

MINUTES OF THE 12TH BOARD OF REPRESENTATIVESSTAMFORD, CONNECTICUTMeeting of November 13, 1973

The last regular Monthly Meeting of the 12th Board of Representatives of the City of Stamford, Connecticut, was held on Tuesday, November 13, 1973 in the Board's Meeting Room, 429 Atlantic Street, Stamford, Connecticut. The meeting was held on a Tuesday for the reason that Monday was Veterans Day.

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

PAGE:

The President announced the presence of NANCY SAINBURG, as Page for this evening. He said she is the daughter of the Representative from the 18th District.

INVOCATION:

A moment of silence was observed, as Rev. Bernhard Johnson, the Pastor of St. John's Lutheran Church failed to appear.

A second moment of silence was observed in memory of RALPH KNAPP, JR., son of Patrolman Knapp.

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

CHECK OF VOTING MACHINE:

A check of the voting machine was conducted and found to be in good working order.

ROLL CALL was taken by the Clerk. There were 37 present and 3 absent. The absent members were:

Peter J. Walsh, (D) 7th District
Charles J. Heinzer, III, (R) 13th District
William P. Caporizzo (R), 15th District

Several of the outgoing Board members who either were not elected to the 13th Board, or did not choose to run, made short speeches at this time.

ACCEPTANCE OF MINUTES - October 2, 1973

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

COMMITTEE REPORTS:

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

Minutes of November 13, 1973

STEERING COMMITTEE REPORTMeeting held Monday, October 29, 1973

A meeting of the Steering Committee was held on Monday, October 29, 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. Morabito. The President and Chairman arrived shortly after. The following members were present:

Robert Exnicios (R)	Mrs. Lois Pont-Briant (R)
Edward Scofield (R)	Charles Heinzer, III (R)
Frederick Miller (D)	Matthew Rose (D)
Gerald Rybnick (D)	George Connors (D)
Joseph Morabito (D)	Marilyn Laitman (D)
John Boccuzzi (D)	

The following were absent:

Thomas Morris (R)	George Russell (R)
Theodore Boccuzzi (D)	Frederick Lens (D)
Jeremiah Livingston (D)	John Colasso (D)

The following matters were discussed and acted upon:

(1) Appointments:

There was just one appointment, held in Committee at the Oct. 2, 1973 meeting --- that of Dr. Bernard G. Neuman (D), an Alternate to the Planning Board, to term expiring 12/1/76. This was ordered on the agenda under APPOINTMENTS COMMITTEE.

(2) Additional Appropriations:

The following were ORDERED ON THE AGENDA under the Fiscal Committee. Those in excess of \$2,000 were referred to a secondary committee:

- (3) \$180,278.00 - BOARD OF EDUCATION - To cover Special Milk Program for period 12/1/72 thru 6/30/74 - (Letter from Dr. Reigh W. Carpenter, Supt. of Schools, dated Sept. 27, 1973)

(Above also referred to EDUCATION, WELFARE & GOVERNMENT COMMITTEE)

- (4) \$105,568.00 - BOARD OF EDUCATION - Amount needed to cover financial aspects of contract between Board of Education and the Stamford Education Association (Administrators' Unit) for period 7/1/72 to 6/30/74, as follows:
(See letter from Dr. Carpenter dated Sept. 13, 1973)

1973-1974 Salary Adjustments for 90 Administrators	\$105,343.00
Increased Medical Examination Costs	225.00
	<u>\$105,568.00</u>

(Above also referred to PERSONNEL COMMITTEE)

- (5) \$50,521.83 - Resolution amending 1973-1974 Capital Projects Budget BOARD OF EDUCATION - LAND BANK - In order to meet obligation imposed by the Court in condemnation action concerning Davenport Ridge School and appropriation of \$50,521.83 therefor - (Mayor's letter of Oct. 5, 1973)

(Above also referred to EDUCATION, WELFARE & GOVERNMENT COMMITTEE)

- (6) \$7,500.00 - Resolution authorizing TRANSFER of \$7,500.00 from Project in 1973-1974 Capital Projects Budget, known as "HANDBALL COURTS" to Project in the 1973-1974 Capital Projects Budget, known as "COURT GAMES, MULTIPLE USE AREAS, IMPROVEMENTS" Board of Recreation to be used for the purchase of portable swimming pools - (Letter from Bruno Giordano, Supt. of Recreation, to the Board of Finance, dated Sept. 28, 1973; denied by that Board on 9/13/73 and approved on 10/11/73 - No letter sent to the Board of Representatives on this)

(Above also referred to PARKS & RECREATION COMMITTEE)

