

9134
MINUTES OF JULY 2, 1973

12TH BOARD OF REPRESENTATIVES

STAMFORD, CONNECTICUT

A regular monthly meeting of the 12th Board of Representatives of the City of Stamford was held on Monday, July 2, 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 9:00 P.M. by the President, George V. Connors.

INVOCATION was given by Rev. Edmund J. Hussey, Our Lady Star of the Sea Church.

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

ROLL CALL was taken by the Clerk. There were 37 present and 3 absent at the calling of the roll. However, two new members were sworn in, there being two resignations, with one resignee leaving the meeting after his replacement was sworn in, resulting in 38 present and 2 absences. The absent members were:

Jeremiah Livingston (D), 5th District
Robert Costello (D), 6th District

CHECK OF VOTING MACHINE:

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

MOMENT OF SILENCE:

A moment of silence was observed for FIREMAN HENRY WOZNAK of the Stamford Fire Department and for FREDERICK P. LENZ, SR., the father of Mr. Lenz, Representative from the First District.

PAGES:

THE PRESIDENT announced the presence of two Pages this evening - MARK NEDVIN, from King School and AMY STEIN from Rippowam High School.

CONCERNING MAYOR'S ANNUAL MESSAGE (Under Section 303.1 of Charter)

MR. MILLER asked the Chair if Mayor Wilensky is coming this evening to address the Board. The President said he cannot say definitely, but was under the impression he was. Mr. Miller asked if he has sent a written message to the Board. The President replied "no". Mr. Miller said he would like to point out that under Section 303.1 of the Charter, which discusses the Message to the Board of Representatives and it specifies that "The Mayor shall make a written report to the Board of Representatives at its regular meeting in the first month of each fiscal year on the state and condition of the municipality....." and it has been customary throughout the years for the Mayor to make this report to the Board in person at the regular Board meeting in July. He said he thinks that the Mayor should observe the Charter and not violate the Charter.

RESIGNATIONS - MRS. EDITH SHERMAN, Republican from the 11th District
RICHARD J. SCHAEF, Republican from the 18th District

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ELECTION OF REPLACEMENTS TO FILL VACANCIES in 11th and 18th Districts, after the President read the letters of resignation.

The following were elected to fill out the unexpired terms:

THOMAS J. PHILLIPS (R), 11th District, residing at 16 Lindsey Avenue
RICHARD SAINBURG (R), 18th District, residing at 6 Gaxton Road

The President administered the oath of office to the newly elected Representatives and they assumed their seats on the Board.

TOPICS - Program of Traffic Improvement - NO PARKING SIGNS

MR. GURIOIAN brought up the above matter and said these "no parking" signs have suddenly appeared everywhere in the East Side, the Cove area, Glenbrook, and the 9th District, which is on the West Side and these signs number in the 100's. He said people who have heretofore been able to park in front of their homes now cannot find a place to park and physicians are being isolated from their patients by a ring of no parking signs around their offices. He said merchants on Cove Road can step out of their stores and look down the street and see no parking signs as far as they can see. He said Representatives from these respective Districts have been flooded with telephone calls about this TOPICS madness. Also, in addition to the no parking signs, also appear huge directional signs appear at quiet residential sections, transforming these streets into one way streets in order to deal with a phantom flow of traffic. He said signs at busy intersections such as Elm and Myrtle Avenue make no sense at all, either to the motorist or to our traffic engineer, Ron Weber.

He said the respective Representatives from the affected Districts met with Mr. Weber last Thursday in order to try to bring order out of this chaos. He said Mr. Weber is not having an easy time and is in need of assistance in dealing with the State and TOPICS over this matter and needs additional "muscle" in dealing with the State. He said Mr. Weber would welcome such a move in the form of a letter from the Board of Representatives, calling upon him to act in the removal of these countless signs which have created such havoc. He pointed out that there is a time element here, which would have to be before the TOPICS program is approved by the Federal Government.

MR. GURIOIAN MOVED that this Board write a letter authorizing Mr. Weber to alleviate this intolerable situation existing in the 4th, 6th, 7th, 12th and 9th Districts and any other Districts that might be involved, which has resulted because of this TOPICS programs. Seconded and CARRIED unanimously.

ACCEPTANCE OF MINUTES: May 29, 1973 Special Meeting
June 4, 1973 Regular Meeting

The Minutes of the above meetings were approved, there being no corrections.

COMMITTEE REPORTS:

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

STEERING COMMITTEE REPORT

Meeting held Monday, June 18, 1973

Minutes of July 2, 1973

A meeting of the Steering Committee was held on Monday, June 18, 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. Joseph Morabito in the absence of the Chairman, George Connors. The following members were present:

Joseph Morabito (D)	John Boccuzzi (D)
Marilyn Leitman (D)	Frederick Miller (D)
Thomas Morris (R)	George Russell (R)
Edith Sherman (R)	Robert Exnicios (R)
Frederick Lenz (D)	Jeremiah Livingston (D)
John Colasso (D)	

Also present were Representatives Barbara Forman, Gerald Rybnick and Handy Dixon.

The following matters were discussed and acted upon:

(1) Appointments:

All appointments held in Committee at the June 4, 1973 meeting were ORDERED ON THE AGENDA UNDER APPOINTMENTS COMMITTEE.

One other appointment received to date - namely, Irving Teitelbaum (R) to the Building Board of Appeals was also ORDERED ON THE AGENDA and REFERRED TO THE APPOINTMENTS COMMITTEE. Also, the appointment of Charles Grinnell (R) as a member of SWRPA.

Two appointments to the SEWER COMMISSION - Stanley Baron (D) and Roger Taranto (D) were NOT placed on the agenda, but will be held until a decision is made about the future of the Sewer Commission and the Ordinance which is now pending before the Board.

(2) Additional Appropriations:

Two items held in Committee at the June 4, 1973 meeting were ORDERED PLACED ON THE AGENDA under FISCAL COMMITTEE.

(3) 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 are presented) - (Deferred July 1972 and HELD IN COMMITTEE 5-7-73)

Only one of the above was ordered on the agenda - the increase for the Commissioner of Finance in the amount of \$3,001.44, bringing his present salary of \$19,498.56 up to \$22,500.10, effective July 1, 1972. The others were NOT placed on the agenda.

(4) \$315,481.17 - BOARD OF EDUCATION - (Being amount required to meet obligation imposed by the STATE BOARD OF LABOR RELATIONS and affirmed by the Courts in dispute between the Stamford Board of Education and the CAFETERIA WORKERS, represented by Local #1083 of Council #4, American Federation of State, County and Municipal Employees, AFL-CIO - (See letter dated 5-29-73 from Dr. Carpenter, Supt. of Schools)

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Item #4 REFERRED TO FISCAL COMMITTEE; Also to the EDUCATION, WELFARE & GOVERNMENT COMMITTEE and the PERSONNEL COMMITTEE and ORDERED ON THE AGENDA

- (5) \$341,000.00 - Resolution authorizing the City of Stamford to accept a
\$153,950.00 FEDERAL GRANT under Section 5 and \$153,950.00 under Section 6a of the Emergency Act of 1971 (EEA) and the City's in-kind contribution of \$42,405.00 - (Mayor's letter of 5-17-73) -
(NOTE: Increased amount approved by Board of Finance on 6-14-73)

REFERRED TO FISCAL COMMITTEE and to PERSONNEL COMMITTEE and ORDERED ON AGENDA

- (6) \$5,000.00 - DEPARTMENT OF PUBLIC HEALTH - Code 510.0936, Venereal Disease Control - (See Acting Mayor George Connors letter of 5-7-73)

ORDERED ON AGENDA - REFERRED TO FISCAL COMMITTEE and HEALTH & PROTECTION COMMITTEE

- (7) \$5,418.07 - DEPARTMENT OF PARKS & NATURAL RESOURCES - Code 710.0101, Salaries - (To cover teamster's Union Contract wage increase retroactive to July 1, 1972 and other wage increases occasioned by upgrading and reclassification approved by Personnel Commission) - (See letter of 5-9-73 from Acting Mayor George Connors)

ORDERED ON AGENDA - REFERRED TO FISCAL COMMITTEE and PERSONNEL COMMITTEE

- (8) \$2,011.00 - TRANSFER (Under Provisions of Sec. 656 of Charter) from Code 998.0000 SUPPLIES, to: BOARD OF RECREATION - Code 720.5805 - Performing Arts (Pink Tent Festival) - (Mayor's letter of 5-22-73)

