

MINUTES OF JUNE 4, 197312TH BOARD OF REPRESENTATIVESSTAMFORD, CONNECTICUT

A regular monthly meeting of the 12th Board of Representatives of the City of Stamford was held on Monday, June 4, 1973 in the meeting room of the Board, second floor, 429 Atlantic Street, Municipal Office Building, Stamford, Connecticut.

The meeting was called to order at 8:45 P.M. by the Majority Leader, Mr. Joseph Morabito, who served as Acting President in the absence of the President, who is in the hospital.

INVOCATION - Given by Rev. Raymond Scott, First Presbyterian Church

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

ROLL CALL was taken by the Clerk. There were 38 present and 2 absent. The Absent members were:

George V. Connors (D) 8th District
George E. Russell (R) 17th District

CHECK OF VOTING MACHINE:

The voting machine was checked and found to be in good working order.

PAGES:

MR. MORABITO announced by presence of his two sons - Dan and Salvatore, who serving as Pages for this evening.

ACCEPTANCE OF MINUTES - May 1, 1973

May 7, 1973 Adjourned meeting
May 10, 1973 Budget meeting
May 11, 1973 Adjourned Budget meeting

MR. FRIEDMAN called attention to page 9647 on the ROLL CALL vote. He said he is listed as voting in favor and he voted in opposition. MR. GAMBINO voted in favor, not in opposition.

MRS. LAITMAN called attention to page 9634, item #5 which is listed as being carried by unanimous vote. She said she voted no on this item.

There being no further corrections, the minutes were accepted as corrected.

Note: on page 9633 where there is an explanatory note and refers to Section 202 of the Code of General Ordinances. This should have read: Section 2-2 of the Code of General Ordinances instead.

COMMITTEE REPORTS:

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

STEERING COMMITTEE REPORT

Meeting held on Monday, May 21, 1973

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A meeting of the Steering Committee was held on Monday, May 21, 1973 in the Board of Representatives' Caucus Room, Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut.

The meeting was called to order at 8 P.M. by Mr. Thomas Morris, Minority Leader. The following members were present: Thomas Morris, Marilyn Laitman, John Boccuzzi, Jeremiah Livingston, Frederick Lenz, Matthew Rose, Steve Kelly, Frederick Miller, John Colasso, Lois Pont-Briant, Robert Exnicios, and Edith Sherman.

(1) Appointments:

All Appointments held in Committee at the May 7th Meeting were ORDERED ON THE AGENDA under APPOINTMENTS COMMITTEE.

Mayor's letter of May 18, 1973 (Received on May 21, 1973) submitting 6 appointments, were ORDERED ON THE AGENDA under APPOINTMENTS COMMITTEE.

(2) Additional Appropriations:

All appropriations held in Committee at the May 7th meeting were ORDERED ON THE AGENDA and referred to the FISCAL COMMITTEE and other Committees concerned.

All items approved by the Board of Finance at their 5/10/73 meeting were ORDERED ON THE AGENDA and referred to the Committees concerned, although two fiscal items were ordered off the agenda.

(3) 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 and 5/7/73)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

(4) Request for approval of AGREEMENT to be entered into between TOWN OF DARIEN and CITY OF STAMFORD, concerning SANITARY SEWERS for property of Phillips Park, Inc., which agreement is supplemental to prior agreement dated 4/18/69 between the City and Phillips Park, Inc. -- (Letter from Mayor dated 4/19/73)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE and SEWER COMMITTEE

(5) Request to amend Ordinance No. 252 - CHANGING NAME OF WILLOW STREET TO TRESSER BLVD., by adding the words: "From WEST MAIN STREET to ELM STREET approximately 20,720 feet" --- (Submitted by Mike Tresser, 11th Dist. Rep.)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

(6) Ordinance (for final adoption) entitled: "SEWERS AND SEWAGE DISPOSAL" (Adopted for publication 4/2/73; published 4/6/73; amended version approved for publication on 5/7/73 and published Friday May 11, 1973)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

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- (7) Ordinance (for final adoption) CONCERNING AUTHORIZATION OF EASEMENTS FROM THE CITY OF STAMFORD TO HELCO 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) (Approved for publication 5/7/73 and published 5/11/73)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (8) Final adoption of Ordinance entitled: "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" - (Approved for publication 5/7/73 and published 5/11/73) - (Mayor's letter of 4/13/73) - Note: this was submitted in TWO parts. However, the second part was DENIED by the Board at their May 7th meeting by a vote of 33 no and 3 yes - See 5/7/73 agenda, item #11 under L & R)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (9) Proposed Ordinance (for publication) CONCERNING PRESERVATION OF TREES AND NATURAL AREAS ALONG CITY STREETS - (Submitted by Frederick Lenz, 1st District Rep.)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (10) FIFTH ANNUAL FESTIVAL OF THE PERFORMING ARTS IN MILL RIVER PARK ON JUNE 28, 29, 30 and July 1, 1973 - To be open to the Community without charge - Requested in letter from Charles P. Lickson, Counsel to Committee for Performing and Visual Arts, Inc., dated 4/9/73)

ORDERED ON AGENDA under PARKS & RECREATIONS COMMITTEE

- (11) Request from AMERICAN-ITALIAN ASSOCIATION for permission to run a feast at Stamford Catholic High School on July 5th, 6th, 7th and 8th from 7:00 to 12 midnight - (requested in letter dated 5/10/73)

ORDERED ON AGENDA under PARKS & RECREATION COMMITTEE

- (12) FEES FOR USE OF CUBETA STADIUM AND TENNIS COURT AT STAMFORD AND RIPPOWAM HIGH SCHOOLS - (Presented in letter of 7/14/73 from Supt. of Recreation, Bruno Giordano)

ORDERED ON AGENDA under PARKS & RECREATION COMMITTEE

- (13) Request from Park Commission to name the new park at the junction of Greenwich Avenue and Tresser Blvd. (formerly Willow St.) the "ROTARY CLUB PARK"

ORDERED ON AGENDA under PARKS & RECREATION COMMITTEE

- (14) Request that the Park at the junction of Richmond Hill and Fairfield Avenue be named "JACKIE ROBINSON MEMORIAL PARK"

ORDERED ON AGENDA under PARKS & RECREATION COMMITTEE

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- (15) Letter from Supt. of Park Dept., Mr. Edward Connell, requesting the Board of Representatives to effect the transfer of administrative jurisdiction from the General City Government to the Department of Parks & Natural Resources through the terms of Ordinance No. 144 of the 18 plus city-owned tract at the northwest corner of Rockrimmon and Scofieldtown Road and site of the former City dump.

ORDERED ON AGENDA under PARKS & RECREATION COMMITTEE

- (16) Letter from Bruno Giordano, Supt. of Recreation, to Dr. Reigh Carpenter, Supt. of Board of Education - Requesting the possibility of assuming jurisdiction of Ryle School, located on Southfield Avenue (no date of letter)

ORDERED ON AGENDA under PARKS & RECREATION COMMITTEE

- (17) COLLECTIVE BARGAINING CONTRACTS - From July 1, 1972 through June 30, 1974 - for the following:

- (1) CONNECTICUT NURSES' ASSOCIATION
- (2) DENTAL HYGIENISTS
- (3) CASEWORKERS
- * (4) MUNICIPAL EMPLOYEES ASSOCIATION (if ready)
- * (5) FIRE FIGHTERS ASSOCIATION (if ready)
- * (6) POLICE ASSOCIATION (if ready)

* Note: These have not been received as yet, but might come in before the June 4th Meeting.

ORDERED ON AGENDA under PERSONNEL COMMITTEE

- (18) Mayor's letter dated April 9, 1973, outlining method of distribution of \$2,137,678.00 in additional funds to be received under FEDERAL REVENUE SHARING PROGRAM:

Public Safety -----	\$475,075.00
Environmental Protection & Health Programs -----	434,660.00
Financial Administration & Other -----	318,083.00
Public Works -----	315,024.00
Neighborhood Youth Corps -----	250,000.00
Recreation, Cultural Activities & Senior Citizens -----	344,836.00
	<u>\$2,137,678.00</u>

Above NOT ordered on Agenda.

There being no further business to come before the Committee, on motion, duly seconded and CARRIED the meeting adjourned at 8:25 P.M.