- (7) \$6,828.00 - LONG RIDGE FIRE DEPARTMENT - Covering Salary increases for employees in accordance with terms of contract negotiated with Firemen's Union - (Mayor's letter of 9/20/73)

(Above also referred to PERSONNEL COMMITTEE)

- (8) \$62,000.00 - Resolution amending 1973-1974 Capital Projects Budget by adding Project to be known as "FORT STAMFORD" and appropriation to be funded from the Reserve Fund - (Mayor's letter of 8/27/73)

(Also referred to EDUCATION, WELFARE & GOVERNMENT COMMITTEE)

The following matters were ORDERED ON THE AGENDA UNDER THE LEGISLATIVE & RULES COMMITTEE:

- (9) Request for Tax Exemption Ordinance (for publication) for MACEDONIA F.B.H. CHURCH OF GOD OF THE AMERICAS for property located at 89 Spruce Street - (Partially eligible for Tax exemption according to Tax Assessor, James Hyland -- Held in Committee Oct. 2, 1973)
- (10) Ordinance (for final adoption) REPLACING SECTION 2-11, CHAPTER 2 "VOTING PLACES" AND REPLACING SAID SECTION 2-11 WITH THE NEW LISTS OF POLLING PLACES AS HEREINAFTER MENTIONED - (Requested in letter dated 7/26/73 from Registrars of Voters) - (Adopted for publication 10/2/73; published 10/6/73)
- (11) Final adoption of Ordinance entitled: "PRESERVATION OF TREES AND NATURAL AREAS ALONG CITY STREETS" - (Re-submitted by Representative Frederick Lenz, 1st District) - NOTE: Brought up for final adoption 7/2/73 and LOST because it lacked the required number of votes to carry. Submitted again and approved for publication 10-2-73; published 10-6-73)
- 76

Minutes of November 13, 1973

- (12) Proposed Resolution "CONCERNING AUTHORIZATION FOR CONDEMNATION OF PROPERTIES FOR RIVER WALK LOCATED ON WEED AVENUE, TO BE KNOWN AS "COVE POND RIVER WALK" - (Requested in Mayor's letter of 8/3/73) - (These are the areas between Gerli Park and Gus Edson Park)
- (13) Request for WAIVER OF BUILDING PERMIT FEE, for additions and alterations for the ST. JOSEPH HOSPITAL - (Letter dated Oct. 4, 1973 from John S. Wason, Construction Manager)
- (14) Amendment to Ordinance No. 252 Supplemental, entitled "CHANGING NAME OF WILLOW STREET TO TRESSER BOULEVARD" - (Held in Committee 6/4/73)

(Above also referred to PLANNING & ZONING COMMITTEE)

The following matters, having been held in the Legislative & Rules Committee were NOT ordered placed on the agenda:

- (15) Proposed Consumer Protection Ordinance (Creating a Consumer Protection Commission for the City, consisting of 3 members) - (Held in Committee 4/2/73, 5/7/73, 6/4/73, 7/2/73, 8/6/73, 9/10/73 and 10/2/73)
- (16) Old Business: HEALTH DEPARTMENT PROPOSED SCHEDULE OF FEES, PERMITS AND/OR LICENSES - (Approved for publication 11/13/73; published 11/25/73. Never given final approval by the Board - See letter dated 7/11/73 from Dr. Gofstein - Held in Committee 8/6/73, 9/10/73 and 10/2/73)
- (17) Proposed INLAND-WETLAND Ordinance, entitled: "CONCERNING INLAND WETLANDS AND WATER COURSES" - (See Mayor's letter dated 8-13-73 - Held in Committee 9/10/73 and 10-2-73)
- (18) Proposed Ordinance - "REGARDING LIMITATION OF CAMPAIGN SPENDING FOR ELECTIVE OFFICE IN THE CITY OF STAMFORD" - (Brought up under suspension of the rules at the Sept. 10, 1973 Board meeting and LOST -needed 2/3rd vote) - Presented by Mrs. Marilyn Laitman (D), 20th District - Held in Committee 10-2-73)
- (19) Letter dated 8/17/73 from John Karpochan, Director J.M. Wright Technical School, concerning fees established by the Board of Representatives for the use of Cabela Stadium - (Held in Committee 10-2-73)

The following matter which had been referred to the HEALTH & PROTECTION COMMITTEE was NOT ordered on the agenda. Mr. R. St., Chairman, said time did not permit a complete investigation:

- (20) Concerning Method of Making Police Appointments - (Request in letter from Thomas Morris (R) 15th District Representative) Held in Committee on 9/10/73 and 10-2-73)

The following was ORDERED ON THE AGENDA under the Parks & Recreation Com.:

- (21) Proposed Resolution requesting TRANSFER OF JURISDICTION OF PARK LOCATED BEHIND OLD TOWN HALL TO THE PARK DEPT. - (Mayor's letter of 10-23-73)

Minutes of November 13, 1973

The following was referred to the PLANNING & ZONING COMMITTEE and ORDERED ON THE AGENDA:

List of 19 City-owned properties, to be sold by public auction -
(Approved by the Board of Finance on Oct. 11, 1973 - Mayor's letter of 6/28/73 and 9/5/73)

The Board of Finance did not act on a request to sell a 60' x 150' parcel located on Stanley Court (Card S-2, Lot 1 & PT-2) for the reason that it had been withdrawn.