ORDERED ON AGENDA - REFERRED TO FISCAL COMMITTEE and PARKS & RECREATION COMMITTEE

- (9) \$56,219.00 - FIRE DEPARTMENT - Covering Code 540.0110 Holiday Time - (To fulfill contractual obligations, previously approved by Board of Representatives at Special Meeting held 1-29-71) - (Resubmitted in Mayor's letter of 6-5-73 and approved by Board of Finance for second time on 6-14-73) - (Lacked the 2/3rd vote on 6-4-73)

ORDERED ON AGENDA - REFERRED TO FISCAL COMMITTEE and to PERSONNEL COMMITTEE

- (10) \$12,851.00 - TRAFFIC DEPARTMENT (1973-74 Budget) - Code 525.0101, Salaries (To continue salary of Engineering Assistant to Traffic Director, hired Sept. 1972 under Federal Highway Safety GRANT, with approximately 50% of salary to be reimbursed by the Grant) (Mayor's letter of 6-7-73)

ORDERED ON AGENDA - REFERRED TO FISCAL COMMITTEE and to PERSONNEL COMMITTEE

- (11) \$139,172.00 - DEPARTMENT OF PUBLIC WORKS - To cover 5.4% wage increase granted under Teamster's Union Contract which contract was approved by the Board of Representatives on Feb. 5, 1973 - (Mayor's letter of 6-6-73)

ORDERED ON AGENDA - REFERRED TO FISCAL COMMITTEE and PERSONNEL COMMITTEE

- (12) \$75,550.00 - DEPARTMENT OF PUBLIC WORKS - Code 606.0609, Snow Removal and Flood Emergency - (Mayor's letter of 6-8-73)

ORDERED ON AGENDA - REFERRED TO FISCAL COMMITTEE and PUBLIC WORKS COMMITTEE

- (13) 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, 5-7-73 and 6-4-73)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (14) CHANGING NAME OF WILLOW STREET TO TRESSER BOULEVARD - Request to amend above named Ordinance No. 252 by adding the words: "From WEST MAIN STREET to ELM STREET, Approximately 20,720 feet" ----- (Submitted by Mike Tresser, 11th District Representative) - (Held in Committee 6-4-73)

NOT placed on agenda

- (15) 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 5-11-73 - REFERRED BACK TO L & R Committee at 6-4-73 meeting by roll call vote of 22 yes and 16 no)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE - also, REFERRED TO THE SEWER COMMITTEE

- (16) Proposed Ordinance (for publication) - CONCERNING AUTHORIZATION OF AN EASEMENT FROM THE CITY OF STAMFORD TO HARTFORD ELECTRIC LIGHT COMPANY FOR THE PURPOSE OF PROVIDING GAS PIPE LINE INSTALLATION FOR THE NEW WEST MAIN STREET COMMUNITY CENTER, WEST MAIN STREET, STAMFORD, CONNECTICUT - (Mayor's letter of 5-30-73 --- Approved 6-14-73 by Board of Finance)

ORDERED ON AGENDA under LEGISLATIVE & RULES COMMITTEE

- (17) Mayor's letter dated 6-12-73 requesting adoption of "AN ORDINANCE OF THE CITY OF STAMFORD, CONNECTICUT, REPEALING SECTION 10-61 OF THE CODE OF ORDINANCES, DECLARING SAME TO BE NULL AND VOID AND OF NO EFFECT" - In order to obtain recertification of our "Workable Program" - (DENIED at 6-4-73 Board meeting by roll call vote of 19 no, 17 yes and 1 abstention)

NOT placed on agenda for the reason that it has been denied by the Board several times.

- (18) Ordinance for final adoption - "PRESERVATION OF TREES AND NATURAL AREAS ALONG CITY STREETS" - Approved for publication 6-4-73; published 6-13-73 (Submitted by Representative Frederick Lenz, 1st District)

ORDERED ON AGENDA - REFERRED TO LEGISLATIVE & RULES COMMITTEE

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- (19) Proposed Ordinance (for publication) "CONCERNING DISCLOSURE OF INTERESTS IN REALTY BY PERSONS APPOINTED TO CERTAIN CITY BOARD AND COMMISSIONS" -
(presented by Frederick Miller, 3rd District Representative)

ORDERED ON AGENDA - REFERRED TO LEGISLATIVE & RULES COMMITTEE

- (20) Letter dated 5-31-73 from Dr. Carpenter, Supt. of Schools, explaining the need for the continued use of TWELVE PORTABLE CLASSROOMS located at several school sites -- (No longer needs approval of Board of Representatives, merely approval of the Building Inspector and Zoning Enforcement Officer under State Building Code (BOCA CODE))

NOT ordered on agenda - Noted and filed

- (21) 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 Road, the site of the former City Dump - (Letter dated 5-3-73 from Edward Connell, Deferred at the 6-4-73 meeting)

NOT ordered placed on agenda - REFERRED TO LEGISLATIVE & RULES COMMITTEE and the PUBLIC WORKS COMMITTEE

- (22) Letter dated 5-22-73 from THE SALVATION ARMY, advising of their plans to install a COMMUNITY CENTER at their newly acquired property at 695 Washington Boulevard, and requesting this be taken into consideration before definite plans are made about acquiring the State Armory

NOT ordered on agenda - Noted and filed

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

- (1) MUNICIPAL EMPLOYEES ASSOCIATION
- (2) FIRE FIGHTERS ASSOCIATION (If ready)
- (3) POLICE ASSOCIATION (If ready)
- (4) CONNECTICUT NURSES' ASSOCIATION - Re-Submission
- (5) DENTAL HYGIENISTS - Re-submission
- (6) CASEWORKERS - Re-submission

The first three of above contracts were ORDERED ON THE AGENDA under the PERSONNEL COMMITTEE and the last three were NOT placed on the agenda.

- (24) CONCERNING JURISDICTION AND USE OF BOARD MEETING ROOMS

The above matter was discussed at some length, due to the fact that some unknown group used the Board's meeting room on May 21st and damaged certain electronic equipment at considerable expense to the Board of Representatives to repair same. It was decided that definite rules and regulations must be prepared to avoid this happening again. ORDERED ON AGENDA and REFERRED TO HOUSE COMMITTEE.

- (25) Letter dated 6-18-73 from Kim Varney, 16th District Representative, regarding COMPLAINT ABOUT EXCESSIVE CHARGES FOR REFUSE COLLECTION

NOT ordered on agenda - REFERRED TO HEALTH & PROTECTION COMMITTEE

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

vf

Joseph Morabito, Chairman
Pro Tempore, Steering Committee

APPOINTMENTS COMMITTEE:

MR. THEODORE BOCCUZZI, Chairman, presented his Committee report. He said his Committee met last Thursday in the Municipal Office Building and in attendance were the following: Representatives Dixon, Rose, Forman, Flanagan and the Chairman.

He reported on the following appointments. Action taken is outlined below:

ZONING BOARD:Term Ending:

JOHN KETCHAM (R) (Held in Committee VOTE: 22 yes
163 Cascade Road on 6-4-73) 14 no
(Replacing William Buchanan,
who resigned)

Dec. 1, 1976

CONSERVATION COMMISSION:

RUSSELL MECHALEY (D) (Held in Com.
3 Woodledge Road on 6-4-73)
(Replacing J. Henville-
Shannon)

Dec. 1, 1973

The above appointment was held in Committee.

BUILDING BOARD OF APPEALS:

IRVING TEITELBAUM (R)
43 Kenilworth Drive West

VOTE: LOST
16 yes
21 no

Dec. 1, 1975

PLANNING BOARD ALTERNATE:

ROBERT TIMBERS (R) - (Held in Committee on 6-4-73)
122 Indian Hill Road
(Replacing Edwin Redfern, deceased)

Dec. 1, 1974

The above appointment was held in Committee.