Thomas Morris, Minority Leader
Acting Chairman
Steering Committee

dm

APPOINTMENTS COMMITTEE:

MR. THEODORE BOCCUZZI, Chairman, presented his Committee report. He said his Committee met this past Thursday, May 31st, in the Democratic Caucus Room in the Municipal Office Building and present were Representatives Tresser, Forman, Perillo, Rose, Dixon, Flanagan and Costello. He reported on the following appointments: The vote is listed below:

PARK COMMISSION:Term Ending:

<u>RICHARD FITZMAURICE</u> (D)	VOTE: 30 yes	Dec. 1, 1977
40 Cambridge Road	8 no	
(Replacing Ronald St. Onge, whose term expired)		

GOLF AUTHORITY:

<u>PAUL SILADI, SR.</u> (R)	VOTE: 26 yes	Jan. 1, 1976
83 Kenilworth Dr. West	12 no	
(Replacing Junius McKeithan, whose term expired)		

ZONING BOARD:

<u>JOHN KETCHAM</u> (R)	HELD IN COMMITTEE	Dec. 1, 1976
163 Cascade Road		
(Replacing Wm. Buchanan, who resigned)		

AIR POLLUTION CONTROL APPEALS BOARD:

<u>LEON HECHT</u> (D)	VOTE: 23 yes	Dec. 1, 1975
5 Brighton Place	14 no	
(Replacing Robert Massotte, whose term expired)		

CONSERVATION COMMISSION:

<u>RUSSELL MECHALEY</u> (D)	HELD IN COMMITTEE	Dec. 1, 1973
3 Woodledge Road		
(Replacing J. Henville Shannon)		

BOARD OF TAX REVIEW:

<u>JOHN GRANELLI</u> (D)	VOTE: 27 yes	Dec. 1, 1977
8 Middle Ridge Road	11 no	
(Replacing John McMenamin, whose term expired)		

GOLF AUTHORITY:

<u>DR. MICHAEL DuBISSETTE</u> (D)	(Second Submission)	Jan. 1, 1974
99 Prospect Street		
(Replacing Lillian Meltzer, who resigned)	Vote: 29 yes	
	9 no	

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BUILDING BOARD OF APPEALS:Term Ending:

CHARLES LUPINACCI (R)
Brookdale Drive

Vote: 33 yes
5 no

Dec. 1, 1977

PLANNING BOARD ALTERNATE:

DAVID CROMBIE (R)
31 Gurley Road
(Filling a vacancy on this Board)

Vote: 27 yes
11 no

Dec. 1, 1975

ROBERT TIMBERS (R)
122 Indian Hill Road
(Replacing Edwin Redfern,
deceased)

HELD IN COMMITTEE

Dec. 1, 1974

BUILDING BOARD OF APPEALS:

FRANK GRECO (R)
Echo Hill Drive

Vote: 28 yes
10 no

Dec. 1, 1976

JOSEPH SANTAGATA (D) (Second Submission)
214 Knickerbocker Avenue

Vote: 21 yes
17 no

Dec. 1, 1974

FISCAL COMMITTEE:

MR. JOHN BOCCUZZI, Chairman of the Fiscal Committee, asked for permission to make a statement to this Board and to the general public in reference to the mill rate. Permission was given.

MR. BOCCUZZI said he would like to clear up a few facts that have happened since this Board voted on the Budget two weeks back (May 10th and 11th).

The following is his statement:

"Normally when the Fiscal Committee gets the Budget from the Board of Finance, we check to find out what the mill rate would be to the taxpayer if no other action is taken on the Budget.

In the letter of transmittal from the Board of Finance to this Board, it was stated that there would be a 2 mill increase to the taxpayer.

We had the Commissioner of Finance (Mr. Aretakis) in and he gave us a figure of 2.3 mills. We felt that his figure would be closer, considering that he is the Commissioner of Finance and should know the income of the City - what it costs to run the City, how much will be realized from general taxes and other forms of income.

Based on a 2.3 figure received from the Commissioner of Finance, the Fiscal Committee and this Board reduced the Budget 1.4 mills which should have brought the mill rate to nine tenths of a mill average. However, to my surprise and to every member of this Board, the Fiscal Committee, and the Commissioner of Finance, the Board of Finance set the figure at an average from 2 to 2.7.

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That morning, I called Mrs. Pont-Briant and had her set up a meeting at 12 o'clock between Mr. Murray, Mr. Callahan, Mr. Aretakis, Mrs. Pont-Briant and myself. We had that meeting which lasted for two and a quarter hours.

At that meeting we found that Mr. Aretakis, who is the Commissioner of Finance, was not at that meeting or previous meeting, to discuss what the mill rate should be. His last figures for income and revenue for the City were not known by the Board of Finance.

We also found that Mr. Aretakis' figures did not agree with the figures of the Board of Finance as to income and possible future appropriations for 1973-1974.

I felt at that meeting that we could very easily, with just the figures that were passed around at that time, reduce it by at least 3/4ths of a mill, but the Board of Finance did not feel this way.

The Mayor then called a meeting of the Board of Finance - a special meeting - to discuss the same problem that we had discussed that day. Only TWO MEMBERS of the Board of Finance appeared at that meeting - namely Mr. Rich and Mr. Vignola. It seems that if the Mayor of the City calls a special meeting of the Board or Commission of this City, that they should at least attend whether they agree with him or not, and whether he be a Democrat or a Republican.

We found when we talked with the Board of Finance at our meeting, that actually they were talking approximately $3\frac{1}{2}$ mills - 3 to $3\frac{1}{2}$ mills, when they passed the Budget on to the Board of Representatives. I have no idea whether this was done intentionally or not. However, this figure of 2 mills was advertised and printed in the Stamford Advocate as to what the mill rate would be if the Budget was passed as received from the Board of Finance. NO MEMBER of the Board of Finance took it upon himself to get in touch with either Mrs. Pont-Briant or myself to let us know that the 2 mill figure was wrong.

I feel that this is a complete breakdown of communications between the Board of Finance, the Commissioner of Finance and the Board of Representatives. This entire situation and misunderstanding, I believe, is the fault of the Board of Finance. I think that if we had received the proper information, it might not have resulted in any change in the Budget, but at least this Board would not have had the feeling that we had reduced the mill rate to under 1 mill.

I hope that by the time of the next Budget meeting that this situation is straightened out, because the Fiscal Committee of this Board cannot operate under these conditions. We have to have their cooperation and the Board of Finance has to cooperate with the Commissioner of Finance and have to check with him before setting the mill rate and they didn't do it this time. I don't know how they could possibly have set the mill rate without this information and I personally think that the Board of Finance did an injustice to the taxpayers of the City of Stamford because they could have at least listened to the Commissioner of Finance and gone to that special meeting to see if there was any possible way to reduce the mill rate. Personally, I think they could have reduced it."

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MRS. LAITMAN said she wishes to agree with Mr. Boccuzzi's statement and would like to add one thing - that she thinks the entire Fiscal Committee should meet with the entire Board of Finance as there are still many unanswered questions, particularly concerning exact revenues coming in. She said she has many questions herself and would hope that this could be arranged.

MRS. VARNEY said she also, as a member of the Fiscal Committee, agrees with everything that Mr. Boccuzzi has said tonight. She said the Fiscal Committee met for many hours, trying to do a good job and trying to get the mill rate down. Tonight, she said, in protest, she will be voting "no" on all fiscal appropriations.

MRS. PONT-BRIANT said she would like to say that the end results of the meeting with the two members of the Board of Finance and the Commissioner of Finance, that they requested the Board of Finance to meet with Mr. Aretakis to go over additional revenues which he had in his possession. She said this was denied and in addition to that - the Mayor called the meeting for the same purpose. She said she would like to compliment Mr. Vignola and Mr. Rich for appearing at that meeting, even though there was no quorum and the meeting went by the wayside. She said if they had met with Mr. Aretakis, she believes that the mill rate could have been reduced, but instead they set the mill rate in one evening session without an invitation being given to Mr. Aretakis.

MR. LENZ said the fact remains that we have been deceived and by that have also deceived a lot of people who look to us for help. He said when the Mayor took office, the City owed fifty three million dollars and now three and a half years later, the City owes \$105,000,000 and in just three and one half years we have borrowed over 52 million dollars with a debt the highest in the State and yet we are only the 4th largest City. He said Hartford's debt is 99 million dollars and New Haven's debt is sixty four million dollars.

After considerable further discussion, the members returned to the Agenda.

MR. JOHN BOCCUZZI reported on the following matters referred to his Committee:

- (1) \$1,500.00 - PROBATE COURT - Code 118.1101, Microfilming of Records -
(Mayor's letter of 4/29/73)

MR. BOCCUZZI MOVED for approval of the above request. Seconded and CARRIED with two no votes.

- (2) \$30,000.00 - Grant (City's share: \$1,500.00) - Resolution authorizing the filing of an application for establishment and operation of a CENTRALIZED YOUTH SERVICE BUREAU under State Grant Category 73:4:6 of the Connecticut Criminal Justice Planning Administration, for 1973-1974 FISCAL YEAR - Amount of Grant being \$30,000 and City's share being \$1,500 -
(Mayor's letter of 4/18/73)

The above request was held in Committee.

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- (3) \$5,305.00 - BOARD OF EDUCATION - Grant to be received from State of Connecticut, being 100% prepaid Federal Grant under Title II, Elementary and Secondary Education Act for 3 small reading programs, to be disbursed as follows:
(Letter dated 4/25/73 from Supt. of Schools)

Rippowam High School ----- \$1,970.00
Roxbury School ----- 1,870.00
Stillmeadow School ----- 1,465.00

MR. BOCCUZZI MOVED for approval of the above request. Seconded and CARRIED with two no votes.

- (4) \$450.00 - BOARD OF EDUCATION - State Grant from the Connecticut Commission on the Arts for Project entitled: "Visiting Artists Program" - (Letter dated 4/25/73 from Supt. of Schools)

MR. BOCCUZZI MOVED for approval of the Above Request. Seconded and CARRIED with three no votes.

- (5) \$29,552.82 - Resolution No. 899 - AMENDING 1972-1973 CAPITAL PROJECTS BUDGET by adding above sum to Project known as "LAND BANK" which amount is to satisfy a judgment in condemnation action concerning that part of the Davenport Ridge School Site owned by Vanech & Sons Inc., and aforesaid appropriation for said Project - (Mayor's letter of 4/13/73)

MR. BOCCUZZI explained that the Fiscal Committee REDUCED the requested \$71,350.00 to \$29,552.82 so that they can use the LAND BANK account, plus what we give them to pay for the condemnation procedures for Vanech & Sons. He said he also wishes to state that this \$29,552.82 also includes item #6 on our agenda for \$500.00 for legal fees.