The following letters were ordered noted and filed:

- (22) Letter dated 10/11/73 from Lawrence Gordon, 380 Rockrimmon Road, requesting consideration be given to the establishment of a permanent park recreation area at the Scofieldtown location.
- (23) Letter dated 9/24/73 from Booth Hemingway, favoring the restoration of FORT STAMFORD, which is one of a very few pre-Revolutionary War Forts in all New England.

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

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GEORGE V. CONNORS, Chairman
Steering Committee

APPOINTMENTS COMMITTEE:

MR. BOCCUZZI, Chairman, reported that the Appointments Committee held their meeting tonight in the Municipal Office Building and present were Representatives Forman, Tresser, Dixon, Exricios, Flanagan and Rose. He reported on the following item: The vote appears below:

PLANNING BOARD ALTERNATE:

DR. BERNARD O. NEMOITIN (D)
1318 Long Ridge Road
(Replacing John E. Walsh, Jr.
who resigned)

VOTE: 30 yes
4 no

Term Expiring:

12/1/76

FISCAL COMMITTEE:

MR. JOHN BOCCUZZI, Chairman, reported on the following items. He said they met on November 7th.

- (1) \$100,000.00 - BOARD OF EDUCATION - To cover Special Milk Program for period 12/1/73 thru 6/30/74 - (Letter from Dr. Reigh W. Carpenter, Supt. of Schools, dated 9/27/73)

MR. BOCCUZZI said the Fiscal Committee is holding in Committee \$80,278.00 and are only recommending \$100,000 for the Board's approval. He said the reason for this is that they would like to ask them if perhaps in the high schools

Minutes of November 13, 1973

they could use vending machines, or shift some of the personnel around because the deficit in the milk program comes from the Milk Aides who are a necessity because of a health condition, but the Committee felt that in the high schools they would be able to use vending machines. He said he wishes to make it perfectly clear that the Committee is not deleting this, but holding it in Committee. HE MOVED for approval of \$100,000 at this time. Seconded and CARRIED unanimously.

- (2) \$105,568.00 - BOARD OF EDUCATION - Amount needed to cover financial aspects of contract between Board of Education and the Stamford Education Association (Administrator's Unit) for period 7/1/73 to 6/30/75, as follows: (See letter from Dr. Carpenter dated 9/13/73)

1973-1974 Salary Adjustments for 90
Administrators ----- \$105,343.00
Increased Medical Examination Costs -- 225.00
\$105,568.00

MR. BOCCUZZI said this is in conformity with the Union Contract which this Board approved. He said the Fiscal Committee approved this item and he SO MOVED for approval. Mr. Theodore Boccuzzi said he wished the record to show he abstains. Seconded by Mrs. Pont-Briant who said the Personnel Committee concurs. CARRIED.

- (3) \$50,521.83 - Resolution No. 917 - AMENDING 1973-1974 CAPITAL PROJECTS BUDGET - BOARD OF EDUCATION - LAND BANK (To meet Court obligation in Condemnation action concerning DAVENPORT RIDGE SCHOOL and appropriation of \$50,521.83 therefor)
(Mayor's letter of Oct. 5, 1973)

MR. BOCCUZZI MOVED for approval of the following resolution. He said this will take care of obligation to carry out the Court's ruling.

MRS. PONT-BRIANT said at the Fiscal Committee meeting she was upset because there had been an attachment against the City by the firm representing these people. She said on Friday she followed it up and the attachment apparently is legal according to Court procedure. She said in the future a Revolving Fund should be set up in the Corporation Counsel's office or the Controller's Office, which could pay out Court judgements on condemnations. She said this is the first time in a long while that there has been an attachment, but people usually wait for their money, but sometimes there can be a lengthy wait. She said the fee set by the Sheriff was correct, according to law and also the manner of attachment was also legal. She said it was done very rapidly, with everything happening within two or three days after the judgement was arrived at. She said because of the rapidity, Mr. Aretakis went along with it and Mr. Bromley said to the Finance Committee that the Sheriff's fees were correct under the State Statutes. However, due to the action by our Finance Commissioner the Sheriff's fees were re-negotiated and the sum of \$800 was refunded to the City. She said the attachment was within a day or so after the judgement and Mr. Aretakis negotiated and did get \$800 returned to the General Fund. She said if this happens again in the future, she would suggest something be done so that judgements can be paid and eliminate attachments which hold up the City and also cost a great deal.