SOUTHWESTERN REGIONAL PLANNING AGENCY:

CHARLES GRINNELL (R)
83 Wire Mill Road

VOTE: 21 yes
16 no

March 15, 1974

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FISCAL COMMITTEE:

MR. JOHN BOCCUZZI, Chairman, said his Committee met last Wednesday and took the following action:

- (1) \$30,000.00 - GRANT (City's share: \$1,500.00) - Resolution No. 902 -
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 - (Mayor's
letter of 4-18-73) -- (Held in Committee 6-4-73)

MR. BOCCUZZI said the Fiscal Committee approved this item. HE MOVED for approval of the following resolution. Seconded by Mr. Miller who said the Legislative & Rules Committee voted 2 opposed and 1 in favor of approval.

MR. MORABITO spoke against this Grant and said "Federal funds, Federal Controls".

After considerable debate, Mr. Caporizzo MOVED THE QUESTION. CARRIED.

A machine vote taken on the question. CARRIED by a vote of 16 in favor and 15 opposed.

MR. FLANAGAN told the President that this does not require a two-thirds vote, because it is a Grant and not an appropriation of money - therefore it passed.

THE PRESIDENT said he must agree - that it is not an emergency appropriation.

MR. MORABITO said he interprets the "City's share" as being an appropriation.

MR. BOCCUZZI said the GRANT is for \$30,000.00 and the only thing before the Board is the Grant.

MR. HEINZER said this is a commitment on the part of this Board to spend \$1,500 of the City's money as their share when we receive the Grant and as such it should require a two-thirds vote for approval because it is that kind of a fiscal commitment.

MR. MILLER said in his opinion a two-thirds vote is not necessary because we are dealing here with the filing of an application, but it is up to the President to make the ruling.

THE PRESIDENT ruled that because this is a Grant and an application for a Grant, it is not an appropriation and therefore does not require two-thirds vote for passage.

A machine vote was taken on the President's ruling. It was UPHOLD by a vote of 20 in favor and 18 opposed.

The following resolution was therefore CARRIED:

RESOLUTION NO. 902

AUTHORIZING THE FILING OF AN APPLICATION FOR THE ESTABLISHMENT AND
OPERATION OF A CENTRALIZED YOUTH SERVICE BUREAU UNDER STATE GRANT
CATEGORY 73:4:6 OF THE CONNECTICUT CRIMINAL JUSTICE PLANNING
ADMINISTRATION

WHEREAS the City of Stamford, Connecticut, does not have a centralized Youth Service Bureau, and

WHEREAS a grant is available to the City of Stamford in the amount of \$30,000, and

WHEREAS the City of Stamford having an estimated population of 111,000 people with the juvenile crime having risen 124% over the past 10 years in youth ages 10 to 19, and

WHEREAS the prevention programs aimed at youth in Stamford, Connecticut, are decentralized, and

WHEREAS a Youth Service Bureau would better develop services through the centralization of services and funds, and

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford, Connecticut, for grant that the filing of an application in the amount of \$30,000 for the establishment and operation of a Youth Service Bureau under grant category 73:4:6 of the Connecticut Criminal Justice Planning Committee is hereby approved.

- (2) Proposed Resolution AUTHORIZING INSURANCE COVERAGE FOR 7 CITY EMPLOYEES -
(Mayor's letter of 4-10-73) - 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 - (Held in Committee 6-4-73 ---- for the following:

Commission on Aging Director	Quintard Center Driver
Commission on Aging Secretary	Fair Rent Director
Quintard Center Director	*Human Rights Director
Quintard Center Assistant Director	

*Addition since original request

MR. BOCCUZZI said the Fiscal Committee voted four-four with one abstention, and therefore has no recommendation. In order to get it on the floor for a vote, HE MOVED for approval of the request. Seconded.

MR. RUSSBACH said the City is required by contract to provide benefits to Civil Service people, but this is not the case with these people because they are NOT Civil Service and therefore do not get the benefits provided by contract. Secondly, he said, this is the very reason why they are not entitled to Civil Service benefits, and when they took the job they were well aware of the fact that they were not going to receive the same benefits that are extended to Civil Service employees and it was made a condition of employment and they knew this full well they accepted the position. He said if this Board is going to

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arbitrarily extend Civil Service benefits to non Civil Service people, then what's the use of taking an exam and being Civil Service - you can get the same benefits without all that. He said if this keeps up, pretty soon other benefits such as pensions, will be given. He said this would then be very derogatory to being Civil Service, because others can eat their cake and have it too. He said it does not seem reasonable to extend these benefits when they are not contractually required. He urged this Board to REJECT this as it is totally inconsistent and totally unfair to the Civil Service people.

MR. MILLER said we can also ask the question as to why these people are excluded. He said he supports it.

MR. HEINZER said it is just like the Youth Services Bureau --- we establish these jobs and various agencies over the years and we have definitely specified when we create these jobs that they were NOT to be Civil Service jobs and were NOT to enjoy the benefits of Civil Service because we did not want these agencies to become an added expense to the taxpayers. He said having created these agencies with that legislative intent, years ago, that they NOT get Civil Service benefits, we are now saying why shouldn't they have them --- that's the reason - because we never intended them to have these benefits but made it absolutely clear that they NOT get them.

MRS. LAITMAN MOVED THE QUESTION. Seconded and CARRIED.

VOTE taken on Mr. Boccuzzi's motion for approval of the quest. DENIED with a few votes in favor by a voice vote.

(3) \$3,001.44 - Salary increase for Commissioner of Finance, effective 7-1-72 in above amount - from present salary of \$19,498.56 to \$22,500.10
(Approved by Board of Finance on 4-12-73 with recommendation to hold until all salary requests are presented) - (Deferred on July 1972 and held in Committee on 5-2-73)

MR. BOCCUZZI said the Fiscal Committee approved this item by a vote of 6 to 3. He MOVED for approval of the request. Seconded by Mr. Heinzer, who said the Personnel Committee concurs in approval.

MR. KNAPP said he does not wish to speak against the motion completely, and he, in Committee, voted against it only for one reason, and that the job is probably worth the salary and this is the first Commissioner of Finance that he knows who has made it a full time job and if the pay for the job is going to go up to \$22,500 he would like to see it STAY as a full time job from here on in, because he feels that it is too high an amount to be paying somebody for part time operation. He said he is speaking AGAINST making this appropriation effective July 1, 1972 and therefore MOVED TO AMEND to JULY 1, 1973 instead of 1972.

MR. HEINZER said he wants to know if the amount appropriated in the Budget is for the new salary or for the old salary, because if the amendment goes through and becomes effective July 1, 1973 - will we have to appropriate any money at all - because it would seem to him that this amount is for the PAST year and NOT for the next year.

MR. BOCCUZZI said at the present time Mr. Aretakis' salary in the budget is \$19,498.56 and there has been no change in his salary from last year to this year at all.

MR. HEINZER said he has a question to ask - is the \$3,001.44 for WHICH year?

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MR. BOCCUZZI said it depends on which year you approve it for - if you approve it for it to take effect July 1 that automatically approves the money to give him the raise also.

MR. HEINZER said he wants to ask the question more clearly - is this \$3,001.44 for a TWO year amount and for which year?

MR. BOCCUZZI said you are approving it - that is his salary - starting 7-1-72 and it is retroactive and that would automatically make his salary this year be \$22,500.10.

MR. HEINZER said if that is true, then you would have to appropriate ANOTHER \$3,001.44.

MR. BOCCUZZI said you would, if they had it somewhere in the salary account. He said when this appropriation was FIRST requested - the Mayor's letter was dated June 21, 1972 and was intended for the 1972-1973 fiscal year - and it has been a long, long time getting to this Board.

THE PRESIDENT asked Mr. Knapp if he heard his motion correctly -- did he intend it to apply to 1973 and does he intend to eliminate 1972?

MR. HEINZER said he would like to finish his statement -- if they are going to find it in the salary account for 1973-1974 and we adopt this amendment of Mr. Knapp's, then we won't need this appropriation, since it is for the year 1972-1973.

MR. BOCCUZZI said he is saying IF they find it.

MR. HEINZER said this appropriation is not for this current year, but is for the PREVIOUS fiscal year - 1972-1973.

MR. BOCCUZZI said this is correct.

MR. HEINZER said, therefore, if this amendment goes through, then we won't need this appropriation.

MR. BOCCUZZI said you can't say that you don't need it, because if you approve it as of July 1, 1973 what you are doing is approving \$3,001.44 for this fiscal year - 1973-1974 - and that is what you're doing.

MR. HEINZER said it looks to him as if you are throwing that money back and forth from one hand to the other.