MRS. PONT-BRIANT said she wishes the record to show that this is in addition to the 1970-1971 LAND BANK balance, because we don't want any misunderstanding that we did not grant them the funds. She said this money along with the 1970-1971 balance in the LAND BANK Capital account makes up the required monies and is in agreement with Dr. Carpenter.

MR. BOCCUZZI MOVED for approval of the following resolution. Seconded by Mr. Livingston who said the Education, Welfare & Government Committee met on this item and did not act on it as a fiscal item, but approved it. CARRIED by a machine vote of 31 in favor, 6 opposed and 1 abstention:

RESOLUTION NO. 899

AMENDING 1972-1973 CAPITAL PROJECTS BUDGET BY ADDING THE SUM OF \$29,552.82 THERETO FOR PROJECT KNOWN AS "BOARD OF EDUCATION - LAND BANK" 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 "BOARD OF EDUCATION - LAND BANK" and appropriation

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of \$29,552.82 therefor, in accordance with the provision of Section 611.5 of the Stamford Charter to satisfy judgment concerning that part of the Davenport Ridge School site owned by Vanech & Sons, Inc.

- (6) \$500.00 - Proposed Resolution amending 1972-1973 Capital Projects Budget by adding aforesaid sum to item known as "LAND BANK" which amount is required to settle a bill from Roland B. Webb for appraisal services rendered in connection with the Davenport Ridge School Site, and appropriation therefor - (Mayor's letter of 4/19/73)

Above DENIED - see remarks made by Mr. Boccuzzi regarding Resolution No. 899 above.

- (7) \$21,775.00 - BOARD OF EDUCATION - To cover the 1972-1973 monetary provisions of Contract negotiated with the TEACHER AIDE ASSOCIATION - (See letter from Supt. of Schools dated 4/26/73)

MR. BOCCUZZI MOVED for approval of the above request, which was CARRIED with one abstention.

NOTE: This contract does NOT require approval of the Legislative Body under provisions of SECTION 7-474, paragraph (d) of the State Statutes, entitled: "NEGOTIATIONS WHERE EMPLOYER IS DISTRICT, SCHOOL BOARD, OR HOUSING AUTHORITY." Also, under paragraph (c) of said Section, entitled "APPROPRIATION OF NECESSARY FUNDS" the appropriation of the necessary funds are mandatory.

- (8) \$21,465.00 - BOARD OF EDUCATION - To cover cost of LEGAL FEES submitted in case of MOSS vs. the BOARD OF EDUCATION - (see letter dated 4/26/73 from Supt. of Schools)

MR. BOCCUZZI MOVED for approval of the above request. Seconded by Mr. Miller who said the Legislative & Rules Committee also approved this. CARRIED with one "no" vote.

- (9) \$474.25 - DEPARTMENT OF PARKS - Code 710.0101 Salaries - In order to effect the reclassification of the Supt. of Parks from Grade A-13 Maximum to Grade A-15 Maximum, effective April 2, 1973 - (Mayor's letter of 4/10/73)

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

MR. EXNICIOS said he wants to ask a question - is this an emergency?

MR. BOCCUZZI said this is the new salary in the new Budget for 1973-1974 and has been held by the Board of Finance for several months and they approved the salary for the months of May and June.

MRS. PONT-BRIANT said she asked this question, but understood Mr. Boccuzzi to say that we have complained on this Board that transfers are made for salary increases and that an arrangement was made between him and Mr. Murray (Chairman, Board of Finance) that salary increases would come to our Board for funds and

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not in the way that transfers are approved, which do not require the approval of the Board of Representatives. In this way, she said, this Board would have a say in the matter and this is the reason it is before us tonight.

A ROLL CALL VOTE on the above appropriation was requested and approved.

The above appropriation was APPROVED by the following roll call vote of 26 in favor, 9 opposed and 3 abstentions:

THOSE VOTING IN FAVOR:

BOCCUZZI, John (D)
BOCCUZZI, Theodore (D)
COLASSO, John (D)
COSTELLO, Robert (D)
CROSBY, Robert (R)
DIXON, Handy (D)
FORMAN, Barbara (R)
FLANAGAN, William (R)
GAMBINO, Philip (D)
KELLY, Stephen (D)
KNAPP, Warren (D)
LAITMAN, Marilyn (D)
LIVINGSTON, Jeremiah (D)
MILLER, Frederick (D)
MORRIS, Thomas (R)
PERILLO, Alfred (D)
PERKINS, Billie (R)
RAVALLESE, George (D)
ROOS, John (R)
ROSE, Matthew (D)
RYBNICK, Gerald (D)
SCHADE, Richard (R)
SHERMAN, Edith (R)
TRESSER, Michael (R)
TRUGLIA, Anthony (D)
WALSH, Peter (D)

THOSE VOTING IN OPPOSITION:

CAPORIZZO, William (R)
EXNICIOS, Robert (R)
FRIEDMAN, Bertram (R)
HEINZER, Charles (R)
LENZ, Frederick (D)
PONT-BRIANT, Lois (R)
RUSSBACH, Daniel (R)
SCOFIELD, Edward (R)
VARNEY, Kim (R)

ABSTENTIONS:

GUROIAN, Armen (D)
KELLY, James (D)
MORABITO, Joseph (D)

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- (10) Proposed Resolution AUTHORIZING INSURANCE COVERAGE FOR 7 CITY EMPLOYEES
(who are not under Civil Service) -- (Mayor's letter of 4/10/73) -
(This was denied at the 3/5/73 meeting for 6 employees - See pages
9565,66,67,68 --- Also, see Minutes of 4/2/73 #15 on pages 9609,10,11)
for the following:

Commission on Aging Director
Commission on Aging Secretary
Quintard Center Director
Quintard Center Assistant Director

Quintard Center Driver
Fair Rent Director
Human Rights Director*

*Addition since original request.

MR. BOCCUZZI said the Fiscal Committee, by a vote of 4, 3 and 3 approved this item and he SO MOVED.

MR. HEINZER said this was also referred to the PERSONNEL COMMITTEE and they are holding it in Committee.

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- (11) \$6,038.02 - PENSION - Police Department - For Patrolman Dominick A. Possidento, effective 5/10/73 - (Mayor's letter of 4/18/73)

MR. BOCCUZZI said the Fiscal Committee approved this item by a vote of 4 yes and 6 abstentions. He said he would like to state this pension has already gone to Court and the Judge has ruled in favor of Mr. Possidento.

MR. ROOS said this whole business has been a lesson in futility and we have known from the very beginning that this was going to go through. He said we should criticize the Commission that sits on these things and just grant them so easily. He said this is something, by conservative estimate, around a quarter of a million dollars. He said we never did get the whole story on what happened and don't know the facts, and all we have been given is a lot of double talk and nothing given to us definitely and we have debated without having any facts. He said we have just wasted our time.

MR. PERILLO said we have been kicking this around since May 10th of last year and if you don't grant this he is going back in uniform and it will cost even more - \$11,000 so take your choice of the lesser of two evils.

MR. KNAPP said as one of those abstaining on the Fiscal Committee, the only reason he abstained is because he does not know the facts and doubts if any member of this Board knows them either. He said he does not like the idea of being boxed in by the Police Commission. He said the Fiscal Committee asked the Police Commission to change this retirement to another section of the Charter and retire this man by giving him 25%, and they refused to do so. He said this man has a good job now, working for a private concern, or at least he HAD a full time job, drawing full time pay for the rest of his life. He said he thinks this is too much.

MR. BOCCUZZI said he would like to answer some of the remarks. First, when we asked the Police Commission to pension this man off under another section of the Charter, we were not thinking in terms of dollars, but it was our intention under that particular section of the Charter that he would have to come back for a medical examination every two years. Second, he said, the Police Department investigated the case and this Board also checked into the pros and cons of the matter, they exonerated this man from any wrongdoings, so that should not enter into the voting at all. He said the only thing before us now is the Pension and we have no choice in the matter as there is a Court order involved and it is mandatory at this point to approve it.

MRS. PONT-BRIANT said there is a letter from the Corporation Counsel stating that if we don't approve this, we are liable to a damage suit and by refusing it, it will only cost the City more.

VOTE taken on above and CARRIED with 2 no votes.

- (12) \$4,530.40 - PENSION - Police Department - Sergeant Albert Morris, effective 10/14/72 -- (Mayor's letter of 4/18/73)

MR. BOCCUZZI said this pension was DENIED by the Fiscal Committee. MR. HEINZER, said the Personnel Committee concurs in the action taken by the Fiscal Committee.

In order for the Board to vote on this, MR. BOCCUZZI MOVED for approval, with the Fiscal Committee recommending denial. Seconded.

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MR. FRIEDMAN said he wishes to clarify one thing - the pension has not gone to Court and there is no Court order making it mandatory that this pension be approved, and this Board does have a voice in the matter.

A machine vote was taken on the above request. DENIED by a vote of 36 no and 2 yes.