Minutes of November 13, 1973

MR. LIVINGSTON said the EDUCATION, WELFARE & GOVERNMENT COMMITTEE seconds the motion and concurs in approval. The following resolution was CARRIED unanimously:

RESOLUTION NO. 917

AMENDING 1973-1974 CAPITAL PROJECTS BUDGET, BOARD OF EDUCATION LAND BANK (To meet Court Condemnation action concerning DAVENPORT RIDGE SCHOOL and appropriation of \$50,521.83 therefor)

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford, in accordance with provisions of Sec. 611.5 of the Stamford Charter, to approve an amendment to the 1973-1974 Capital Projects Budget, for Project known as "BOARD OF EDUCATION - LAND BANK" an additional appropriation of \$50,521.83, being additional amount needed to meet obligation imposed by Judgement passed by Judge Samuel Mellitz concerning DAVENPORT RIDGE SCHOOL, including servicing fees of the Sheriff.

- (4) \$7,500.00 - Resolution No. 918 Authorizing TRANSFER of \$7,500.00 from Project in 1971-1972 Capital Projects Budget, known as "HANDBALL COURTS" to Project in the 1973-1974 Capital Projects Budget, known as "COURT GAMES, MULTIPLE USE AREAS, IMPROVEMENTS", Board of Recreation, to be used for the purchase of portable swimming pools - (Requested in letter from Bruno Giordano, Supt. of Recreation, dated Sept. 28, 1973; denied by the Board of Finance on 9/13/73 and later approved on 10/11/73)

MR. BOCCUZZI said the Fiscal Committee approved this item and he SO MOVED. He said this will be used to purchase one pool 25 ft. x 12 ft. x 1 ft., which will be located in Northrup Park and \$2,500 will be used to repair the pool at Southfield, which has been laid up for three years, because they have to correct the filtering system and do some work on the pool itself. He said the new pool they are buying is like the old pool - they are able to put a steel top over them and they can be transformed into a stage where they can have musical sessions in the area where it will be located.

MR. RYBNICK said the Parks & Recreation Committee concurs and he seconded the motion. The following resolution was CARRIED unanimously:

RESOLUTION NO. 918

AUTHORIZING TRANSFER OF \$7,500.00 FROM PROJECT IN THE 1971-72 CAPITAL PROJECTS BUDGET, KNOWN AS "HANDBALL COURTS" TO PROJECT IN THE 1973-74 CAPITAL PROJECTS BUDGET, KNOWN AS "COURT GAMES, MULTIPLE USE AREAS, IMPROVEMENTS" BOARD OF RECREATION, TO BE USED FOR THE PURCHASE OF PORTABLE SWIMMING POOLS

minutes of November 13, 1973

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford, in accordance with provisions of Sec. 611.5 of the Stamford Charter, to approve an amendment to the 1973-1974 Capital Projects Budget, by authorizing the TRANSFER of the sum of \$7,500.00 from Project in the 1971-1972 Capital Projects Budget, known as "HANDBALL COURTS" to the Project in the 1973-74 Capital Projects Budget, known as "COURT GAMES, MULTIPLE USE AREAS, IMPROVEMENTS", to be used for the purchase of portable swimming pools.

- (5) \$6,828.00 - LONG RIDGE FIRE DEPARTMENT - Cover salary increases for employees in accordance with terms of contract negotiated with Firemen's Union - (Mayor's letter of 9/20/73)

MR. BOCCUZZI said this is similar to the one that we passed last month, but it is not actually a City obligation, but what they do is bring the employees up to the same pay that they have in the City of Stamford. He said this appropriation is for four people; they work an average of 42 hours a week each. He said they discussed this with Mr. Poltrack, who heads up the Long Ridge Fire Dept., who told them that the last person who retired worked for 15 years and another one stayed for 12 years. He said they asked if these people are capable of doing the same type of work as those employed in the City Fire Department and they were very emphatically told that they do and they have a very high regard for the employees. HE MOVED for approval of this appropriation. Seconded by Mrs. Pont-Briant who said the Personnel Committee concurs. CARRIED unanimously.