MR. BOCCUZZI said if you approve it for 1973-1974 then you are approving his salary at \$22,500.10 which is an increase of \$3,001.44 and you are actually appropriating at this time \$3,001.44.

MRS. FONT-BRIANT said for clarification, it seems to revolve around the effective date - it was requested by the Mayor in his letter of June 21, 1972 and was intended for a date of July 1, 1972. She said if this Board sees fit to make it July 1, 1973 then that is the date it would become effective and would go into this current year.

THE PRESIDENT said, then, in other words -- NO BACK PAY.

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MR. KNAPP said that is exactly what his amendment is ---NO BACK PAY, starting as of July 1, 1973 he is making a salary of \$22,500.10 for a full time job.

MR. GAMBINO asked why wasn't this put into the 1973-1974 Budget and why is it coming up now?

MRS. PONT-BRIANT said she asked Mr. Aretakis this and he said this request has been before the Board of Finance and the Board of Representatives since June 21, 1972 and he would NOT put something into the Budget that had not been approved by the proper Boards and that is why he did not put his salary in at an increased amount. She said the Board of Finance had not ruled on this increase at the time the Budgets were made up and Mr. Aretakis said that unless his increase had been approved by the appropriate Boards that he was not going to take it upon himself to put the amount tentatively into the Budget for 1973-1974.

THE PRESIDENT called for a vote on Mr. Knapp's amendment, to become effective on July 1, 1973, which has been seconded by Mr. Ravallese. CARRIED by a voice vote, with several "no" votes.

MR. BOCCUZZI asked if we have to take any more action with that particular item.

THE PRESIDENT said the vote on Mr. Knapp's amendment kills any vote on the appropriation as originally proposed - for the 1972-1973 fiscal year.

MR. BOCCUZZI said the main motion now is to approve \$3,001.44 for the fiscal year starting July 1, 1973, bringing the salary for the Commissioner of Finance up to \$22,500.10. CARRIED unanimously.

- (4) \$315,481.17 - BOARD OF EDUCATION - (Being amount required to meet obligation imposed by the STATE BOARD OF LABOR RELATIONS and affirmed by the Courts in dispute between Stamford Board of Education and Local #1083 of Council #4, American Federation of State, County and Municipal Employees, AFL-CIO (Cafeteria Workers) - (See letter dated 5/29/73 from Dr. Carpenter, Supt. of Schools)

MR. BOCCUZZI MOVED for approval of the above appropriation. He said it is a settlement of the Cafeteria Workers suit against the Board of Education. Seconded by Mrs. Laitman, who said the Education, Welfare & Government Committee concurs.

MR. HEINZER said the Personnel Committee also concurs in approval. CARRIED unanimously.

- (5) \$341,000.00 - GRANT - Resolution No. 903 authorizing the City of Stamford to accept a FEDERAL GRANT under Section 5 and \$153,950.00 under Section 6a of the Emergency Act of 1971 (EEA) and the City's in-kind contribution of \$42,405.00 (Mayor's letter of 5/17/73)
 \$153,950.00

Note: Figures increased from \$318,300 and \$105,750 by Board of Finance on 6/14/73.

MR. BOCCUZZI explained these Grants are to operate the EEA project in the City of Stamford and these people will be phased out - some in June of 1973 and some in June of 1974. HE MOVED for approval of the following resolution. Seconded.

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MR. HEINZER said he wished to propose an amendment - that no one may be hired at a rate in excess of that rate earned by a City employee (Civil Service) doing the same job.

MR. BOCCUZZI, said he does not think this can be "tacked on" to the resolution. He said the Fiscal Committee did discuss this very thoroughly and a sort of inquiry has been going on for some time by the Committee, as to the fact that some people in the EEA were getting paid more than City employees and actually received some benefits that City employees were not getting who were working right next to them. He said we have an agreement that in the future, this is going to be watched very closely. However, he said he is afraid that this amendment cannot be made a part of the resolution. Mr. Heinzer thereupon WITHDREW his amendment.

VOTE taken on the following resolution and CARRIED with two "no" votes:

RESOLUTION NO. 903

AUTHORIZATION TO ACCEPT FEDERAL GRANT OF \$341,000
(Section 5) AND \$153,950 (Section 6a) UNDER THE
EMERGENCY EMPLOYMENT ACT (EEA) OF 1971 AND CITY'S
CONTRIBUTION IN-KIND OF \$42,405

WHEREAS: the Congress and the 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 7.0% unemployment and witnesses many of its Vietnam veterans, minority workers, its older skilled workers and its professional search in vain for gainful employment, and

WHEREAS: the Congress has continued the Emergency Act until June 1, 1974

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

- (1) Accept \$341,000 (Section 5) and \$153,950 (Section 6a) from the Federal Government
- (2) Approved in-kind services of supervision and in-service training equivalent to \$42,405 of matching funds.

- (6) \$5,000.00 - DEPARTMENT OF PUBLIC HEALTH - Code 510.0936, Venereal Disease Control (See Acting Mayor George Connors letter of 5/7/73)

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

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- (7) \$5,418.07 - DEPARTMENT OF PARKS & NATURAL RESOURCES, Code 710.0101, Salaries - (Needed to cover Teamster's Union contract wage increase retroactive to July 1, 1972 and other wage increases occasioned by upgrading and reclassification approved by Personnel Commission) (See letter from Acting Mayor George Connors dated 5/9/73)

MR. BOCCUZZI said there was a little discussion as to what is the correct name - either Department of Parks & Natural Resources or Park Commission. HE MOVED for approval of the request.

MR. HEINZER said the Personnel Committee concurs. However, he said in regard to the name - these agencies are not entitled to change their names without a Charter change or action of this Board and therefore in order to make that clear, this would be a good time to say "no" to the amount until it comes in under the proper name - Department of Parks, or the Park Commission, because there is no such thing as the "Department of Parks & Natural Resources" so he will vote "no" on this.

MR. MILLER said he has a letter from Mr. Boodman of the Corporation Counsel's office, which is dated June 7, 1973 in answer to a question with reference to another matter, and Mr. Boodman writes:

".....From the Charter of the City of Stamford, it would appear that the official title of the agency in charge of parks is the Park Commission, as it is referred to by that name under Chapter 59, Section 595 through 598 of the Charter."

MR. BOCCUZZI said the Fiscal Committee approved this item and asked for a vote on his motion to approve the appropriation.

THE PRESIDENT took a voice vote which was not decisive. He then took a machine vote on the motion. LOST by a vote of 19 in favor and 18 opposed. (Requires a 2/3rds vote to carry).

MR. BOCCUZZI said, he assumes that all they have to do is change the name. The President said that is correct.

MRS. PONT-BRIANT asked if she can ask the Park Department to reconsider their illegal name and so moved. Seconded and CARRIED.

- (8) \$2,011.00 - TRANSFER (under provisions of Sec. 656 of Charter) from Code 998.0000 SUNDRIES to: BOARD OF RECREATION - Code 720.5805 - Performing Arts (Pink Tent Festival)
(Mayor's letter of 5/22/73)

MR. BOCCUZZI MOVED for approval of the above request. He said this will close out the 1972-1973 SUNDRIES account. Seconded by Mr. Kelly, who said the Parks and Recreation Committee concurs in approval. CARRIED unanimously.

- (9) \$56,219.00 - FIRE DEPARTMENT - Covering Code 540.0110 Holiday Time
(To fulfill contractual obligations, previously approved by Board of Representatives at Special Meeting held 1/29/71) - Re-submitted in Mayor's letter of 6/5/73 and approved by Board of Finance for the second time on 6/4/73 - (Lacked 2/3rds vote on 6/4/73)

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- (7) \$5,418.07 - DEPARTMENT OF PARKS & NATURAL RESOURCES, Code 710.0101, Salaries - (Needed to cover Teamster's Union contract wage increase retroactive to July 1, 1972 and other wage increases occasioned by upgrading and reclassification approved by Personnel Commission) (See letter from Acting Mayor George Connors dated 5/9/73)

MR. BOCCUZZI said there was a little discussion as to what is the correct name - either Department of Parks & Natural Resources or Park Commission. HE MOVED for approval of the request.

MR. HEINZER said the Personnel Committee concurs. However, he said in regard to the name - these agencies are not entitled to change their names without a Charter change or action of this Board and therefore in order to make that clear, this would be a good time to say "no" to the amount until it comes in under the proper name - Department of Parks, or the Park Commission, because there is no such thing as the "Department of Parks & Natural Resources" so he will vote "no" on this.

