY 80.5 feet, more or less, by Hillandale Avenue containing 1,120 square feet, more or less.

Is hereby authorized for the sum of Two Thousand Seven Hundred Thirty-Nine Dollars (\$2,739.00) as the fair market value of said property based on the current assessment of said property on file in the Tax Office of the City of Stamford.

The Mayor of the City of Stamford is hereby authorized and empowered to act for the City of Stamford and to execute and deliver all documents necessary to transfer title to such above described property to grant the conveyance aforesaid.

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

- (5) Ordinance No. 268 (for final adoption) - ESTABLISHING A FLOOD ENCROACHMENT LINE FOR PROPERTY OF SALLY D. WEBB UNDER PROVISIONS OF SECTION 7-147 OF THE GENERAL STATUTES OF THE STATE OF CONNECTICUT - (Requested in letter of 3/11/73 from Louis J. Casale, Jr., Chairman of Flood & Erosion Control Board)

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

ORDINANCE NO. 268 SUPPLEMENTAL

ESTABLISHING A FLOOD ENCROACHMENT LINE FOR PROPERTY OF SALLY D. WEBB UNDER PROVISIONS OF SECTION 7-147 OF THE GENERAL STATUTES OF THE STATE OF CONNECTICUT

BE IT ORDAINED BY THE CITY OF STAMFORD THAT in accordance with Section 7-147 of the GENERAL STATUTES OF THE STATE OF CONNECTICUT that a Flood Encroachment Line is hereby set on certain property owned by SALLY D. WEBB located on the southerly side of Farms Road in Stamford, Connecticut, said Flood Encroachment line being located and described as follows:

Commencing at a point on the southerly line of Farms Road, which point is 71.57 feet as measured westerly along the southerly line of Farms Road from the intersection of the westerly line of land now or formerly of A. Varick Stout, Jr., with the southerly line of Farms Road, and running thence through land of SALLY D. WEBB the following courses and distances:

South 21° 04' 30" east 494.7 feet to a point, thence South 26° 13' 10" east 296.51 feet; thence South 43° 10' 10" east 154.94 feet; thence South 13° 13' 30" west 95.54 feet; thence South 22° 22' 20" east 125.64 feet; thence South 23° 36' 40" east 161.06 feet; thence South 85° 22' 20" east 109.49 feet to land of the Stamford of Connecticut, which latter point is 447.64 feet as measured by various courses and distances along land of the State of Connecticut

from a point in the southerly line of said land now or formerly of A. Varick Stout, Jr. marked by the intersection therewith of the westerly line of the land of the State of Connecticut.

This Ordinance shall take effect upon its adoption.

- (6) Proposed CONSUMER PROTECTION ORDINANCE (Creating a Consumer Protection Commission for the City, consisting of 3 members) -- (Presented by the women members of the Board on 3/19/73) - (Held in Committee 4/2/73)

MR. MILLER said this is being held in Committee for the reason that there is further work to be done on it.

- (7) Ordinance (for final Adoption) - CONCERNING THE POWERS & DUTIES OF SEWER BOARD - (Adopted for publication 4/2/73; published 4/6/73)

MR. MILLER said at the last meeting of the Legislative & Rules Committee, the Committee unanimously decided to come out with another Ordinance which differs substantially from the Ordinance adopted for publication at the April 2nd Board meeting. He said although the Committee did approve it for publication, they are also thinking about another Ordinance and have had consultation with various people and are exploring the possibility of having some procedure by which appeals might be taken from the Sewer Commission to this Board, or perhaps we might be able to create a Sewer Board of Appeals. He said there are some problems concerning the State Statutes in this regard. He said the Committee has considered the question as to whether or not, if the Sewer Commission is replaced by a Sewer Board, the present members of the Sewer Commission would continue as members of the Board. He said apparently the answer is no and if we do abolish the Sewer Commission, all of its present members cease to hold public office and if the Mayor wanted them on the Sewer Board, he would have to appoint them once again, subject to confirmation by this Board.

He said, however, since we are considering another Ordinance, and although the Committee voted in favor of publication, perhaps someone might make a motion to return this to Committee and he would not object.