- (6) \$62,000.00 - Resolution No. 919 - Amending 1973-1974 Capital Projects Budget by adding Project to be known as "FORT STAMFORD" and appropriation to be funded from the Reserve Fund - (Mayor's letter of 8/27/73) - (Land Vest)

MR. BOCCUZZI said the Fiscal Committee met with Mrs. Betty Gershwin and discussed the Project that they are going to undertake and what they have in mind is purchasing some property around the perimeter of Fort Stamford which will give them a little more leeway. He said they have found many items that date back to Revolutionary days -- the Fort itself comes right up to the perimeter and there is no room to expand. He said they found many interesting articles while digging in the present place and have great expectations of finding many more things of interest in the area. He said this land will also give them a buffer zone between the Fort and the development that is going on in that area and give them parking area. He said the Fiscal Committee approved this request; that it will be taken from the Reserve Fund so there will be no effect on the tax rate at this time. HE MOVED for approval of the following resolution.

MR. LIVINGSTON said the Education, Welfare & Government Committee concurs in approval and he seconded the motion.

MR. TRUGLIA said he hopes the Board will approve the request. He said he has looked at the site and is amazed at the work that has been done and most of the work has been volunteer work. He said the UConn has done work up there, the Boy Scouts and others. He said it is a credit to the community that there are so many volunteers willing to put in many hours of hard work.

Minutes of November 13, 1973

MR. GUROIAN spoke in opposition to the expenditure of \$62,000.00 of taxpayers money for the purchase of these three acres. He said he also went up to look over the site and must say that the volunteers have done a tremendous amount of work. He said while he was there they dug up what appeared to be an ancient coin. However, he said, Land Vest who own the property has done very well by the City of Stamford and it looks as if they are going to continue to do very well. He said he would like to propose three alternatives to an outright purchase by the City: (1) he would like Land Vest to hold the acreage in abeyance until the digging for the artifacts are completed to the satisfaction of all interested parties, and (2) he would like to see a possible negotiation between the City and Land Vest, where an exchange is made, and (3) there is also the possibility of an outright gift to the City in the 200th Anniversary of our Republic's birth. He said he suggests that Land Vest have a plaque designating their gift to the City and to the nation. HE MOVED to recommit this for further study of the possibilities he has just suggested, even though they happen to come from him, and that the 13th Board look into these possibilities he has offered.

MR. FRIEDMAN said, as everyone knows, this property lies in the 13th District. He said he thinks Mr. Guroian's suggestion is a good one. However, he said he does know that all other possibilities have been explored by the Administration with Land Vest and at this time there is no alternative possible. He said it has been said that the immediate neighbors to the site objected to an expansion of this site. He said the only objection that the neighbors had was to the possibility of commercializing the site. He read a letter which he said was delivered to his home yesterday from the Northern West-over Property Owners Association, favoring the purchase of this site, and signed by Thomas Humer, Vice President. He said he intends to support the issue.

MRS. LAITMAN spoke in favor of the motion, she MOVED to amend that there be a condition of approval for this property, stating that it go before the proper Boards, because it is a residential area, and should appear before the Zoning Board of Appeals as a special exception. She said this would be a form of protection for the area, as the residents and the Historical Society do approve this.

MR. FLANAGAN said he does not object to Mrs. Laitman's proposal. He said we have to realize that Land Vest is a commercial corporation and have already extended the time for us to approve this to one month, and to ask them to hold it without developing it and not to pay for it is unrealistic, although it is a good point and would be nice of them to do it. He said an exchange would probably be difficult, as they have already laid out the whole area and in order to allow us to buy these two acres would require them to make a slight modification of this area. He said he can't believe that we should expect them to give it to us. He said the Mayor has negotiated this and he knows that he tried to get the best deal that he can. He said it could be that if we fail to approve this tonight, they will go ahead with their development and we will never have a second chance and we do need it to round out this site and make it more attractive.

MR. PHILLIPS said this additional land will barely provide the buffer zone we need. He said perhaps in terms of Land Vest's original acquisition cost,

7

this price is high and that this is true only points out the poor planning on the original layout. He said to deny this because of past mistakes seems rather foolish. He said the price of the land has been appraised by an accredited appraiser to be \$62,000 and if we not now purchase it, it may never again be available at any price.

MR. MORRIS MOVED THE QUESTION.

THE PRESIDENT said the vote will first be on the amendment.

MR. FRIEDMAN said he wishes to speak to the amendment. He said he has no objection to putting this before the Zoning Board of Appeals, but does not think it is necessary. He said this land has been a Fort for over 200 yrs. and by its prior use he is reasonably sure that it would not be necessary to go before the Zoning Board of Appeals. He said he would recommend that we get the Corporation Counsel's opinion.

MR. GUROIAN MOVED that this be recommitted.

THE PRESIDENT said there is a motion on the floor.

MR. THEODORE BOCCUZZI reminded the President that the question has been moved and there can be no further debate.

THE PRESIDENT asked Mr. Morris if the question was moved on the original motion.