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".....From the Charter of the City of Stamford, it would appear that the official title of the agency in charge of parks is the Park Commission, as it is referred to by that name under Chapter 59, Section 595 through 598 of the Charter."

MR. BOCCUZZI said the Fiscal Committee approved this item and asked for a vote on his motion to approve the appropriation.

THE PRESIDENT took a voice vote which was not decisive. He then took a machine vote on the motion. LOST by a vote of 19 in favor and 18 opposed. (Requires a 2/3rds vote to carry).

MR. BOCCUZZI said he assumes that all they have to do is change the name. The President said that is correct.

MRS. PONT-BRIANT asked if she can ask the Park Department to reconsider their illegal name and so moved. Seconded and CARRIED.

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(Mayor's letter of 5/22/73)

MR. BOCCUZZI MOVED for approval of the above request. He said this will close out the 1972-1973 SUNDRIES account. Seconded by Mr. Kelly, who said the Parks and Recreation Committee concurs in approval. CARRIED unanimously.

- (9) \$56,219.00 - FIRE DEPARTMENT - Covering Code 540.0110 Holiday Time
(To fulfill contractual obligations, previously approved by Board of Representatives at Special Meeting held 1/29/71) - Re-submitted in Mayor's letter of 6/5/73 and approved by Board of Finance for the second time on 6/14/73 - (Lacked 2/3rds vote on 6/4/73)

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MR. BOCCUZZI MOVED for approval of the above request and said it is a contractual obligation and was approved by the Fiscal Committee. Seconded by Mr. Heinzer, who said the Personnel Committee concurs. CARRIED unanimously.

- (10) \$12,851.00 - TRAFFIC DEPARTMENT (1973-1974 fiscal year) - Code 525.0101, Salaries (To continue salary of Engineering Assistant to Traffic Director, hired Sept. 1972 under Federal Highway Safety GRANT, with approximately 50% of salary to be reimbursed by the Grant) - (Mayor's letter of 6/7/73)

MR. BOCCUZZI said approximately a little better than 50% of this salary will be reimbursed by the State and this is the second half of a two-year Grant that the City applied for last year and the State approved 100% of the salary and this year they will approve a little better than 50%. He urged approval of the appropriation and SO MOVED.

MR. HEINZER seconded the motion and said the Personnel Committee concurs in approval. CARRIED unanimously.

- (11) \$139,172.00 - DEPARTMENT OF PUBLIC WORKS - To cover 5.4% wage increase granted by Teamster's Union contract which was approved by the Board of Representatives on Feb. 5, 1973 (Mayor's letter of 6/6/73)

MR. BOCCUZZI MOVED for approval of the above appropriation. Seconded by Mr. Heinzer, who said the Personnel Committee concurs in approval. CARRIED with one "no" vote (Mr. Russbach).

- (12) \$75,550.00 - DEPARTMENT OF PUBLIC WORKS - Code 606.0609, Snow Removal and Flood Emergency - (Mayor's letter of 6/8/73)

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

- (13) \$50,000.00 - OFFICE OF CORPORATION COUNSEL - Code 125.0000 - To hire appraisers when defending tax assessment cases in appeals (Mayor's letter of 6/28/73) - (On Board of Finance agenda for July 12, 1973 meeting)

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

MR. BOCCUZZI explained this is presented under a new Code number and will be used to hire appraisers for the City of Stamford to appraise such commercial buildings in the City that are now filing cases in Court to reduce their assessment. He said what is happening in other cities is that the Court has ruled in favor of the corporations that are objecting to their assessments and we seem to have the same situation here in Stamford -- when you have a general appraisal as we had a short time ago, where they just give a perfunctory appraisal, the amount allowed for each appraisal came to about \$9.45 per piece of real estate, which did not allow for a more in-depth appraisal. He said if we don't give the Corporation Counsel's office the help they need in fighting these Court cases against large corporations, it will handicap their office in trying to win cases for the City. He said if we don't win these cases, we will find ourselves in a position where the small home owner will have to make up the deficit.

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MR. BOCCUZZI MOVED for approval of this appropriation, subject to approval by the Board of Finance at their next meeting, to be held Thursday, July 12.

MR. LAITMAN said she agrees with some of the things that Mr. Boccuzzi said, but it looks as if we have a government by crisis and thinks it should have been foreseen and put into the Budget. She said this situation was anticipated by Mr. Hyland and he requested \$29,000 in the 1973-74 Budget and it was deleted by the Mayor and now we are told it is a must, which it is. She said it is an injustice to now be told "we must do this, when it could have been taken care of in the Budget."

MR. BOCCUZZI said it is true that Mr. Hyland did ask for the \$29,000 and it was taken out of the Budget by the Mayor. He said he was the one that invited the Corporation Counsel to come to the Fiscal Committee meeting as he was in a better position to explain the need for appraisers.

MR. RUSSBACH expressed the belief that the job go to one firm rather than to spread it out among several appraisers, and would be cheaper. HE MOVED to amend that the City consider hiring one qualified appraiser to do this job.

MR. BOCCUZZI said right now the time element is so short that one appraiser will not be able to do all the buildings and it will have to be spread out among several and the decision should be left to the decision of the Corporation Counsel.

MR. RUSSBACH withdrew his motion.

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

A roll call vote was requested. The motion was CARRIED with all voting in favor and one abstention (Mr. Russbach):

THOSE VOTING IN FAVOR:

BOCCUZZI, John (D)
BOCCUZZI, Theodore (D)
COLASSO, John (D)
CONNORS, George (D)
CROSBY, Robert (R)
DIXON, Handy (D)
EXNICIOS, Robert (R)
FORMAN, Barbara (R)
FLANAGAN, William (R)
FRIEDMAN, Bertram (R)
GAMBINO, Philip (D)
GUROIAN, Armen (D)
HEINZER, Charles (R)
KELLY, James (D)
KELLY, Stephen (D)
KNAPP, Warren (D)
LAITMAN, Marilyn (D)
LENZ, Frederick (D)
MILLER, Frederick (D)
MORABITO, Joseph (D)
MORRIS, Thomas (R)
PERILLO, Alfred (D)
PERKINS, Billie (R)

ABSTAINED:

RUSSBACH, Daniel (R)

THOSE VOTING IN FAVOR:

PHILLIPS, Thomas (R)
PONT-BRIANT, Lois (R)
RAVALLESE, George (D)
ROOS, John (R)
ROSE, Matthew (D)
RUSSELL, George (R)
RYBNICK, Gerald (D)
SAINBURG, Richard (R)
SCOFIELD, Edward (R)
TRESSER, Michael (R)
TRUGLIA, Anthony (D)
VARNEY, Kim (R)
WALSH, Peter (D)

LEGISLATIVE & RULES COMMITTEE:

MR. MILLER, Chairman, reported that his Committee met on June 28th with the following members present: Miller, Morabito and Knapp. He reported on the following matters 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, 5-7-73 and 6-4-73)

The above matter was held in Committee.

- (2) 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 5-11-73 --- Referred back to Committee at 6-4-73 meeting by a roll call vote of 22 yes and 16 no)

MR. MILLER said in an effort to effect a compromise, the Legislative & Rules Committee gave its approval to what has been termed the "Boodman" compromise which came from the Corporation Counsel's office and offered by Mr. Boodman. However, he said our approval was contingent upon the approval of a change of rules by the Sewer Commission and the Sewer Commission was supposed to meet this evening, but it was impossible to get a quorum and they could not act. He said this is not the only time they have been unable to get a quorum - they planned a meeting sometime ago and at that time it was also impossible to get a quorum. He said Mr. Repucci and Mr. Rinaldi seem to be willing to come to the meetings, but it is very difficult to get Mr. O'Connell and Mr. Iacovo. He said because the Sewer Commission has not acted, he therefore has no report. He pointed out various alternatives: we can do nothing, we can keep it in Committee, which is what he recommends. He said it is still possible to consider adopting the Ordinance approved for publication in May which replaces the Sewer Commission with a Sewer Advisory Board and it would also be possible to go along with a resolution which was passed by the Sewer Commission at a meeting in May, which has been termed the "Landau" compromise which is considerably weaker than the other proposed compromise. He said he would hope that no action is taken now and that it be kept in Committee, with the hope that within the next month we can get the Sewer Commission to meet, with a quorum present. He reminded the members that we have had two appointments offered by the Mayor for confirmation by this Board and neither one has been confirmed and if they were, perhaps we could get going.