- (13) \$13,462.23 - Pension for wife of Fireman David Burke - Mrs. Margaretta Burke, effective 2/23/73 - (See Minutes of 4/2/73 - pages 9605-06-07) - (See letter of 4/18/73 from Mayor, Also see letter from Corporation Counsel to President dated 5/4/73 with attached letter of 4/30/73 to Mayor - See letter of 5/9/73 from George Connors, Acting Mayor)

MR. BOCCUZZI MOVED for approval of the above. He said this particular pension went to Court and the Judge ruled in favor of Mrs. Burke and she is entitled to the deceased Mr. Burke's pension.

Seconded by Mr. Heinzer, who said the Personnel Committee concurs on this. CARRIED with 2 no votes.

- (14) \$5,000.00 - OFFICE OF CORPORATION COUNSEL - Code 110.0901 - Professional services - (Mayor's letter of 5/4/73)

MR. BOCCUZZI MOVED for approval of the above request. Seconded by Mr. Miller who said the Legislative & Rules Committee also approved this item. DENIED by a machine vote of 18 opposed and 17 in favor. (Requires a two-thirds vote to carry)

- (15) \$2,505.21 - PENSION - Police Department - Patrolman Kenneth P. Reid - effective January 13, 1973, based on an annual pension of \$5,650.00 or 50% of his annual salary of \$11,300.00 - (Mayor's letter of 5/1/73)

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

- (16) \$467.00 - HUBBARD HEIGHTS MUNICIPAL GOLF COURSE - Covering Code 730.06(General Materials & Supplies - (Mayor's letter of 5/2/73)

MR. BOCCUZZI said this is due to an accident where a car hit the fence and is an insurance claim and fully reimbursable. HE MOVED for approval. Seconded and CARRIED unanimously.

- (17) \$25,000.00 - Representing a Grant awarded to the City of Stamford from the Department of Housing and Urban Development (HUD) to be allocated as follows: (Mayor's letter of 5/2/73)

Code 108.0101	- Mayor's Office - Salaries	-----	\$18,750.00
Code 108.0301	- " " - Stationery & Postage	-----	1,150.00
Code 108.0401	- " " - Advertising & Printing	-----	172.00
Code 108.0501	- " " - Telephone & Telegraph	-----	300.00
Code 108.0802	- " " - Car Allowance	-----	800.00
Code 108.0901	- " " - Special Professional Services	-----	390.00
Code 108.2102	- " " - Subscriptions	-----	175.00

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Code 159.0000 - Major Medical -----	\$ 600.00
Code 160.0000 - Social Security -----	1,263.00
Code 161.0000 - Hospitalization -----	1,200.00
Code 162.0000 - Group Life Insurance -----	200.00
	<u>\$25,000.00</u>

MR. BOCCUZZI said this represents a Grant to the City of Stamford from the Department of Housing and Urban Development. HE MOVED for approval. Seconded by Mr. Heinzer, who said the Personnel Committee concurs. Mr. Livingston said the Education, Welfare & Government Committee also approved this item. CARRIED by a vote of 32 in favor, 5 opposed and 1 abstention.

(18) \$56,219.00 - FIRE DEPARTMENT - Covering Code 540.0110 - Holiday Time -
(Mayor's letter of 5/1/73)

MR. BOCCUZZI said the Fiscal Committee approved this by a vote of 5 yes, 2 no, and 3 abstentions. Mr. Heinzer said the Personnel Committee concurs and seconded the motion.

MR. KNAPP said he does not particularly like this although he knows it is contractual and we are going to have to pay it. Here again, he said, is a case of the Finance Board putting the Board of Representatives in a bind. He said last year when they cut the Budget they denied the funds, knowing very well that it would have to be approved, and now this year they come back and approve it, and if we don't approve, then we look like the bums.

MR. HEINZER said he understands that since this Holiday time is put into the contract, that there is a great deal of holiday time being spent and certainly anybody in that spot would be glad to work the holidays too. He said we should take a good hard look at the contract coming up next month on this question of Holiday time. He said it was put in the contract because Holiday time was necessary and now it seems to have increased by leaps and bounds since it was included in the contract.

MR. BOCCUZZI said originally when Holiday and off day slips were issued, it was because they actually wanted an off day, but what they are now doing is selling them back to the City and working that day, so they are getting double time. He said if they want off days, they should take them and not tie the City down for a couple of hundred thousand dollars every year.

MR. ROOS said these are in the contracts and the whole idea seems to be to get more money. He said we are very generous in our holidays and for the men to accept these holidays and then work that day, it abrogates the function of the Fire administration.

MR. LIVINGSTON said at the Fiscal Committee meeting it was explained that these men were working and because they were working, it was actually saving the City money - the reason being that the department was understaffed. He said he does not go along with what the Fire Chief said, but he did say that it was saving the City money and might cost more if it was done the other way around.

MR. GUROIAN said he thinks this practice is an abuse of the Contract.

MR. BOCCUZZI said before a vote is taken he wants to remind the members that this is a provision of this year's contract. He said this Board voted approval of the contract and should have thought of this at that time, because now it is too late.

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VOTE taken on above request - DENIED by a vote of 23 in favor and 13 opposed.
(A two-thirds vote required)

(19) \$5,340.00 - BOARD OF RECREATION - For the following: (Mayor's letter of 5/1/73)

STERLING FARMS RECREATION:

Code 726.0107 - Seasonal Help -----	\$1,500.00
Code 726.1801 - Repairs to Recreation Barn Theatre ---	840.00
Code 726.5802 - Materials (costumes, stage settings, programs, etc.) -----	3,000.00
	<u>\$5,340.00</u>

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

(20) Resolution No. 900 - AUTHORIZATION OF PRELIMINARY APPLICATION FOR STATE AID GRANT FOR ROGERS SCHOOL REHABILITATION AND REFURBISHING PROJECT, STAMFORD PUBLIC SCHOOLS, CAPITAL PROJECTS BUDGET FOR 1972-1973 AND PROPOSED CAPITAL PROJECTS BUDGET FOR 1973-1974 - (Mayor's letter of 4/5/73)

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

RESOLUTION NO. 900

AUTHORIZATION OF PRELIMINARY APPLICATION FOR STATE AID GRANT FOR ROGERS SCHOOL REHABILITATION AND REFURBISHING PROJECT, STAMFORD PUBLIC SCHOOLS, CAPITAL PROJECTS BUDGET 1972-1973 AND PROPOSED CAPITAL PROJECTS BUDGET 1973-1974

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford, pursuant to and within the limitations of Public Act No. 493, entitled: "An Act Concerning Application for School Building Grants" (1969 Session of General Assembly) that the Board of Education is hereby authorized and directed to apply for State Aid on behalf of the Board of Education, for Rogers School Rehabilitation and Refurbishing Project, Stamford Public Schools, Capital Projects, in the name of the City of Stamford for said Project.

(21) Resolution No. 901 - AUTHORIZATION OF PRELIMINARY APPLICATION FOR STATE AID GRANT FOR SPRINGDALE SCHOOL MULTI-MEDIA CENTER AND CLASSROOMS CAPITAL PROJECTS, STAMFORD PUBLIC SCHOOLS, CAPITAL PROJECTS BUDGET FOR 1972-1973 AND PROPOSED CAPITAL PROJECTS BUDGET FOR 1973-1974 (Mayor's letter of 4/5/73)

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

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RESOLUTION NO. 901

AUTHORIZATION OF PRELIMINARY APPLICATION FOR STATE AID GRANT
FOR SPRINGDALE SCHOOL MULTI-MEDIA CENTER AND CLASSROOMS
CAPITAL PROJECT, STAMFORD PUBLIC SCHOOLS, CAPITAL PROJECTS
BUDGET 1972-1973 AND PROPOSED CAPITAL PROJECTS BUDGET 1973-74

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford, pursuant to and within the limitations of Public Act No. 493, entitled "An Act Concerning Application for School Building Grants" (1969 Session of General Assembly) that the Board of Education is hereby authorized and directed to apply for the State Aid on behalf of the Board of Education, for Springdale School Multi-Media Center and Classrooms Capital Project, Stamford Public Schools, Capital Project, in the name of the City of Stamford for said Project.

Request for Personnel Commission to re-evaluate the salary levels of non-contractual employees

MRS. PONT-BRIANT said she would like for the Personnel Commission to re-evaluate the salary levels of non-contractual employees of the City of Stamford, as they are going in before the Personnel Commission in dribs and drabs and it only adds to the inequitable amounts that are derived for different people. She asked for the Personnel Chairman to ask the Personnel Commission to please ask them to do something on a re-evaluation study because these increases are being granted by the Personnel Commission and then they come to us for approval. She said some people go before the Commission and are granted these increases and others do not go before them and stay the same and it results in equitable amounts for various people and it is very noticeable if you go through the Budget.

MR. HEINZER MOVED for SUSPENSION OF THE RULES in order to move his Committee report up on the Agenda as he has to leave shortly. Seconded and CARRIED.