MR. RUSSBACH said if we approve this what would happen if the Zoning Board of Appeals turned the special exception down -- then where would we be?

THE PRESIDENT said he does not know. He asked for enlightenment on the question.

MR. FRIEDMAN said he still does not see any reason for this to go before the Zoning Board of Appeals.

After some further debate, a vote was taken on the amendment. LOST.

VOTE taken on adoption of the following resolution. CARRIED with one no vote:

RESOLUTION NO. 919

AMENDING 1972-1973 CAPITAL PROJECTS BUDGET RE: PURCHASE OF STRIPS
OF LAND FOR EXPANSION OF FORT STAMFORD SITE

WHEREAS, the City of Stamford, Connecticut, desires to acquire certain properties as outlined on the schedule attached hereto as "Schedule A" which properties will be needed by the City of Stamford to make a proper restoration of "Fort Stamford Site",

WHEREAS, the City of Stamford has received an appraisal on said properties to be acquired in the amount of \$62,000.00;

Minutes of November 13, 1973

NOW, THEREFORE, BE IT RESOLVED by the Board of Representatives of the City of Stamford that the acquisition of the aforesaid properties is desirable and necessary for the welfare and general well being of the citizens of this City and,

BE IT FURTHER RESOLVED that the 1972-1973 Capital Projects Budget be amended by adding thereto the sum of \$62,000.00 for the acquisition of said properties; and

IT IS FURTHER RESOLVED that the Mayor of the City of Stamford is hereby authorized to acquire said premises in the name of the City of Stamford, and

IT IS FURTHER RESOLVED that the Corporation Counsel of the City of Stamford is hereby authorized on behalf of the City of Stamford to institute and file condemnation proceedings, if necessary, to acquire title to said real properties for said "Fort Stamford Site" purposes.

(Attached to original resolution is a sketch of possible expansion of "Fort Stamford Site" in relation to a proposed subdivision of Land Vest, Inc., prepared by the technical staff of the Planning Board, referred to as "Schedule A").

LEGISLATIVE & RULES COMMITTEE:

MR. MILLER, Chairman, said the Legislative & Rules Committee met on November 8th and present were Representatives Miller, Russell, Scofield, Costello, Walsh and Flanagan. He reported on the following matters:

- (1) Request for TAX EXEMPTION ORDINANCE for MACEDONIA F.B.H. CHURCH OF GOD OF THE AMERICAS for property located at 89 Spruce Street -
(Partially eligible for tax exemption according to Tax Assessor, James Hyland - Previously held in Committee on Oct. 2, 1973)

MR. MILLER said this meets with the unanimous approval of his Committee. HE MOVED for waiver of pre-publication. Seconded and CARRIED unanimously.

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

ORDINANCE NO. 277 SUPPLEMENTAL

TAX EXEMPTION FOR THE MACEDONIA F B H. CHURCH OF GOD OF THE AMERICAS FOR PROPERTY LOCATED AT 89 SPRUCE STREET, STAMFORD, CONNECTICUT, UNDER PROVISIONS OF SECTION 12-81b OF CONNECTICUT GENERAL STATUTES (P.A. 311, 1967)

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Pursuant to Section 12-81b of the General Statutes of Connecticut, the property of the Macedonia F.B.H. Church of God of the Americas, an eleemosynary institution, acquired from Anthony P. DeCostanza on April 19, 1973, located at Spruce Street, Stamford, Connecticut, to be used for its

Minutes of November 1, 1973

charitable purposes, be exempted from payment of one-third (1/3) of the tax due on the List of September 1, 1971 as of April 19, 1973 and one-third (1/3) of the tax due on the List of September 1, 1972 for the period of July 1, 1973 through and including August 4, 1973, and further exempted from payment of two-thirds (2/3) of the tax due on the List of September 1, 1972 from and after August 5, 1973; and

The Commissioner of Finance be and is hereby authorized and directed to reimburse The Macedonia F.B.H. Church of God of the Americas in the amount of \$32.88 for real property taxes paid for said property on the List of September 1, 1971 prorated as of April 19, 1973.

This Ordinance shall take effect upon its adoption.