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MR. COLASSO said his Committee - the Sewer Committee - met June 26th and the main purpose was to find out if we abolish the Commission that it would have any effect on the bonding. He said it was confirmed that it would have no effect on the bonding if the Commission were abolished. He said another item discussed was the connection charge. He said also present was the attorney for the Sewer Commission and the Corporation Counsel. He said they were unable to get an answer on the connection charge. In the meantime, he said, these two resolutions came along and his Committee feels that they would solve the problem.

MR. THEODORE BOCCUZZI MOVED this be REFERRED BACK TO COMMITTEE. Seconded.

THE PRESIDENT took a voice vote which was not decisive.

MR. RUSSBACH called for a ROLL CALL VOTE on the motion, which was approved.

The matter was referred back to the Legislative & Rules Committee by the following ROLL CALL VOTE of 21 in favor, 14 opposed and 1 abstention:

THOSE VOTING IN FAVOR:

BOCCUZZI, Theodore (D)
COLASSO, John (D)
CONNORS, George (D)
DIXON, Handy (D)
FORMAN, Barbara (R)
FLANAGAN, William (R)
FRIEDMAN, Bertram (R)
GAMBINO, Philip (D)
KELLY, Stephen (D)
LAITMAN, Marilyn (D)
LENZ, Frederick (D)
MILLER, Frederick (D)
PERILLO, Alfred (D)
RISE, Matthew (D)
RUSSBACH, Daniel (R)
RUSSELL, George (R)
RIENICK, Gerald (D)
SCOFFIELD, Edward (R)
TRESSER, Michael (R)
WALSH, Peter (D)

THOSE VOTING IN OPPOSITION:

EXNICIOS, Robert (R)
GUROIAN, Armen (D)
HEINZER, Charles (R)
KELLY, James (D)
KNAPP, Warren (D)
MORABITO, Joseph (D)
MORRIS, Thomas (R)
PERKINS, Billie (R)
PHILLIPS, Thomas (R)
PONT-BRIANT, Lois (R)
RAVALLESE, George (D)
ROOS, John (R)
VARNEY, Kim (R)

ABSTAINED: SAINBURG, Richard (R)

Proposed Ordinance (for publication) - CONCERNING AUTHORIZATION OF AN EASEMENT FROM THE CITY OF STAMFORD TO THE HARTFORD ELECTRIC LIGHT COMPANY FOR THE PURPOSE OF PROVIDING GAS P.I.E LINE INSTALLATION FOR THE NEW WEST MAIN STREET COMMUNITY CENTER, WEST MAIN STREET, STAMFORD, CONNECTICUT -
(Mayor's letter of 5-30-73) - (Approved 6-14-73 by Board of Finance)

MR. MILLER said this meets with the approval of the Legislative & Rules Committee, and HE MOVED for publication of the following proposed Ordinance. Seconded and CARRIED unanimously:

PROPOSED ORDINANCE

CONCERNING AUTHORIZATION OF AN EASEMENT FROM THE CITY OF STAMFORD TO THE HARTFORD ELECTRIC LIGHT COMPANY FOR THE PURPOSE OF PROVIDING GAS PIPE LINE INSTALLATION FOR THE NEW WEST MAIN STREET COMMUNITY CENTER, WEST MAIN STREET, STAMFORD, CONNECTICUT

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

In conformity with Section 488 of the Stamford Charter and notwithstanding any provisions of Chapter 6, Section 6-33 to 6-35 inclusive of the Code of General Ordinances of the City of Stamford, the following easement:

To the HARTFORD ELECTRIC LIGHT COMPANY - Map entitled

"Easement Covering - Gas Pipe Line Installation on the Property of City of Stamford, for New West Main Street Community Center, West Main Street, Stamford, Connecticut."

which map is to be filed in the office of the Town Clerk of said City of Stamford, is hereby authorized for the purpose of providing gas pipe line installation for the new West Main Street Community Center.

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 easement aforesaid.

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

- (-) Ordinance, for final adoption - "PRESERVATION OF TREES AND NATURAL AREAS ALONG CITY STREETS" - (Approved for publication 6-4-73; published 6-13-73)
(Submitted by Representative Frederick Lenz, 1st District)

MR. MILLER said this ordinance was approved for publication last month and the Legislative & Rules Committee approved it for final adoption and he SO MOVED.
Seconded.

MR. MORRIS spoke against the Ordinance. He said if someone objects to a tree coming down, it will hold up a road or a sewer project because there will be a lot of red tape. He said he does not mean to imply that we should chop down trees indiscriminately either, but once in Belltown they ran into trouble about a tree, which is the reason why Toms Road has a big hook in it -- because someone objected to the loss of a dear old tree, which remains to this day and many people have gone to the hospital because of its location.

MRS. FONT-BRIANT asked who appeared before the Committee on this proposed ordinance.

MR. MILLER said they had Mr. Connell and Commissioner Cooper and also heard from Mrs. Jobson, the President of the Conservationists of Stamford, who had asked to come to the meeting as well as a representative from the Corporation Counsel's office, in the presence of Mr. Bodman.

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MR. LENZ spoke in favor of the ordinance and said he considers it to be most important and hopes the Board will approve it tonight.

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

VOTE taken on the motion for final adoption of the Ordinance. Machine vote was taken and LOST by a vote of 20 in favor and 15 opposed (2/3 vote required). *Correction U.F.*

- (5) Proposed Ordinance (for publication) "CONCERNING DISCLOSURE OF INTERESTS IN REALTY BY PERSONS APPOINTED TO CERTAIN CITY BOARDS AND COMMISSIONS"
(Presented by Frederick Miller, 3rd District Representative)

MR. MILLER said this meets with the Committee's approval with one change: After the word "disclosure" add the following: "....including any property which is held for his benefit by another...." He said this change was suggested by Mr. Boodman. MR. MILLER MOVED for approval for publication of the Ordinance. Seconded.

MR. TRESSER said this means that any appointee must give not only his realty held for his benefit by another. He said when a man gets an appointment and should do anything dishonest, he is called on the carpet. He reminded the members that not long ago both political parties had to advertise in the paper in order to try and interest people in serving on various City Boards and he did not see any line forming at either party. He said these people that get appointed to these Boards donate their time, energy and money for gasoline, etc., none of which is reimbursed to them -- it is all for free. He objected to having these people put through an inquisition on top of it all. He said perhaps if we are going to force people to tell what their equity is, they should also tell their liabilities.

MR. RUSSBACH said he is 100% behind the Ordinance and thinks it is great.

VOTE taken on publication of the following Ordinance and CARRIED with a few no votes:

PROPOSED ORDINANCE

CONCERNING DISCLOSURE OF INTERESTS IN REALTY BY PERSONS APPOINTED TO CERTAIN CITY BOARDS AND COMMISSIONS

BE IT ORDAINED BY THE CITY OF STAMFORD:

(a) No person appointed by the Mayor to the Planning Board, Zoning Board, Zoning Board of Appeals, Sewer Commission, Urban Redevelopment Commission, Parking Authority, Flood and Drainage Control Board, or the Building Board of Appeals shall be confirmed by the Board of Representatives until he has filed with the Appointments Committee of the Board of Representatives a sworn statement in which is made a full disclosure of all interests in realty located in the City of Stamford of the person making the disclosure, including any property which is held for his benefit by another, and of his spouse and minor children.

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

(6) Suggested Change of Rules

MR. MILLER said the Committee has received a letter from Mr. Guroian suggesting the possibility of changing the rules in order to prevent the Mayor from repeatedly referring a matter back to the Board over and over again. He said it appears to him that it would take a Charter change, rather than a Rules change. However, he said the Committee did consider the possibility of certain changes, although we are well along in this Board, it might be a good idea to think about possible changes, or perhaps get up some recommendations for the new Board which will take office on December 1st. He said it often happens when a new Board takes office they don't give much thought to the Rules. He said if you will go through the Rules you will find many things that are archaic and are never notice. He suggested that if anyone has any suggestions, please hand them in IN WRITING.