(1) TEACHERS AIDE CONTRACT:

MR. HEINZER MOVED for approval of the above contract which does not appear on the Agenda. Seconded. He said this contract was negotiated by the Board of Education between them and the Teachers Aides and Mr. Barrett, our Negotiator, was in on the negotiations and the changes from the old contract are listed in a letter that you should have received from Mr. Barrett. He said the changes from the old contract are as follows: The salary schedule includes an increase of \$1.00 per day; up one step, plus an adjustment from a 6 hr. day; Memorial Day has been added as a paid holiday this year and New Year's Day and Washington's Birthday for next year, making three paid holidays, and 3 days paid bereavement and the Board will pay 33 1/3 of the employees Medical Insurance instead of the percent 25%. He said at the time this was negotiated there were several EEA aides working along with these Aides and they were receiving a much higher rate, which placed the Teacher's Aides in quite a good bargaining position which is one of the things this Board specified when we passed the money for the EEA, that nobody be paid more than a comparable employee of the City and that has been violated to the point where we now have placed the Unions in good bargaining position because they are working along side people who are getting more money for doing the same work. He said next time we pass any

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money for EEA we had better make very sure that this does not happen again.

MR. HEINZER was reminded at this point that EEA is going to be phased out.

MR. HEINZER said the Personnel Committee has voted to approve this contract and he SO MOVED. Seconded and CARRIED.

Note: Under provisions of Section 7-474, paragraph (d) of State Statutes it states: ".....no such agreement, or any part thereof shall require approval of the legislative body of the municipality." (P.A. 491, S.8 - 1967)

- (2) COLLECTIVE BARGAINING CONTRACT - CONNECTICUT NURSES' ASSOCIATION - From July 1, 1972 through June 30, 1974
- (3) COLLECTIVE BARGAINING CONTRACT - DENTAL HYGIENISTS - From July 1, 1972 through June 30, 1974
- (4) COLLECTIVE BARGAINING CONTRACT - CASEWORKERS - From July 1, 1972 through June 30, 1974

MR. HEINZER said he will speak on all three of the above contracts, but the vote taken will be on them separately. He said these are pretty much the same as they were, except some of the wording has been changed - some of the ambiguous stuff has been taken out by Mr. Barrett and he has done his usual good job on these contracts. He said they allow for a 5.4% salary increase the first year and a 5 % increase the second year, plus several fringe benefits which do not amount to very much, plus an additional amount for pension and for Social Security. He said the retirement age has been reduced from 62 to 60 years, in line with the one this Board approved for the Teamsters Contract in February. He said we should have an analysis of cost on this.

MR. HEINZER MOVED for approval of the first contract - CONNECTICUT NURSES' ASSOCIATION. Seconded.

MR. RUSSBACH spoke in opposition to this contract and the ones to come. He said he is absolutely opposed to the lowering of the retirement age and increasing the City's contribution. He said if this continues it will be going down to 58 and 55 years at half pay. He said he would rather give an additional 5% pay increase every year rather than lower the retirement age. He said in addition to this, every time we grant a pay increase, we must put more money into the retirement fund. He cited the recent pension catastrophe involving New York City employees to realize now easily fiscal disaster is upon us. He said one of the problems here is that we have fixed costs and we have no control over them at Budget time.

MR. FRIEDMAN asked, through the Chair, a question of the Personnel Committee Chairman. He asked if there has been an analysis of costs regarding the reduction of the retirement age from 62 to 60.

MR. HEINZER replied that on the analysis sheet, there is an amount which is the contribution cost to the Pension. However, he said, he notes that the actuarial costs to the City for a retirement plan with a reduced age is not included in the analysis of cost.

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MR. FRIEDMAN said he for one would find it very difficult to vote yes on this contract without an analysis of the cost of the reduction of the retirement age from 62 to 60. He said this year in the letter of transmittal from the Board of Finance, they called to our attention the fact that pension costs, fringe benefits, etc. cost the taxpayers of this City two and a half million dollars, or equivalent to a two mill increase. He said these are costs that can't be adjusted or controlled.

MR. ROOS said he voted against the Teamsters' reduced pension and voted against this in the Personnel Committee. He said labor costs represent the largest slice of our budget. He objected to the reduced retirement age from 62 to 60.

MR. HEINZER said in all fairness to Mr. Barrett, who is a fine negotiator, what is being said may be true and he is taking no position one way or the other. He pointed out that Mr. Barrett negotiated hard on all of these contracts and where he gave something he also got something in return and we do not know if we hadn't reduced the age that some other benefit may have been given in lieu of it in order to arrive at a contract, so we can't quite say that all of this is the cost. He pointed out that Mr. Barrett probably did not give this point up without a struggle and without getting, in return, some other benefit for the City.

MR. FRIEDMAN said he is quite convinced that Mr. Barrett did a good job - and that he gave something to get something, but his question is - what did he give? This, he still does not know.

MR. JOHN BOCCUZZI asked if the Chairman has an actual cost figure on this first contract?

MR. HEINZER asked if the speaker is talking about the reduction in the age of retirement.

MR. BOCCUZZI said for instance in the Teachers' Aide contract we have the cost analysis.

MR. HEINZER said it is going to cost us \$28,722.00 the first year and \$36,635 the second year, which represents the total cost. However, he said, that does not show the actuarial cost of the age reduction from 62 to 60, but just shows the contribution that the City will make.

MR. CAPORIEZO MOVED THE QUESTION. Seconded and CARRIED.

VOTE taken on the contract - CONNECTICUT NURSES' ASSOCIATION. A machine vote was taken. DENIED by a vote of 32 no and 5 yes.

MR. RYENICK said there must be a way in which this contract has to be sent back and he believes this contract to go back to Mr. Barrett must be rejected.

MR. MORABITO said it has been rejected.

MR. HEINZER said he is going to get to that, because all of the debate seems to have been centered around the age of retirement and when we reject a contract according to the law, we have to give a reason for it and since no actuarial set-up has been given to us on this and the Board SEEMS to have objected to the age of retirement being lowered, he thinks that is the reason why we are sending it back.

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MR. MORABITO asked if everyone agrees on that for the reason. No one objected.

COLLECTIVE BARGAINING CONTRACT - DENTAL HYGIENISTS

MR. HEINZER MOVED for approval of the above contract. Seconded and DENIED by a machine vote of 32 no and 5 yes.

COLLECTIVE BARGAINING CONTRACT - CASEWORKERS

MR. HEINZER MOVED for approval of the above contract. Seconded and DENIED by a machine vote of 33 no and 4 yes.

MR. HEINZER said these are all returned for the same reason - the reduction of the retirement age from 62 to 60.

LEGISLATIVE & RULES COMMITTEE:

MR. MILLER, Chairman, said the Legislative & Rules Committee met on May 31st and the following were present: Representatives Miller, Heinzer, Costello, Knapp and Morabito. He reported on the following items referred to his Committee

- (1) 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 and 5/7/73)

The above matter was held in Committee.

- (2) Request for approval of AGREEMENT to be entered into between TOWN OF DARIEN and CITY OF STAMFORD, concerning SANITARY SEWERS for property of Phillips Park, Inc., which agreement is supplemental to prior agreement dated 4/18/69, between the City and Phillips Park, Inc. -- (Letter from Mayor dated 4/19/73)

The above was referred back to Committee. It was also deferred by the Board of Finance at their May 10, 1973 meeting.

- (3) Request to amend Ordinance No. 252 - CHANGING NAME OF WILLOW STREET TO TRESSER BOULEVARD by adding the words: "From WEST MAIN STREET to ELM STREET, being approximately 20,720 feet" - (Submitted by Mike Tresser, 11th District Representative)

The above was held in Committee.

- (4) Ordinance (for final Adoption) entitled: "SEWERS AND SEWAGE DISPOSAL" (Adopted for publication 4/2/73; published 4/6/73; amended version approved for publication on 5/7/73 and published Friday, 5/11/73)

MR. MILLER said the above concerns the final adoption of the Ordinance passed (for publication) at the last regular meeting of this Board (May 7, 1973 - pages 9643-44-45-46-47). He said this Ordinance, in effect, replaces the present Sewer Commission with a Sewer Advisory Board and the vote by the five members present at the last meeting of the Legislative & Rules Committee, was a unanimous vote in favor of the final adoption of this Ordinance and HE SO MOVED. Seconded.

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MR. COLASSO said there are two answers that he hasn't received, one of which is the connection charge. He said this charge is under the State Statutes and the Charter does not provide for the connection charge. The other question he said is in regard to bonding. He said they have no word from the bonding lawyer as to whether or not this will hold up the sewer program and he is in doubt about this.

MR. THEODORE BOCCUZZI said a couple of months ago he opposed this on several grounds, one being that he questioned the legality of it and secondly, the practicality of it. He said the question remains that we are supposed to be a legislative body rather than an administrative one. He said some of the Board members have raised the question of this bonding issue and also as Mr. Colasso has pointed out, there are some serious questions about the sewer connection charges. On that basis, HE MOVED to refer this back to Committee for further study. Seconded.

MR. HEINZER said he had intended to propose a slight amendment to this tonight, but first he wants to respond to some of the questions raised. He said in the first place, there is no bonding problem -- the new Ordinance published last month, does NOT make the Board of Representatives the Sewer Authority, but puts sewers back, the same as roads and everything else, under the Public Works Department for the Administration to handle and bonds will be let out just the same as General Obligation Bonds which the City has always let out and there is no problem there. Secondly, if there is something about the connection charge.....he would now propose an amendment, or will do so after he sees if this goes back to Committee, that all previous actions of the now Sewer Commission shall remain in full force and effect unless rescinded by a resolution of the Board of Representatives. He said that means that all of those charges will stay just the way they are unless rescinded by us. He said that solves the whole problem and there will then be no question of getting into a bind with charges, etc.