MR. HEINZER said he objected to Mr. Miller's report. He said this Board voted to bring an Ordinance out for publication and as far as he is concerned, we are NOT considering any other Ordinance, but maybe Mr. Miller might have. But, he said this Board DID vote at its last meeting to bring the Ordinance out for publication and it certainly is different from the one that we originally published on April 6th. However, he said it is essentially in the same direction and is something that the Corporation Counsel worked out for us which he thought was more palatable and less apt to be challenged. He said it is a perfectly good Ordinance and Mr. Miller has not even read it (which he thinks he should) and the Committee did bring it out for publication. He said as a member of the Legislative & Rules Committee he certainly does not want it and it was not the intent of the Committee.

MR. MILLER said regardless of what the speaker says, that is what the Committee did and he is moving it out on the floor of the Board. He said as long as we are considering other possibilities, it would be a waste of effort to publish once again an Ordinance which, very likely will never become law.

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MR. HEINZER said Mr. Miller is speaking for himself and not for the Committee when he says that.

MR. MILLER said yes, he is speaking for himself as far as returning it to Committee is concerned.

MR. FRIEDMAN asked that the Ordinance be read.

MR. THEODORE BOCCUZZI said he agrees with Mr. Miller and it was his understanding in Caucus that this item was to be held in Committee and the very fact that there is disagreement among the Board members is reason enough to hold it in Committee. HE MOVED that this be sent back to Committee for further study which it needs.

MR. HEINZER objected and said this is OUT OF ORDER because we have not even held the Ordinance in question read to us yet and nobody even knows what is being sent back to Committee. He said he thinks some very strange things are happening tonight and he demanded that the Ordinance in question be read by Mr. Miller.

THE PRESIDENT asked the speaker if he received a copy of the Ordinance.

MR. HEINZER said yes, that he has a copy of it.

MR. FRIEDMAN rose on a POINT OF PERSONAL PRIVILEGE. He said it seems to him that the Legislative & Rules Committee moved this out on the floor and he therefore believes that it behooves the Committee to read the Ordinance, because, he for one, does not have a copy of it.

MR. MILLER said both Mr. Friedman and Mr. Heinzer are quite correct and he will read the Ordinance, which he thereupon proceeded to do. The Proposed Ordinance is as follows:

PROPOSED ORDINANCE

SEWERS AND SEWAGE DISPOSAL

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

1. Sections 21-36 through 21-40 of the Code of Ordinances of the City of Stamford are hereby repealed and the Sewer Commission created therein is abolished.
2. Under the authority granted by the Connecticut General Statutes under Sections 7-148 and 7-194 (11) and the Charter of the City of Stamford, The City of Stamford shall lay out, establish, construct, maintain, continue, operate, alter, extend and discontinue sewer and drainage systems in the manner provided by the Charter of the City of Stamford.
3. There shall be in the City an Advisory Sewer Board, which shall have the following powers and duties:
 - (a) Advise, report and make recommendations to the Board of Representatives on sewers and sewage disposal.
 - (b) To plan and design or cause to be designed, additions to the sewage collection and treatment systems of the City.

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- (c) To prepare budgets and make recommendations for appropriations for Capital sewer projects and for operating funds.
- (d) To advise the Mayor and the Public Works Commissioner on the selection of professional service and on the selection of contractors for projects.
- (e) To recommend the amounts and methods of payment for any assessment.
- (f) To establish, and to amend, from time to time, a recommended table of priorities for the construction of additions to the collection system.
- (g) To make recommendations to the Board of Representatives for condemnations of property and easements where necessary, to the successful completion of a project.

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

MR. MILLER said the Ordinance he just read is the one that the Legislative & Rules Committee unanimously reports out for publication.

MR. FRIEDMAN seconded the motion for publication.

MR. THEODORE BOCCUZZI said there is something here he does not understand - is he being led to believe that each of the members is supposed to have a copy of the Ordinance just read?

MR. MILLER said the reason why he is required to read it is because we do not have copies for every member of the Board.

MR. THEODORE BOCCUZZI said he would then say, since this Ordinance is changed from the original one ----- he would not want to vote on anything this important without having a copy and being able to study it first.

MR. THEODORE BOCCUZZI MOVED that this be returned to Committee. Seconded.

MR. MORABITO said he thinks it should go back to Committee for further study.

Several people said they think this Ordinance requires further study. A request was made for a ROLL CALL VOTE.