(7) Property on SCOFIELDTOWN ROAD - HEARING TO BE HELD

MR. MILLER said this is not on tonight's agenda, but is in the Committee and also in the Parks & Recreation Committee. He said it is their intention, this month, to hold a joint hearing so that the people of the City can hear and the hearing is tentatively scheduled for two weeks from Thursday --- July 19th.

PERSONNEL COMMITTEE:

MR. HEINZER, Chairman, said we have received several contracts - the Board of Education Contract, the Policemen's contract and the Firemen's contract arrived one after the other during the last couple of days. He said Dr. Carpenter, Supt. of Schools, asked him if we could act on the Teacher's contract tonight so that he would then be able to make application for the funds to implement whatever was approved, because he doesn't want to pay Teachers in September on a new scale unless he has the money approved. In deference to him, he said, and because the time will run out on that contract before our next Board meeting, he is requesting a SPECIAL MEETING of the Board in order to act on those three contracts, the Monday after next, and the Committee will meet sometime prior to that time, which will be MONDAY, JULY 16. He said he would ask the President to send out a "call" of a special meeting for that night.

THE PRESIDENT said he agrees that a special meeting will be necessary. It was agreed to hold a special meeting on the 16th.

MUNICIPAL EMPLOYEES ASSOCIATION - Contract covering Two Years - From July 1, 1972 through June 30, 1974 - (Contract signed June 22, 1973 and signed copy of contract delivered June 28, 1973)

MR. HEINZER said the Committee does have the above contract with the MEA ready for the Board's approval or disapproval. He said the Committee is coming out with an unfavorable report on the basis of the two year drop in the Retirement Age from 61 to 60. However, he said, the rest of the contract is just like the other contracts. He said Mr. Barrett, the Labor Negotiator, defends the lowering to 60 years and said that the actual cost would be 1.2% per year, which if it were given as a salary increase, would cost a lot more because of overtime and holidays, etc. In spite of this, he said the Committee still felt that lowering the retirement age was not the thing to do. HE MOVED for approval of the contract in order to open it for discussion. Seconded.

MRS. LAITMAN asked the Chairman if his Committee considered the fact that this Board has already given their approval of the Teamster's contract, which contains the same provisions in regard to the lowering of the Retirement age to 60. Then,

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later, we rejected the contracts for the Nurses, Dental Hygienists and the Caseworkers at the June 4th Board meeting. She asked him to please comment on that.

MR. HEINZER said he can only comment to this extent -- that he has talked to several Board members about it and the consensus of those to whom he has talked seems to be that we should not compound our errors just because we let that get by us and just because we passed the Teamster's contract in February, may be a fortuitous circumstance for them, but it does not mean that we have to pass it for everyone else. He said that seems to be what they are saying.

THE PRESIDENT said if in the meantime we get any more contracts, we will bring them all up on the same night - Monday, July 16th.

MR. EXNICIOS said he has a comment and a question -- we did approve the Teamster's contract with the lowered retirement age to 60 and later turned down three other contracts which did not cover as many employees - the Nurses, Dental Hygienists and the Caseworkers -- He said his question is what has happened in the ensuing period of time since this Board rejected those three contracts -- has Mr. Barrett attempted to make the change, and has he been successful, and just what is the status at this moment? He said if this point has not been successfully negotiated, it may come back to us with the age 60 retirement age unchanged, and there would be no purpose in holding up the MEA and we might go through with it. He said just what has happened to the contracts that this Board rejected a month ago?

MR. HEINZER said he can't give that information because he does not know .

THE PRESIDENT said he will have to talk with Mr. Barrett before the July 16th meeting is called.

MR. HEINZER said that won't be necessary, because his Committee is meeting with Mr. Barrett before then.

MR. EXNICIOS said that being the case, and since we do not have any concrete information at this time and the information that he has, which is hearsay, that it will be returned to us with the same provisions as before and will the retirement age of 60 intact, rather than to vote tonight, when the sentiment appears to be against the contract, he would ask to postpone action on this until our Special Meeting on July 16th, at which time we can consider all these contracts at the same time. He said he would not like to see this rejected tonight without first getting all the facts and then having to renegotiate.

THE PRESIDENT informed the speaker that we have 30 days.

MR. HEINZER said that would be all right - we still have enough time.

MR. RUSSBACH said the reason the contracts were turned down was two-fold -- first of all the majority of this Board did not like the reduction in the pension age to 60 and second of all the Board specifically asked for actuarial information concerning the total cost of the change for the taxpayers of the City of Stamford - which information we are getting. In this case he said it really does not matter whether you turn it down or not, because if you do, you are still going to have to get the same information pertaining to this contract.

MRS. PONT-BRIANT said as long as it is within the time limit, she will go along with Mr. Exnicios' motion, but would like to say that both she and Mr. Roos met with Mr. Barrett today, because she had some pension questions and she does have actuarial information, etc. but will hold it until the July 16th meeting.

MR. EXNICIOS MOVED to postpone action on the MEA contract to the 16th, at which time we will consider ALL the contracts. Seconded and CARRIED unanimously.

SPECIAL COMMITTEE REPORTS:

SPECIAL INVESTIGATING COMMITTEE UNDER SECTION 204.2 OF CHARTER - TO INVESTIGATE CAPITAL PROJECTS -- (Authorized Jan. 8, 1973)

MR. KNAPP, Chairman, said he has a report of his investigating committee, which was placed on all members' desks this evening, which is on one phase of the allegations made by Mr. Kenneth Fay - that of the sewer contract bidding procedures, dated June 21, 1973. He read the entire report at this time.

For the reason that the report was given to all Board members and copies available in the Board office for anyone that wishes a copy, it is not printed in these Minutes. It was signed by all the Democratic members of the Committee - Representatives Warren Knapp, Joseph Morabito, Handy Dixon, Marilyn Laitman and George Ravallesse and also by two Republican members - Representatives George Russell and Barbara Forman. Those Republican members who did not sign the report are: Representatives Thomas Morris, Lois Pont-Briant and Robert Exnicios.

MR. KNAPP said he understands that there will be a Minority Report presented and he would like to have the floor again after that report is presented. He asked Mrs. Forman to tell the Board members what she found out in a telephone conversation she had today with Hartford, which he feels is very important to this report.

MRS. FORMAN said there is a Board in Hartford called the MDCO - the Metropolitan District Commission - which is in charge of sewerage 7 towns, including Hartford, East Hartford, Rocky Hill, Wethersford, Newington, Bloomfield and Windsor and this one Board takes care of all of these towns and they spend over ten million dollars a year on their sewerage. She said they have six unit prices on all variable items and do test borings on every single sewer job, which they say cost under \$2,500 per job, and the test borings are done by outside companies. She said they also look very unfavorably upon unbalanced bids. However, she said, they sometimes favor unbalanced bids if they favor the City, but generally they discourage unbalanced bids. Also, she said, the Chief Engineer told her that they do 30 to 40 sewer jobs a year, which is considerably larger than we do.

MR. KNAPP said he believes that particular portion of the report substantiates what this committee has come out with.

MR. EXNICIOS said it seems interesting that the Committee saw fit to talk to the authorities in the City of Hartford, but did not see fit to talk to the authorities in the City of Stamford. He said he has a minority report which has been signed by Mrs. Pont-Briant, Mr. Thomas Morris and himself.

He said it is their feeling that the Committee majority in refusing the request of the minority members, to take testimony from Commissioner Cooper and Commissioner Aretakis, a representative of Kassner Associates and any contractor who is presently active in sewer construction, did a disservice not only to this Board, but to the City as a whole. He said the majority report is super critical of the City administration, particularly the Department of Public Works and the Purchasing Department, which is under the Commissioner of Finance. He said it has made several engineering suggestions which can only be construed of being critical of Kassner Associates and has criticized sewer contractors and made

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assumptions regarding their future actions on bids, all without the benefit of the input of these professionals. He said the minority members of the Committee cannot go along with this fallacious and incomplete method of determining the facts.

He said to be critical of a department or a company without hearing testimony from the Chief executive of that department or company, is irrational, unfair and irresponsible. He said they therefore are offering a minority report as clarification of the main report. He said there are three main points - under the paragraph entitled "CHARGES INVESTIGATED" they would like to amend it to read as follows:

"It was Mr. Fay's contention that the present method of awarding sanitary sewer contracts is "excessively expensive and can be easily manipulated to favor specific contractors"

He said Mr. Fay also stated: "A random sample of sewer projects indicates excessive costs may exceed a million dollars".