MRS. LAITMAN asked the speaker if this Board has the authority to make that amendment, and if so, under what section of the Charter does it appear.

MR. HEINZER said "we are dissolving the Sewer Commission - therefore we become the legislators - we still remain the legislative body and therefor can make these decisions, because no longer is there a sewer Authority under the State Statute. He said remember this is a new Ordinance, vary carefully worded..... he quoted from paragraph 2 of the proposed Ordinance. He said the Board of Representatives have the power under the corporate powers and under Sec. 201 of the Charter - has the right to interpret those powers. He said we are the taxing body, we set fees for parks, and set fees for everything. He said he has gone over this with Mr. Boodman and we will be able to do any of these things.

MRS. LAITMAN said she still thinks we do not have the power to abolish the Sewer Commission.

MRS. SHERMAN said she would like for Mr. Heinzer to clarify a couple of points, namely, when he said in effect that we are approving everything the Sewer Commission has done up to this point, or is it just a question of connection fees --- or what? She said she takes exception to some of the things that the Sewer Commission has done, including some fees.

MR. HEINZER said this will have to wait until we decide what we are going to do about Mr. Boccuzzi's motion. He said he is going to make the motion that everything will remain in full force and effect UNLESS we rescind it, which is what we have to do anyway.

MRS. SHERMAN said does that mean if you take exception to something that you can bring it up before this body?

MR. HEINZER said this would just clarify the position, because now it seems that we are in limbo -- do those things remain in force, or don't they? He said the probable legal interpretation would be that they remain in force and effect unless we rescind them, because the Corporation Counsel has told him that. He said therefore let's clarify it.

MRS. SHERMAN said if the Board approves the Ordinance, then at some future time, a member of this body can come in with a revocation of some former fee that the Sewer Commission has established.

MR. HEINZER said very definitely and they ask this Board to rescind it.

MR. SCOFIELD said, having previously served as a member of the Sewer Committee, he knows how active they have been, he really does not feel that this body can take on the work of the Sewer Commission. He said perhaps an appeal to this Board on certain decisions that are controversial might be in order, but he does not think the workings of the Sewer Commission, to date, have been that bad. He said they are thinking of the City as a whole and are a hard working group. He said perhaps with our Sewer Committee working closely with the Sewer Commission, they might work out a more equitable plan. He said he is definitely against the Ordinance as it is now written.

MR. ROOS said he thinks the Sewer Commission has been doing a good job and we are taking a sort of punitive action because they happened to have the courage of their convictions in one case.

MR. KNAPP said earlier this evening he asked the same question when Mr. Heinzer said he would like to add to his Ordinance and the answer he got back in one breath, was no, we couldn't do any thing like that because we did not have the power and then in the next breath he also heard - well, if you're going to take over, then you are going to be responsible for what they have done. He said right now he is undecided.

MRS. FORMAN said she agrees with Mr. Scofield and Mr. Roos and she believes that our own Corporation Counsel has questions about this and we need further clarification.

MR. MILLER said he has been in constant communication with the office of the Corporation Counsel and it appears to him that they have said all that they are going to say on the matter and it also appears that they do not choose to put anything else in writing. He said he rather resents the implication that no questions were asked or answered until the last minute.

MR. THEODORE BOCCUZZI (who made the motion to return to Committee) said he can see nothing to be gained by further debate - that the Sewer Committee should study it further and we have an obligation to allow them to get more involved in what, if anything, should be done.

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After considerable further debate, MR. RAVALLESE MOVED THE QUESTION.
Seconded and CARRIED with one no vote.

A ROLL CALL VOTE was requested on the motion which was approved.

The vote to refer back to the Legislative & Rules Committee was CARRIED by the following ROLL CALL VOTE of 22 in favor and 16 opposed:

THOSE VOTING IN FAVOR:

BOCCUZZI, John (D) §
BOCCUZZI, Theodore (D)
COLASSO, John (D)
COSTELLO, Robert (D)
DIXON, Handy (D)
FORMAN, Barbara (R)
FLANAGAN, William (R)
GAMBINO, Philip (D)
KELLY, Stephen (D)
LAITMAN, Marilyn (D)
LENZ, Frederick (D)
MORABITO, Joseph (D)
PERILLO, Alfred (D)
RAVALLESE, George (D)
ROOS, John (R)
ROSE, Matthew (D)
RYBNICK, Gerald (D)
SCHADE, Richard (R)
SCOFIELD, Edward (R)
TRESSER, Michael (R)
TRUGLIA, Anthony (D)
WALSH, Peter (D)

THOSE VOTING IN OPPOSITION:

CAPORIZZO, William (R)
CROSBY, Robert (R)
EXNICIOS, Robert (R)
FRIEDMAN, Bertram (R)
GUROIAN, Armen (D)
HEINZER, Charles (R)
KELLY, James (D)
KNAPP, Warren (D)
LIVINGSTON, Jeremiah (D)
MILLER, Frederick (D)
MORRIS, Thomas (R)
PERKINS, Billie (R)
PONT-BRIANT, Lois (R)
RUSSBACH, Daniel (R)
SHERMAN, Edith (R)
VARNEY, Kim (R)

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- (5) Ordinance No. 271 - (for final adoption) - CONCERNING AUTHORIZATION OF EASEMENTS FROM THE CITY OF STAMFORD TO THE HARTFORD ELECTRIC LIGHT COMPANY FOR THE PURPOSE OF PROVIDING ELECTRICAL & 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) - (Approved for publication 5/7/73 and published 5/11/73)

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

ORDINANCE NO. 271 SUPPLEMENTAL

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 THAT:

In conformity with Section 423 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:

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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.

- (6) Final adoption of Ordinance entitled: "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" - (Approved for publication 5/7/73; published 5/11/73) - (Mayor's letter of 4/13/73) - Note: This was submitted in TWO Parts. However, the second part was DENIED by the Board at the May 7th meeting by a vote of 33 no and 3 yes — see 5/7/73 agenda, item #11, under L & R - See pages 9648-49-50 of 5/7/73 minutes)

MR. MILLER said this calls for the repeal of the Section which concerns the exemption of one and two family houses which are owner occupied, in the housing code. He said this matter was discussed by him committee and the vote was 3 to 2 recommending DENIAL, with Representatives Knapp, Morabito and Costello voting in favor of denial and Miller and Heinzer in favor of repeal. He said he wishes to also note that the Committee authorized him, in the event of the section in question being repealed, to then ask for a suspension of the rules so that we might consider the other part of this, which was denied at the May 7th meeting - that proposal that the annual schedule of inspections could not begin without the approval of the Board of Representatives.

MR. MILLER MOVED for final adoption of the Ordinance and that there be a ROLL CALL VOTE taken. Seconded.

MR. GUROIAN said this has been dragging on for six months and is happy to see that the Corporation Counsel agrees that HUD's offer is nothing more than blackmail, although the Corporation Counsel did say that we should submit in order to get money.

MR. EXNICIOS said he wishes to make two points and he is also opposed to the final adoption of this Ordinance - the first one being that the proponents of this amendment point out that Ordinance #65 had provisions in it for inspection but what they are leaving unsaid is that the present Ordinance is much more

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stringent, and is based on 1973 building codes whereas Ordinance #65 was based on 1952 or before, and many houses would be in violation of the new Ordinance. The second thing he said he wants to point out is that he does not like to be "blackmailed" by HUD and let's let them show their hand and we can always rescind this amendment, if we wish, at any time.

MRS. LAITMAN said there has been much play on unfounded fears and less than 1% of the housing inspections in the City last year were concerned with single family home owners. She said she for one, is not afraid.

MR. FRIEDMAN said he believes this issue goes back to the date of the new Ordinance, when this clause was in there and this Board chose to delete the particular item. He said laws are made to protect the innocent and punish the guilty and he, for one, would be very upset if his next door neighbor had a foul smelling septic tank that was overflowing and breeding bacteria. He said in certain districts where houses are close to one another, this can apply and why should a home owner who complies with the laws have no recourse if his neighbor wants to violate the laws?

MR. DIX said last year when the new housing code was passed he thought we had done a pretty good job, even though one and two family houses were exempted. Since that time he said he has had a chance to study the number and conditions of one and two family buildings and finds they are numerous and many are sub-standard, so he has now concluded that a housing code which permits a building to be occupied when it is in a sub-standard state is a bad Code.

MR. RUSSBACH pointed out that item #15 under the Fiscal Committee on the agenda tonight was granted, in spite of the fact that we did not conform to HUD's edict. He said it seems that they must realize that their threats to withhold our money from us are illegal.

MRS. SHERMAN said this Board should be aware that our Health Director has the power right now to go into every home in the City. She said this right to do this is under Section 19-79 of the State Statutes and Sec. 420.1 of our Charter and under the provisions of Ordinance No. 246, Sec. 18-23. She quoted from the sections involved. She said we should not be afraid to pass this Ordinance because the Health Director already has the power to enter private homes.

MR. MORRIS said we are talking about two different things - septic tanks and other health factors and the Health Director does have the right of entry. However, he said, what he is talking about is the reason why he had single family homes exempted was for an entirely different reason. He said all he is trying to do is to protect the homeowner, and the next thing that will happen is that before you can sell your house you will have to bring it up to standard. He said health hazards and building standards are two different things and should not be confused.