MRS. PONT-BRIANT reminded the members that the Transit District Ordinance was brought out and voted on without anyone having received an advance copy of it and it seems to her that the Legislative & Rules Committee (democrats) speak with "forked tongue". She said it sounds like a dual personality. She said she is definitely against the motion to move it back to Committee.

MR. FLANAGAN said he is in favor of this going back to Committee.

MR. HEINZER said all this "baloney" about the Ordinance not being given to everyone is silly, because it is almost identical to the one that is in the April Minutes.

MR. MORABITO said he supports publication, which gives us a month to study it before acting.

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MR. HEINZER said the only change in the Ordinance is to change the name of the advisory Board, which is certainly not a great change and all of the Board members who have this Ordinance, have had it, in fact, and if they will just read the old one, they will have the sense of this one.

MR. COLASSO said he supports publication.

MRS. VARNEY said she opposes sending it back to Committee and thinks this is just a stall.

MR. MORRIS said the Corporation Counsel went over this Ordinance and it is in order and it seems that politics is rearing its "ugly head" because last month we were unanimous that we had to "do something" and this month apparently we have changed our minds, and all he can do is wonder what happened to change our minds so drastically. He said he realizes that the legal advisor to the Sewer Commission just also happens to be the head of the Democratic Party and wonders if that had anything to do with it.

THE PRESIDENT said the speaker is out of order.

MR. THEODORE BOCCUZZI said the remarks made by Mr. Morris are out of order and his is "absolutely shocked" that he would ——— and if we are going to be laughed at, it is an indication of the kind of thinking that we have on the Board. He said as a member of this Board, he has the right to speak - to be heard - and to be respected for it.

MR. EXNICIOS rose on a POINT OF ORDER.

MR. THEODORE BOCCUZZI said he speaks on a point of personal privilege. He said he does not wish to continue a tirade, but thinks the remarks made by Mr. Morris are uncalled for. He said the members would like a copy of the Ordinance so that they can make intelligent decisions.

MR. MORRIS rose on a POINT OF PERSONAL PRIVILEGE. He said the reason he brought this point up is because he remembers that Mrs. Laitman and Mr. Flanagan were the two people who did object and there have been a few others — including Mr. Boccuzzi. He said it was nearly unanimous that they wanted something done. He said he did not tell an untruth when he said that the head of the Democratic Party IS the counsel for the Sewer Commission and now all of a sudden there is a big hang-up. He said he is surprised that Mr. Boodman got into the act, because evidently he was consulted about the Ordinance and evidently he did not notify the Chairman of the Sewer Commission that anything was remiss, so it is QUITE CONFUSING.

MR. FRIEDMAN MOVED THE QUESTION and the Ordinance for publication, and would request the Chair to advise the Chairman of the L & R Committee to see that the members of the Board get copies of the Ordinance so they can study it before the next meeting.

MR. RYBNICK asked the Chairman, before he accepts Mr. Friedman's motion, Mr. Boccuzzi already has a motion on the floor.

MR. LIVINGSTON reminded the President that the question has been moved. He also asked the President to please instruct visitor's not to enter the Causus room to help themselves to the coffee provided for the members.

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THE PRESIDENT so instructed the members of the audience.

He called for a VOTE on the motion to MOVE THE QUESTION. CARRIED.

He then called for a VOTE on the original motion made for Mr. Theodore Boccuzzi to return the Ordinance to Committee.

A ROLL CALL VOTE Was requested and taken, with the following vote, LOST, by a vote of 17 in favor and 21 opposed:

THOSE VOTING IN FAVOR:

BOCCUZZI, Theodore (D)
 CONNORS, George (D)
 COSTELLO, Robert (D)
 DIXON, Handy (D)
 FORMAN, Barbara (R)
 FLANAGAN, William (R)
 FRIEDMAN, Bertram (R)
 KELLY, Stephen (D)
 KELLY, James (D)
 LAITMAN, Marilyn (D)
 LIVINGSTON, Jeremiah (D)
 MILLER, Frederick (D)
 MORABITO, Joseph (D)
 PERTILO, Alfred (D)
 RAVALLESE, George (D)
 RYBNICK, Gerald (D)
 WALSH, Peter (D)

THOSE VOTING IN OPPOSITION:

BOCCUZZI, John (D)
 CAPORIZZO, William (R)
 COLASSO, John (D)
 CROSBY, Robert (R)
 EXNICIOS, Robert (R)
 GAMBINO, Philip (D)
 GUROIAN, Armen (D)
 HEINZER, Charles (R)
 KNAPP, Warren (D)
 LENZ, Frederick (D)
 MORRIS, Thomas (R)
 PERKINS, Billie (R)
 PONT-BRIANT, Lois (R)
 ROOS, John (R)
 ROSE, Matthew (D)
 RUSSBACH, Daniel (R)
 RUSSELL, George (R)
 SCHADE, Richard (R)
 SOOFIELD, Edward (R)
 TRUGLIA, Anthony (D)
 VARNEY, Kim (R)

MR. HEINZER MOVED for publication of the proposed Ordinance. Seconded and CARRIED by a vote of 21 in favor and 17 opposed.

- (8) Mayor's letter dated 2/20/73 requesting the appointment of a 10TH CHARTER REVISION COMMISSION - (Pursuant to Section 7-188 of the Connecticut General Statutes) -- NOTE: See previous Resolutions Nos. 556 and 557 adopted by the Board of Representatives on 4/1/68 which appointed a 9th Charter Revision Commission, which finally went to Referendum on Nov. 4, 1969 --- 135 Proposals were submitted to the Board, of which 33 received final approval by the voters) - (Held in Committee 4/2/73)

A Vote was taken on the above request and DENIED unanimously.

- (9) WAIVER OF BUILDING PERMIT FEE - (Requested in letter of 4/6/73 from Attorney for the RUSSIAN ORTHODOX CHURCH OF THE ASSUMPTION OF ST. MARY OF STAMFORD, CONN., INC. for construction of a new church at new location on Den Road)

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

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- (10) Proposed Ordinance, for publication - CONCERNING AUTHORIZATION OF EASEMENTS FROM THE CITY OF STAMFORD TO THE HARTFORD ELECTRIC LIGHT COMPANY FOR THE PURPOSE OF PROVIDING ELECTRICAL AND GAS SERVICE DISTRIBUTION FACILITIES FOR THE ICE SKATING RINK ON THE SOUTH SIDE OF COVE ROAD AT COVE ISLAND --- (Mayor's letter of 4/11/73) - NOTE: Approved by Board of Finance 4/16/73

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

PROPOSED ORDINANCE

CONCERNING AUTHORIZATION OF EASEMENTS FROM THE CITY OF STAMFORD TO THE HARTFORD ELECTRIC LIGHT COMPANY FOR THE PURPOSE OF PROVIDING ELECTRICAL AND GAS SERVICE DISTRIBUTION FACILITIES FOR THE ICE SKATING RINK ON THE SOUTH SIDE OF COVE ROAD AT COVE ISLAND

BE IT ORDAINED BY THE CITY OF STAMFORD TAHT:

In conformity with Section 488 of the Stamford Charter and notwithstanding any provisions of Chapter 2, Section 2-24 to 2-27 inclusive of the Code of General Ordinances of the City of Stamford, the following easements:

To the HARTFORD ELECTRIC LIGHT COMPANY - map entitled

"Easement covering - gas pipe line installation on the property of the City of Stamford, Cove Island Park, off Cove Road, Stamford, Connecticut. Sketch #K-7310-M, Scale None, Date March 5, 1973"

To the HARTFORD ELECTRIC LIGHT COMPANY - Map entitled

"Easement covering - electric underground facilities on the property of the City of Stamford, Cove Island Park, off Cove Road, Stamford, Connecticut. Sketch No. K-7309-M, Scale None, Date March 1, 1973"

which maps are to be filed in the office of the Town Clerk of said City of Stamford, are hereby authorized for the purpose of providing electrical and gas service distribution facilities to the Cove Island Ice Skating Rink.

The Mayor of the City of Stamford is hereby authorized and empowered to act for the City of Stamford and to execute and deliver all documents necessary to grant the easements aforesaid.