- (2) Ordinance (for final adoption) REPLACING SECTION 2-11, CHAPTER 2, OF CODE OF GENERAL ORDINANCES, ENTITLED: "VOTING PLACES" AND REPLACING SAID SECTION 2-11 WITH THE NEW LISTS OF POLLING PLACES, AS HEREINAFTER MENTIONED - (Requested in letter dated 7-26-73 from Registrars of Voters --- Adopted for publication 10-2-73; published 10-6-73)

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

ORDINANCE NO 278 SUPPLEMENTAL

REPLACING SECTION 2-11, CHAPTER 2, OF CODE OF GENERAL ORDINANCES, ENTITLED: "VOTING PLACES" AND REPLACING SAID SECTION 2-11 WITH THE NEW LISTS OF POLLING PLACES AS HEREINAFTER MENTIONED

BE AND IT IS HEREBY ORDAINED by the City of Stamford that the voting places as set forth in Section 2-11 of the Code of Ordinances of the City of Stamford are hereby repealed and the new polling places hereby substituted in their place as follows:

<u>DISTRICT #</u>	<u>PLACE</u>	<u>LOCATION</u>
1	Our Lady Star of the Sea	1170 Shippan Ave.
2	John J. Ryle School	Selleck St. & 9 Southfield Avenue
3	South End Community Center	137 Henry St.
4	Katherine T. Murphy School	19 Horton St.
5	West Main St. Community Center	Fairfield Avenue & West Main Street
6	Rice School	Washington Blvd & N. State Street
7	Glenbrook Community Center	35 Crescent Street
8	Board of Recreation - Courtland Pk.	39 Courtland Avenue
9	Westover School	Stillwater Road
10	Cleonan School	11 West North St.
11	First Presbyterian Church Hall	Redford St.
12	Stamford High School	55 Strawberry Hill Ave.
13	Stillmeadow School	800 Stillwater Road
14	Rippowam High School	381 High Ridge Road

Minutes of November 13, 1973

<u>DISTRICT #</u>	<u>PLACE</u>	<u>LOCATION</u>
15	Dolan Jr. High School	Toms Road
16	Newfield School	Pepper Ridge Road
17	Springdale School	1127 Hope Street
18	Davenport Ridge School	1300 Newfield Ave.
19	Riverbank School	Riverbank Road
20	Northeast Elementary School	Scofieldtown Road

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

- (3) Final adoption of Ordinance No. 279 entitled: "PRESERVATION OF TREES AND NATURAL AREAS ALONG CITY STREETS" - (Re-submitted by Representative Frederick Lenz, 1st District) - Note: Brought up for final adoption 7/2/73 and LOST because it lacked the required number of votes to carry. Submitted again and approved for publication 10/2/73; published 10-6-73)

MR. MILLER MOVED for final approval of the following Ordinance; seconded and CARRIED unanimously:

ORDINANCE NO. 279 SUPPLEMENTAL

PRESERVATION OF TREES AND NATURAL AREAS ALONG CITY STREETS

BE IT ORDAINED BY THE CITY OF STAMFORD:

- (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, highways, or areas within easements shall be released for bidding or carried out by City employees unless and until the design, plans and specifications therefore have been submitted to and approved by the Department of Parks if 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. If approval by the Department of Parks is not forthcoming within thirty (30) days of such submission the design, plans and specifications shall be deemed approved within the scope of this ordinance.
- (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 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.

- (4) Proposed Resolution "CONCERNING AUTHORIZATION FOR CONDEMNATION OF PROPERTIES FOR RIVER WALK LOCATED ON WEED AVENUE, TO BE KNOWN AS "COVE POND RIVER WALK" - (Requested in Mayor's letter of 8/3/73
Note: These are the areas between Gerli Park and Gus Edson Park)

7

Item #4 was held in Committee.

- (5) Request for WAIVER OF BUILDING PERMIT FEE, for addition and alterations for ST. JOSEPH HOSPITAL - (Letter dated Oct. 4, 1973 from John S. Wasen, Construction Manager)

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

- (6) Amendment to Ordinance No. 252 Supplemental entitled: "CHANGING NAME OF WILLOW STREET TO TRESSER BOULEVARD" - (Held in Committee on 6/4/73)

The above matter was held in Committee. Mr. Miller said this was also given to a secondary Committee - the Planning & Zoning Committee.

MR. RUSSELL, Chairman of the Planning & Zoning Committee, said his Committee concurs with the recommendation of the Legislative & Rules Committee to hold this in Committee.

PARKS & RECREATION COMMITTEE:

Proposed Resolution requesting TRANSFER OF JURISDICTION OF PARK LOCATED BEHIND OLD TOWN HALL, TO THE PARK DEPARTMENT - (Requested in Mayor's letter of 10/23/73)

MR. RYBNICK MOVED for approval of the above proposed resolution which he read at this time. Seconded.

MRS. PONT-BRIANT said she would ordinarily concur, but usually when there is a transfer of property from one City department to another, there is no problem involved, but this happens to involve the Urban Redevelopment Commission. She asked if the URC has met with the Committee, and are they in agreement to transfer this property to the Park Dept?