MRS. PONT-BRIANT pointed out that Section 10-11 of the present Charter does allow the Health Director, in the case of emergency for health, welfare or safety reasons to enter a home.

MR. FLANAGAN said this does not apply to one and two family dwellings, because the last chapter - Section 10-61 says it doesn't apply. He said if we would confine our remarks to our new Charter and Code, we would solve a lot of problems.

MR. MORRIS MOVED THE QUESTION. Seconded and CARRIED.

A ROLL CALL VOTE was requested and approved.

Final adoption of the Ordinance was LOST by the following ROLL CALL VOTE of 19 opposed, 17 in favor and one abstention.

THOSE VOTING IN FAVOR:

BOCCUZZI, John (D)
BOCCUZZI, Theodore (D)
CROSBY, Robert (R)
DIXON, Handy (D)
FORMAN, Barbara (R)
FLANAGAN, William (R)
FRIEDMAN, Bertram (R)
LAITMAN, Marilyn (D)
LIVINGSTON, Jeremiah (D)
MILLER, Frederick (D)
PERKINS, Billie (R)
ROOS, John (R)
ROSE, Matthew (D)
SCHADE, Richard (R)
SCOFIELD, Edward (R)
SHERMAN, Edith (R)
TRESSER, Michael (R)

THOSE VOTING IN OPPOSITION:

CAPORIZZO, William (R)
COLASSO, John (D)
COSTELLO, Robert (D)
EXNICIOS, Robert (R)
GAMBINO, Philip (D)
GUROIAN, Armen (D)
KELLY, James (D)
KELLY, Stephen (D)
KNAPP, Warren (D)
LENZ, Frederick (D)
MORABITO, Joseph (D)
MORRIS, Thomas (R)
PERILLO, Alfred (D)
PONT-BRIANT, Lois (R)
RAVALLESE, George (D)
RUSSBACH, Daniel (R)
RYBNICK, Gerald (D)
TRUGLIA, Anthony (D)
WALSH, Peter (D)

ABSTAINED:

VARNEY, Kim (R)

-
- (7) Proposed Ordinance (for publication) CONCERNING PRESERVATION OF TREES AND NATURAL AREAS ALONG CITY STREETS - (Submitted by Frederick Lenz, 1st District Representative)

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

PROPOSED ORDINANCE

PRESERVATION OF TREES AND NATURAL AREAS ALONG CITY STREETS

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

- (a) No construction, repairs, widening or other alteration or excavation and no storm or sanitary sewer, catch basin, curbing, or culvert installation in or adjacent to public streets or highways shall be released for bidding or carried out by City employees unless and until the design, plans and specifications therefor have been submitted to and approved by the Department of Parks and Natural Resources if city-owned trees and/or shrubs are growing inside the area of the proposed contract or project or growing on public or private property within fifteen (15) feet of the limits of such contract or project, and

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(b) Any contract or specifications for the aforementioned types of work shall include provision for the replacement by purchase and planting of any trees or shrubs whose removal was necessitated by the aforementioned construction or alteration and such replacement trees and/or shrubs shall be designated as to species and size by the Department of Parks and Natural Resources and the cost of such replacement planting shall be included in the specifications as part of the contract or project.

(c) This ordinance shall take effect upon its adoption by the Board of Representatives of the City of Stamford.

HEALTH & PROTECTION COMMITTEE:

Complaint concerning dumping of debris on City streets

MR. ROSE said he has a complaint on the above matter and also a petition concerning Orchard Street. Referred to Steering Committee.

PARKS & RECREATION COMMITTEE:

- (1) Request from Park Commission to name new park at junction of Greenwich Avenue and Tresser Boulevard (formerly Willow Street) the "ROTARY CLUB PARK"

MR. KELLY MOVED for approval of the above request. He said it was the opinion of the Chairman and the Commission that the naming of a previously unnamed tract does not require confirmation by the Board of Representatives. Seconded.

MRS. LAITMAN said she does not understand and asked the speaker why he is moving for the Board's approval when it is not required.

MR. KELLY replied just as a matter of record, because we were stopped in the Steering Committee with another park and this could be thrown out too.

MRS. PONT-BRIANT objected to the naming of a park after an organization.

MR. KELLY said it is too small to name after a person.

VOTE taken on above motion. DENIED.

- (2) Concerning park at junction of Richmond Hill and Fairfield Avenue be named the "JACKIE ROBINSON MEMORIAL PARK" - (Requested by Mr. Livingston 5th District Representative.

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

- (3) PETITION NO. 381 - FIFTH ANNUAL FESTIVAL OF THE PERFORMING ARTS IN MILL RIVER PARK ON JUNE 28, 29, 30 and JULY 1, 1973 - (To be open to the community free of charge - Requested in letter dated 4/9/73 from Charles P. Lickson, Counsel to Committee for Performing and Visual Arts, Inc.)

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

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- (4) PETITION NO. 382 - Request from AMERICAN-ITALIAN ASSOCIATION for permission to run a feast at Stamford Catholic High School on July 5, 6, 7 and 8 from 7:00 P.M. to 12 midnight - (Requested in letter dated 5/10/73)

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

- (5) Request to TRANSFER ADMINISTRATIVE JURISDICTION FROM GENERAL CITY GOVERNMENT TO THE PARK DEPARTMENT under provisions of Ordinance No. 144 of the City-owned tract at the northwest corner of Rockrimmon and Scofieldtown Roads, the site of the former City dump - (Letter dated 5/3/73 from Edward Connell)

Referred to the Steering Committee for referral to the LEGISLATIVE & RULES COMMITTEE, for July Board meeting.

- (6) FEES for use of Cubeta Stadium and tennis courts at Stamford and Rippowam High Schools - (Letter dated 5/14/73 from Supt. of Recreation Bruno Giordano)

MR. KELLY presented the following fees as contained in above letter and MOVED for their approval. Seconded and CARRIED unanimously:

FEES - (CUBETA STADIUM)CHARGE

Official City Event, Memorial Day, etc.	No charge
Little League, Babe Ruth League, Pop Warner	\$5.00 per game
Twilight League, Other City Men's Teams	10.00 " "
Bonafide Non-profit Community type program-	
DAY USE -----	15.00 per hr. to 5 P.M.
EVENING USE ---	125.00 for 3 hrs.
	175.00 for 4 hrs.

Commercial or Professional Organization:

	DAY USE -----	\$300.00 full day to 5 P.M.
	EVENING USE ---	150.00 per hr. (after 5 P.M.)
Practice Use -----	DAY USE -----	15.00 per hr. to 5 P.M.
	EVENING USE ---	35.00 " " (after 5 P.M.)

FEES (Tennis Courts)

Rippowam and Stamford High Schools -

RESIDENTS -----	50¢ per hr. per person
NON RESIDENTS -	1.00 " " " "

If a collection or admission is charged at Cubeta Stadium, the City will share in 25% of the amount collected or receive the above minimum charges (in advance) whichever is greater.

Records and receipts dealing other than with the Board of Recreation programs are to be maintained by the Department of Public Works. Permits for such functions are made through the Department of Public Works, but cleared through the Board of Recreation Department.

Every effort should be made to balance "income producing" programs so that the financial burden will be lessened.

The above schedule of fees should be considered tentative only, and should be reviewed as required, based on actual operating costs.

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- (7) Copy of letter from Bruno Giordano, Supt. of Recreation, to Dr. Reigh Carpenter, Supt. of Board of Education - REQUESTING POSSIBILITY OF ASSUMING JURISDICTION OF RYLE SCHOOL, located on Southfield Avenue (letter not dated)

MR. KELLY read the above letter and asked that it be made a part of the record.

MR. JOHN DOCCUZZI said Ryle School happens to be in his District and he can assure everyone that the school will be in operation for years to come and does not feel it is a bit necessary that the jurisdiction of this school be turned over to the Board of Recreation at this time.

MR. KELLY said they are just going on record that if the school ever is closed that they be given first crack at it.

MRS. PONT-BRIANT said this is merely going on record and does not mean that the Board approves.

(8) LIONE PARK WADING POOL

MR. KELLY said the use of this wading pool was requested by the Stamford Boys' Club. He said the answer is that this was constructed over 30 years ago and we have patched it up several times and in our opinion, it is just about obsolete. He quoted from the Health Department's report, saying there are large cracks and fissures in the floor of the pool and the drainage pit is blocked up with stones and broken glass and the plumbing is damaged.

PLANNING & ZONING COMMITTEE:

In the absence of the Chairman, George Russell, Mr. Tresser turned over his report and it is presented below:

PLANNING & ZONING COMMITTEE REPORT

Committee met on Tuesday, April 10, 1973, at 7:30 P.M. in the Democratic Caucus Room.

All Committee members were present. Also present were Corporation Counsel, J. Robert Bromley and members of the Board's U.R.C. Committee, Chairman John Roos, Robert Crosby and Philip Garhino.

Item Referred - Zoning Board's request for the Board of Representatives to investigate the question of whether the Urban Renewal area is subject to zoning regulations and their request for some formal action as to zoning violations they felt exist at 101 Broad Street and the General Telephone and Electronic buildings

The Committee has held several meetings on this referral and presented an interim report to this Board at its regular March meeting, in which the basic differences of opinion were explained.