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

- (11) Two Proposed Ordinances: (1) AN ORDINANCE OF THE CITY OF STAMFORD, CONNECTICUT, PROVIDING FOR THE REPEAL OF SECTION 10-61 OF THE CODE OF ORDINANCES, CITY OF STAMFORD, AND DECLARING SAME TO BE NULL AND VOID AND OF NO EFFECT, and

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(2) AN ORDINANCE OF THE CITY OF STAMFORD, CONNECTICUT, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF STAMFORD, BE AMENDED BY REVISING SECTION 10-12 OF SAID CODE, PROVIDING THAT THE DIRECTOR OF HEALTH OF THE CITY OF STAMFORD WILL SUBMIT, ON AN ANNUAL BASIS, SUBJECT TO THE APPROVAL OF THE BOARD OF REPRESENTATIVES, A PLAN FOR SCHEDULING INSPECTIONS -

(Above submitted in letter dated 4/13/73 from the Mayor) - (To meet with HUD's requirements on housing inspections, as they are holding up recertification of our Workable Program)

MR. MILLER said the Legislative & Rules Committee voted 4 in favor and 3 opposed on these Ordinances. He said he would take each proposed Ordinance separately. HE MOVED for approval of #1 above, for publication. Seconded and CARRIED by a ROLL CALL VOTE of 21 in favor and 16 opposed.

The Proposed Ordinance follows, with the ROLL CALL VOTE taken on the motion to approve for publication immediately after:

PROPOSED ORDINANCE

AN ORDINANCE OF THE CITY OF STAMFORD, CONNECTICUT, PROVIDING FOR THE REPEAL OF SECTION 10-61 OF THE CODE OF ORDINANCES, CITY OF STAMFORD, AND DECLARING SAME TO BE NULL AND VOID AND OF NO EFFECT

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Section 1: That Section 10-61 of the Code of Ordinances, City of Stamford, is hereby repealed and declared null and void and of no effect.

Section 2: This Ordinance shall take effect on the date of its enactment.

ROLL CALL VOTE on above Ordinance, for publication:

THOSE VOTING IN FAVOR:

BOCCUZZI, John (D)
BOCCUZZI, Theodore (D)
CONNORS, George (D)
CROSBY, Robert (R)
DIXON, Handy (D)
FORMAN, Barbara (R)
FLANAGAN, William (R)
FRIEDMAN, Bertram (R)
HEINZER, Charles (R)
KELLY, Stephen (D)
KELLY, James (D)
LAITMAN, Marilyn (D)
LIVINGSTON, Jeremiah (D)
MILLER, Frederick (D)
PERFINS, Billie (R)
PONT-BRIANT, Lois (R)
ROOS, John (R)
ROSE, Matthew (D)
RUSSELL, George (R)
SCHADE, Richard (R)
SCOFFIELD, Edward (R)

THOSE VOTING IN OPPOSITION:

CAPORIZZO, William (R)
COLASSO, John (D)
COSTELLO, Robert (D)
EXNICIOS, Robert (R)
GAMBINO, Philip (D)
GUROIAN, Armen (D)
KNAPP, Warren (D)
LENZ, Frederick (D)
MORABITO, Joseph (D)
MORRIS, Thomas (R)
PERILLO, Alfred (D)
RAVALLESE, George (D)
RUSSEBACH, Daniel (R)
RYBNICK, Gerald (D)
VARNEY, Kim (R)
WALSH, Peter (D)

Note: Mr. Truglia left before the above vote was taken.

CARRIED by a vote of 21 in favor and 16 opposed.

MR. MILLER said the second half of the two proposed Ordinances is contingent upon the approval of the first half. HE MOVED for approval of the second half, as follows: Seconded.

- (2) AN ORDINANCE OF THE CITY OF STAMFORD, CONNECTICUT, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF STAMFORD, BE AMENDED BY REVISING SECTION 10-12 OF SAID CODE, PROVIDING THAT THE DIRECTOR OF HEALTH OF THE CITY OF STAMFORD WILL SUBMIT, ON AN ANNUAL BASIS, SUBJECT TO THE APPROVAL OF THE BOARD OF REPRESENTATIVES, A PLAN FOR SCHEDULING INSPECTIONS

VOTE taken on above proposed Ordinance, for publication. LOST, by a machine vote of 3 in favor and 33 opposed.

- (12) No action was taken on this item, which deals with the final adoption of an Ordinance concerning REVENUE BONDS OF THE STAMFORD PARKING AUTHORITY, which is being held for the May 11, 1973 Board meeting.
- (13) Ordinance No. 269 (final adoption) - "RETALIATORY ACTION BY LANDLORDS"
(Being an amendment to previous Ordinance No. 263 adopted 3/5/73 - See Minutes of 3/5/73 pages 9585, 86)

MR. MILLER MOVED for waiver of publication of the following Ordinance - Seconded and CARRIED.