He said under the paragraph entitled "FACTS" which has been verified by a mathematician hired by this Committee, showed on five of the eighteen contracts, the apparent low bidder was NOT the actual low bidder.

He said the balance of the contracts, namely 13, the apparent low bidder WAS actually the low bidder. He said the mathematician reported to them that with the first five contracts the City paid an additional \$160,000 and on the other thirteen contracts, they saved approximately one million and thirty nine thousand dollars.

He said, therefore, these figures indicate a net saving to the City on eighteen jobs, approximately \$878,000 and this was based on a total award contract of ten million, five hundred thousand dollars, or an over all saving to the City on eighteen jobs of 8.4%.

He said it is the opinion of the minority that this is an excellent showing as compared to any bidding procedure that is available to the City, and quoting from the majority report: "The unit pricing system used in Stamford is still the best known bidding system on sewer contracts".

Finally, he said the third point is that in conclusion they find that the professionals have acted in an extremely competent way in engineering and awarding sewer contracts in the City of Stamford, and in fact, have saved the taxpayers hundreds of thousands of dollars by using the unit price method of bidding.

He said they further find that Mr. Fay's charges are completely without foundation and from his testimony, which was sworn, conclude that there has been no malfeasance in bidding procedures and in the letting of sewer contracts.

He said they also find that there is no evidence that there has been collusion between contractors bidding on sewer projects in the City of Stamford and consequently no manipulation of bids to favor specific contractors as charged.

MR. EXNICIOS said he would also like to reserve the right to comment later in a personal way and give his reasons why he refused to sign the majority report.

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MR. HEINZER MOVED that the Board accept both of these reports. Seconded.

MRS. LAITMAN spoke against the motion. She said the report is basically a compromise report, because they have tried to encompass a great many viewpoints in the report. She said, referring back to Mr. Exnicios' minority report, she believes at times they are at odds with each other and therefore does not feel that both of these reports should be sent to the proper authorities. She said some of the members of the Committee were quite put out by Mr. Fay and this evidently permeated at the investigation. She said she has no allegiance to either Mr. Fay or to any faction of the Democratic party or to any faction in the present administration. She said she found an overwhelming feeling of protection of the administration, which she felt hampered a great deal of the investigation. She said after the report was written Mr. Exnicios spoke about inviting Commissioner of Public Works Cooper to come to testify and they discussed it at length. She said if this had been requested earlier, he certainly would have been invited to attend their meetings. She said what they discovered, spanned several administrations, both Democratic and Republican and there was no effort to "hang" anyone and the only reasoning behind it was to make sure that the people of this City get the most for their money.

MR. JOHN BOCCUZZI asked if there is an advantage in getting outside consultants.

MRS. LAITMAN said, as they said in the majority report, we simply do not have the expertise to do the work ourselves. She explained the various contracts.

MR. RUSSBACH asked what we are debating about - he said there is nothing to debate - that we have heard both reports and they are a matter of record.

MR. MORABITO pointed out that the minority members of the investigating committee made a remark which seems to be a criticism of the majority members because they did not invite certain professionals to appear before the committee. He said at any time they could have requested that they be invited to appear.

MR. KNAPP said the only further comment he would like to make is that over a period of months that they have been looking into this, we have had 20 meetings of the committee, lasting approximately 4 hours each, not counting research work that had to be done, which comes to 80 hours multiplied by the 10 members makes 800 hours of man hours put in on this report. Of those meetings, he said there were 3 people who had perfect attendance and they were himself, Mr. Ravallese and Mrs. Laitman. He said Mr. Morabito was absent twice, Mr. Dixon was absent four times, Mr. Morris was absent twice, Mr. Exnicios was absent three times, Mrs. Pont-Briant was absent nine times and of these two of the meetings she was not notified; Mr. Russell was absent twice, Mrs. Forman was absent six times and Mr. Russbach (before he resigned from the Committee) was absent once. He said he thinks they (the Committee) have attempted to do the best job they could and have not attempted to "hang" anybody.

He said they (the committee) are not engineers, but the members of this committee now know a lot more about it than anyone else in this room about now. He thanked the members of his committee for the help that they have given him.

MR. RUSSELL said he thinks he should explain why he signed the majority report. He said he felt that there was a lot of time put into this by the Committee and a lot of arguments as to just how it was to be worded and it is an impossibility to please them all and if you tried to do it to please everyone, there would never be any report at all. He said the taxpayers understand money and figures and also

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what the summary of the report says. He said he felt that the report was clear that the present or any past administration was not guilty of any malfeasance in their bidding procedure. He said it also made it clear that the unbalanced bidding system can work favorably for the City, even though it appears in the way it was explained to us, that it would work against us. He said he believes that the committee did try to make it a bi-partisan report and it was unfortunate that some of Mr. Fay's implications made it seem that the present administration was strictly at fault on the sewer bidding system, but as it comes out, it shows that we are working with a system that is over 15 or 20 years old and has not changed in the last five or six years and in the past few years it has been run the same way it was run in the previous 15 years. He said he believes that we have an excellent Purchasing Agent and if he is asked to look into the bidding system, he will come out with what is best for the City of Stamford.

MR. DIXON said, as a member of the Committee, he must defend the report. He said this Board set the Committee out to do a job early in January and as it has already been said, they spent long hours and did what he considers to be a tremendous job. He said all they went out to get were the facts and as he sees it, the report contains the facts. He said they discovered that the system of bidding is some 30 years old and has not been revised in that period of time and some type of change is long overdue. He said he objects to the minority report.

MR. RAVALLESE said they did the best job they could and at the end, the minority started to get picky. HE MOVED to accept the Majority report.

MR. HEINZER objected, because the report of both the Majority and the Minority were presented and if Mr. Ravallese' motion is accepted, then he moves that BOTH reports be accepted.

MR. HEINZER MOVED for adjournment. Seconded.

MR. KNAPP said he has a petition he would like to present before adjournment.

MRS. FORMAN said she has a resolution.

MR. HEINZER said a motion to adjourn takes precedence.

MRS. LAITMAN asked how there can be a motion to adjourn when we haven't even finished our agenda.

MR. HEINZER said there can be a motion at any time for adjournment and it takes precedence over any other motion.

THE PRESIDENT suggested to Mr. Knapp and Mrs. Forman to present what they have to the Steering Committee, to which they agreed.

THE PRESIDENT said there has been a motion to adjourn and a VOTE must be taken. He called for a vote - LOST by a machine vote of 17 in favor and 18 opposed.

MR. COLASSO said he wants to comment on the Sewer fees in the report given by Mr. Knapp. He said as Chairman of the Sewer Committee he has been following the bidding procedure and these bids have been coming in \$3,000 and \$4,000 under the estimated bid and what they cost in the final job, he does not know, but if the Consulting Engineer is being paid on the final cost, or the bid, we could be saving a lot of money so this is one recommendation that he would make - that he hopes that the City pays the Consulting Engineer on the bid cost.

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MR. MORRIS said perhaps there should be a change in the way they pay, but to say that he over estimates is wrong, because there is a section in the report referring to the Consulting Engineer's estimate and this was within the first three bids which he thinks is quite fair and by the figures he has he came in with a figure within the first two bidders. He said if someone bids low on a job, it would not mean that the engineer is off that much. He analyzed some of the bids and the engineer's estimate and they all were within reason.

MR. EXNICIOS said he would like to clarify something for the edification of the Board members --- that is we keep talking about the negotiated contract with the consulting engineer. He said the City does not negotiate these contracts, but is negotiated by the Sewer Commission - the very same Sewer Commission that we voted NOT to put out of existence tonight.

MRS. LAITMAN said the point she is making is this is what the consulting engineer says. She said he should be paid on the final bid and the final cost, but it should be worked out so that he is not penalized by waiting years and years until the job is begun.

The discussion continued for some time.

MR. FRIEDMAN thanked the Committee for the excellent report submitted tonight and MOVED FOR ADJOURNMENT at 1:10 A.M. Seconded and CARRIED.

Velma Farrell
Velma Farrell
Administrative Assistant
(Recording Secretary)

APPROVED:

George V. Connors
George V. Connors, President
10th Board of Representatives

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