In order to make the findings of this final report clear, the committee again refers to the complaints of the Zoning Board. They felt that the U.R.C. Commission was permitting the sponsor major building changes which they interpreted should

be brought before their Board or the Zoning Board of Appeals before becoming facts. On the other hand, the U.R.C. felt that they proceeded properly, because of a legal opinion written in August 1970 by former Corporation Counsel Frank D'Andrea and again by a written opinion from present Corporation Counsel Robert Bromley and his assistant, Theodore Godlin, which agreed with the original opinion.

The debatable building violations included the two top pent house or utility floors of 101 Broad Street, as to their percentage occupancy of the roof area. The zoning regulation for CC-N calls for 25%; the actual present size with U.R.C. resolution approval is 39%. There is also a question as to what the actual story height is. This appeared to be an interpretation of building height and where do you start.

The GTE building involved the adding of four stories over the ten. Again, by a U.R.C. resolution. Also, a side yard requirement was granted. In the GTE change, the total building density was left the same as was in the ten story proposal. This was done to obtain greater open green area around the building.

The Committee received some 90 pages of correspondence on this subject, and if you summarize it all, it repeatedly refers to General Statutes that apparently permit an Urban Renewal Plan to take precedence over municipally established zoning rules whenever a conflict exists. Former Corporation Counsel Frank D'Andrea gave a lengthy six page written opinion on August 5, 1970 on this subject.

Present Corporation Counsel Robert Bromley, with his Assistant, Theodore Godlin, further agreed with the former Corporation Counsel Frank D'Andrea in a written opinion on May 27, 1971 to James Sotire, City Building Official and Zoning Enforcement Officer.

One of the chief conflicts between the U.R.C. and the Zoning Board was what the U.R.C. considered "minor" changes as against the Zoning Board's opinion to be "major" changes. Corporation Counsel Bromley commented that his office felt that they did not wish to be placed in the position of trying to interpret what is minor and what is major changes, and would refuse to give an opinion in this direction if so asked.

It certainly appears that the Zoning Board has no legal control over the Southeast Quadrant Project. However, at present, a written agreement has been arrived at between the U.R.C. and the Zoning Board, as well as the Building Inspector. The agreement states that no further changes will be made until submitted to the Building Inspector and Zoning Board. Hence, at present, it would seem all is well. But a change in Boards could permit a similar situation to arise.

It became obvious to the Committee, as facts were gathered, that since the time when the original plan was submitted years back, many changes in Stamford have come about - one being Transportation Plaza, which permits 21 story buildings and thus makes adjoining present 10 story CC-S area practically surrounded by 21 story zoning.

The U.R.C. will soon be presenting the Board of Representatives with an updated plan. It is hoped and expected that they will work with the Zoning Board and also that the Zoning Board will review their regulations as to CC-N and CC-S and up date them to present conditions and possible future plans.

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The committee was strong in feeling that zoning regulations should be followed. It was unfortunate that, despite several years of questionable legal status of the Zoning Board as to their powers in the U.R.C. area that the situation was not resolved a long time back. Some members of the Committee visited 101 Broad Street and reviewed the intended near future completion plans for this area. It is indeed impressive and there is no question that when the Southeast Quadrant Project is completed, it will be one of the most beautiful and unusual building complexes on the whole East coast. The tax revenue from this area will now, due to continual improvement changes, such as obtaining GTE Corporation, become several times what was originally expected.

Further, in conclusion, the Committee could find no intentional wrongdoing, since the Urban Redevelopment Commission acted under legal advisement and with all good intentions. Also, the final outcome appears to be beneficial to Stamford as a whole.

Better liaison between Boards and City Officials is an absolute necessity for minimizing similar situations. The committee strongly supports zoning regulations, supported by an upright Zoning Board, together with a Zoning Enforcement Officer, who likewise polices strict adherence to the zoning regulations.

Respectfully submitted,

George E. Russell, Chairman
Planning & Zoning Committee

MR. GUROIAN said he is not in total disagreement with the majority report, but he is in disagreement with that portion of the report which states: "It certainly appears that the Zoning Board has no legal control over the Southeast Quadrant Project".

He said if that were so, the Zoning Board would not have contested the matter, nor would the Planning & Zoning Committee of this Board been asked to investigate the matter.

He said it is his contention that the Zoning Board and the Zoning Enforcement Officer HAS jurisdiction over zoning matters in the Southeast Quadrant of the URC. He said when the Board of Representatives approved the URC contract, it was with the clear understanding that the redeveloper would comply with local Zoning Regulations. Within the contract between the City and the redeveloper, it states under Section 3.9 "When necessary, the redeveloper and the City agency will join in applying for such zoning and subdivision approvals as may be required with any applicable laws, rules and regulations of the City of Stamford."

He said during the investigation of the jurisdictional dispute between the Zoning Board and the URC before the Committee, he maintained that the August 1970 opinion by former Corporation Counsel Frank D'Andrea was responsible for the difficulty encountered by the Zoning Board and the Zoning Enforcement Officer in carrying out their duties within the URC. He said that opinion of 1970 subverted and abridged the original agreement between the City and the redeveloper.

He said a member of the Zoning Board who was present during the Committee investigations, disputed the fact that this was not the case and subsequently

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the Corporation Counsel, Bromley, agreed with the opinion given by D'Andrea in 1970. He said thus the City's zoning powers and regulatory prerogatives were locked out of the URC and the URC became, in effect, an autonomous entity within the City.

He said it is to this very serious matter that this Board must address its immediate attention to and despite the fact that an apparent agreement has been reached between the warring parties - the URC and the Zoning Board. He said such an agreement is not worth the paper on which it is written, when the redeveloper remains armed with the D'Andrea opinion of 1970 which states that they do not have to comply with the City's Zoning regulations. But more importantly, the so called "agreement" by its very nature condones the violation of the contract drawn between the City and the redeveloper in regard to compliance with local zoning.

He said if we are to control the growth of the Southeast Quadrant — and the redeveloper will be presenting us with a new plan, which envisions towering luxury apartments, we must wrest control of the zoning powers within our City, and this can be done in only one way - the D'Andrea opinion must go because it is not binding, but merely an opinion.

He said as long as the URC is armed with the 1970 opinion of Mr. D'Andrea and use it as a club at the opportune moment, the Southeast Quadrant will continue to remain a fiefdom inviolate and uncontrollable as far as we are concerned.

He said the only way to regain control of zoning in the URC area is for this Board of Representatives to insist, prior to approval of any new plan presented to us for our approval by the redeveloper, that such approval be contingent on restitution and reaffirmation of local zoning regulations with the URC area.

Minority Report by

Armen Guroian, member of
Planning & Zoning Committee

SPECIAL COMMITTEES:

URBAN RENEWAL COMMITTEE

MR. ROOS said his Committee report will be along the same lines. He said his Committee met jointly with the investigating committee on Tuesday, March 17th and previous meetings were also attended by members of his Committee. He said also participating were URC Commission members, members of the Zoning Board, Building Inspection, and the Corporation Counsel.

He said the conclusions reached were that communications between the Zoning Board, the Building Inspector and the Urban Redevelopment Commission were poor. However, he said the URC did extend an invitation to the Zoning Board to attend all of their meetings and it still does.

He said plans are under way to rectify this problem. He said the interpretation as to what constitutes a major change are very vague and minor changes can be decided upon by the URC, but what is minor and what is major? He said when in doubt, the only person to resort to is a reluctant (which is understandable) Corporation Counsel who has very few guidelines to help him determine what is a major and what is a minor change.

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He said the interpretation arrived at by former Corporation Counsel D'Andrea and recently upheld by our present Corporation Counsel, Mr. Bromley, seems to be legal and proper under the circumstances.

He said for example - using 10% of the roof of 101 Broad Street to accommodate additional equipment for the skating rink, seems to be practical and a minor decision and adding three stories to the GTE building, seems to be a major decision, but then again having the area zoned ten stories when it is almost surrounded by 21 story zoning, seems to be unrealistic.

He said it is recommended that better communications be established between the Board, URC and the Building Inspector and that objections be aired when infractions occur and not after the buildings have been constructed and the work completed. He said let the Building Board of Appeals be quickly established and their duties defined and that Stamford Zoning Regulations be upheld and re-written in a concise and clear manner. He said most of our Zoning Regulations are extremely vague.

He said contrary to some published reports, the meetings which included the Zoning Board, URC, the Building Inspector and the joint committees, were amicable, with each group recognizing the others problems and the need to help, not hinder.

PUBLIC HOUSING & GENERAL RELOCATION COMMITTEE:

MR. DIXON, Chairman, said at the last regular Board meeting, Mr. Costello requested that the accumulation of rubbish, etc. on the Division Street housing site --- the Sr. citizens housing site - be looked into. He said he had a talk with Mr. Anthony Marrucco, Chairman of the Housing Authority, and was told that the property had recently been cleaned up and made available to the mechanics working on Stamford Manor for parking purposes, because they had no other place to park. He said he assured him that he would look into the complaint immediately.

RE: SPRING CLEAN-UP

MR. FLANAGAN said he wants something done about a spring cleanup before its too late.

THE CHAIRMAN said this is a function of the Public Works Committee and he understands they have already contacted the Mayor about it.

ADJOURNMENT:

There being no further business to come before the meeting, on motion, duly seconded and CARRIED, the meeting adjourned at 12:30 A.M.

Velma Farrell

Velma Farrell
Administrative Assistant
(Recording Secretary)

APPROVED:

George V. Connors

George V. Connors, President
12th Board of Representatives

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