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

ORDINANCE NO. 269 SUPPLEMENTAL

RETALIATORY ACTION BY LANDLORDS

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Ordinance No. 263 Supplemental of the Code of Ordinances of the City of Stamford concerning retaliatory actions by landlords Paragraphs 1-5 are hereby repealed and declared null and void and of no effect.

BE IT FURTHER ORDAINED THAT:

1. It shall be a retaliatory action for a landlord to refuse to renew the lease or other rental agreement of any tenant, or demand an increase in rent from any tenant, or decrease the services to which any tenant has been entitled within six months after:

A. A tenant has in good faith attempted to remedy, by any lawful means, any condition constituting a violation of Articles I and II of this Chapter, or any State Statute or regulation, or municipal ordinance or regulation regarding housing, health and safety in the City of Stamford. Lawful means shall include, but is not limited to,

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1. Organizing tenants in that housing accommodation, or
 2. Organizing the withholding of rents by tenants in that housing accommodation provided said activity is undertaken pursuant to law, or
 3. Contacting officials of the state, city or any public agency regarding such violations, or
 4. Filing a complaint with the Fair Rent Commission of the City of Stamford alleging excessive rental charges; or
- B. Any municipal agency or official has filed a notice, complaint or order regarding such violation; or
- C. The tenant has in good faith requested the landlord to make repairs.
2. Notwithstanding the provisions of paragraph one of this Section, it shall not be retaliatory action where the landlord refuses to renew the tenant's lease or other rental agreement when:
- (a) The tenant is using the dwelling unit for an illegal purpose; or
 - (b) The tenant is using the dwelling unit for a purpose which is in violation of the rental agreement; or
 - (c) There is non-payment of rent by the tenant; or
 - (d) The landlord seeks in good faith to recover possession of the dwelling unit for immediate use as his own abode; or
 - (e) The conditions complained of was caused by the willful actions of the tenant or another person in his household or a person on the premises with his consent; or
 - (f) The landlord seeks to recover possession on the basis of a notice to terminate a periodic tenancy which notice was given to the tenant previous to the tenant's complaint or other action defined in paragraph one of this Ordinance.
3. Notwithstanding the provisions of paragraph one of this Ordinance, it shall not be retaliatory action where a landlord increases the rent of a tenant when;
- (a) The conditions complained of was caused by the lack of due care by the tenant or another person of his household or a person on the premises with his consent; or
 - (b) The landlord has become liable for a substantial increase in property taxes, or a substantial increase in other maintenance or operating costs not associated with his compliance with the complaint, not less than four months prior to the demand for an increase in rent, and the increase in rent does not exceed the prorated portion of the net increase in taxes or costs.

Minutes of Adjourned meeting of May 7, 1973

4. Any tenant who claims the action of his landlord constitutes retaliatory action under the provisions of this Ordinance may file a notice of said claim with the Fair Rent Commission.
5. Upon the receipt of any notice of claim of a retaliatory action, the Fair Rent Commission shall inform the landlord of, and shall investigate, the claim. If the Commission's initial investigation of a claim establishes probable cause that the landlord has engaged in a retaliatory action, the Commission shall attempt to conciliate the matter. If conciliation attempts are not successful within 30 days of their commencement, the Commission shall convene a hearing for the purpose of determining whether the landlord has engaged in a retaliatory action.
6. Pending determination by the Commission, the Commission may order that the landlord maintain no action or proceeding against the tenant to recover possession of the dwelling unit, the landlord restore those services decreased by him to which the tenant was entitled, and the tenant continue to pay rent required prior to the retaliatory action complained of.
7. 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 may, pursuant to its powers, under Section 7-148b-r, and Section 19-375a of the Connecticut General Statutes, Section 10-70 through 81 of the Ordinances of the City of Stamford and this Ordinance, make any of the following orders:
 - (a) That the landlord maintain no action or proceeding against the tenant to recover possession of the dwelling unit,
 - (b) That the landlord shall not increase the rent;
 - (c) That the rent be decreased or that it may be increased in an amount the Commission determines fair and equitable,
 - (d) That the landlord restore services to which the tenant was entitled.
8. Notice of claim of a retaliatory action, filed under the provisions of this Ordinance, is not deemed to be a "complaint" for the purpose of Section 19-375 (b) (4) of the Connecticut General Statutes, or Paragraph 2 (f) of this Ordinance.
9. If any provision of this ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not invalidate or otherwise affect any of the remaining provisions hereof.

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

PARKS & RECREATION COMMITTEE:

MR. KELLY, Chairman, requested SUSPENSION OF THE RULES in order to bring the following matters on the floor for a vote. Seconded and CARRIED.

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Minutes of Adjourned Meeting of May 7, 1973

- (1) PETITION NO. 378 - KNIGHTS OF COLUMBUS, St. Augustine Council #41
for permission for a RODEO at the Stamford
Catholic High School on June 23 and 24, 1973
 (Requested in letter dated 4/27/73)

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

- (2) PETITION NO. 379 - NEWFIELD SCHOOL FAIR - May 19, 1973 - To raise
money for the PTA - (Presented by Robert Crosby,
16th District Representative)

MR. KELLY MOVED for approval of this request, subject to approval by the Fire and Police Departments and provided that proper insurance coverage is provided. Seconded and CARRIED unanimously.

- (3) PETITION NO. 380 - For ST. THEODORE SOCIETY FEAST and procession to be
held August 24th through 27th, 1973 - (Request in
letter dated 4/16/73)

MR. KELLY MOVED for approval of this request, subject to approval by the Police and Fire Departments and provided that proper insurance coverage is provided. Seconded and CARRIED unanimously.

- (4) Request from STAMFORD BOY'S CLUB to put their pool in operating condition

The above request was REFERRED TO THE STEERING COMMITTEE.

- (5) Proposed Ordinance - Also referred to STEERING COMMITTEE.

- (6) Request to develop land north of WILLARD SCHOOL for a Park

The above was also referred to the STEERING COMMITTEE

NOTICE OF PUBLIC HEARING BY THE P.U.C. TO BE HELD WEDNESDAY, MAY 9, 1973,
IN THE BOARD OF REPRESENTATIVES MEETING ROOM, MUNICIPAL OFFICE BUILDING,
REGARDING INCREASED WATER RATES, AT 10:30 A.M.

THE PRESIDENT announced the above public hearing.

OLD BUSINESS:

MR. DIXON said he has a complaint which he would like to present. He said there is a very serious sewer problem which exists on AMELIA PLACE and has existed for a number of years and deals with a sewage back-up.

Mr. Dixon was instructed to turn over his complaint to the HEALTH & PROTECTION COMMITTEE, which he did at this time.

SENIOR CITIZENS HOUSING ON CLINTON AVENUE

MR. COSTELLO asked, through the Chair, if Mr. Dixon could tell him what is happening to the above project which seems to have bogged down.

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MR. DIXON said to his knowledge, there has been no progress made on this Project since the freeze on Federal funds.

MR. COSTELLO said it has been reported that this is now in the hands of the Housing Authority and many people are very much upset over the condition of the property.

MR. DIXON said as Chairman of the special Housing Committee he will take this up with the Chairman of the Housing Authority to see if this problem can be remedied.

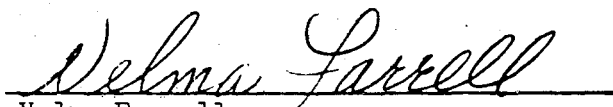
PETITIONS:

MR. RUSSELL said he has a petition which he turned over to the President at this time.

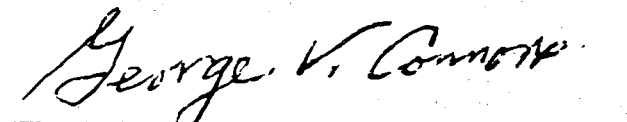
MRS. LAITMAN said she also has a petition requesting that the \$80,000 which was approved in last year's Budget for the grading and seeding of Scofield-town Park be spent immediately so that this can become a reality after 30 long years of waiting for it.

ADJOURNMENT:

There being no further business to come before the meeting, on motion, duly seconded and CARRIED, the meeting adjourned at 1 A.M.


Velma Farrell
Administrative Assistant

APPROVED:


George V. Connors, President
12th Board of Representatives

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

VF