MR. RYBNICK said it must meet with the approval of both the URC as well as the Park Dept., as he read the Mayor's letter requesting this be done. However, he was not positive that the URC agrees. He said he has no objection to the matter being held in Committee until this has been determined.

MR. FLANAGAN said perhaps it would be better to wait until next month or after it can be ascertained if the URC wants to give up this land.

It was agreed to hold this in Committee for more information, and Mr. Rybnick retracted his motion, as did the seconder.

PETITION NO. 385 - From Emmanuel Episcopal Church - Request to hang Banner across Hope Street to advertise the Annual "Holly" festival - (Letter dated Oct. 2, 1973)

MR. RYBNICK MOVED for approval of the above request, under suspension of the rules. This is subject to the observance of City Ordinances governing the same, such as proper insurance coverage, etc. Seconded and CARRIED unanimously.

Letter dated 11/12/73, submitted by Daniel Rusbach (R), 17th District and Alfred Perillo (D), 9th District, requesting that the name of Cove Island Park be changed to "STEPHEN KELLY MEMORIAL PARK" in honor of the deceased Board member, who devoted many years to the service of the City and late Chairman of the Parks & Recreation Committee.

THE PRESIDENT read the above letter at this time. Referred to the 13th Board for further action.

PLANNING & ZONING COMMITTEE:

1. Sale of City-owned property by public auction, as approved by the Board of Finance on Oct. 11, 1973 - (Mayor's letters of 6/28/73, 9/5/73, and letter of correction dated 11/7/73)

Note: The Board of Finance did not act on a request to sell a 60' x 150' parcel located on Stanley Court (Card S-2 and PT-2) for the reason that it had been withdrawn - Mayor's letter of 9/5/73.

The above matter was held for action by the 13th Board.

2. Concerning amendment to Ordinance No. 252 Supplemental "CHANGING NAME OF WILLOW STREET TO TRESSER BOULEVARD" (Appears as item #6 under Legislative & Rules Committee - Held in Committee)

MR. RUSSELL said he would like to add to the report given by the Legislative and Rules Committee on the above matter, that in order for the new Board to consider, that the property procedure for the acceptance of new roads be adhered to whether they are roads within the Urban Renewal area or somewhere out in the country, because there are certain legal steps that have to be taken concerning roads in this Urban Renewal Area, some being abandoned and others being accepted, before you start worrying about names.

3. Acceptance of new roads as City Streets:

MR. RUSSELL MOVED for acceptance of the following roads as City Streets, which have met certification by the City Engineer in his letter of today's date. Seconded and CARRIED unanimously:

ERICKSON DRIVE - Extending westerly and southerly 1,208 feet from Hunting Ridge Road to an including a permanent turnaround, as shown on Map No. 9207 on file in the City & Town Clerk's Office - Length, approx. 1,208 ft.

NEW ENGLAND DRIVE - Extending northerly from already accepted portion (Section 3) 277 feet to the intersection of Cypress Drive, as shown on Map No. 9221 on file in the City and Town Clerk's office - Length approx. 277 ft.

Minutes of November 13, 1973

CYPRESS DRIVE - Extending easterly from a permanent turnaround 788 feet to and including a permanent turnaround as shown on Map No. 9221 on file in the City & Town Clerk's Office.

DANCY DRIVE - Extending easterly 424 feet from West Hill Road to and including a permanent turnaround as shown on Map No. 8987 on file in the City and Town Clerk's Office.

MR. RUSSELL explained that all new roads that are accepted, have to put up a Maintenance Bond for at least three years, so if any problem arises, there is this money which will allow for any corrections to be taken care of if they have not been foreseen.

MR. RUSSELL said there are a few roads that are being held in abeyance and they are Middle Ridge Road, Derry Drive and East Cross Road, which is being built at the request of the residents. He said for minor reasons these roads were not ready in time for the Committee to move for their acceptance, but they were basically built and completed before October 31st (which is the deadline for accepting roads).

He said there is another road - Dann Drive - which is in the hands of the Traffic Director to come up with a solution, such a full stop sign, trying to make it one way in order to control the traffic going in and out of Rippowam School.

SPECIAL COMMITTEES:

URBAN RENEWAL COMMITTEE

MR. ROOS, Chairman, said he has a report - a "status" report which he gave at this time. He did not hand in a written report.

MR. TRUGLIA thanked the Chairman for a comprehensive report, except that it was about four months too late.

MR. CAMBINO said he would like to compliment Mr. Roos. He said he served with him on the URC Committee and he always did a fantastic job and was very thorough and he was proud to have served with him. He said they may have had some differences, but he always knew that he was sincere and his loss will be very much missed.

MRS. VARNEY said at the September Board meeting we passed Resolution No. 915 and it was a "sense of the Board" resolution concerning urban renewal plans for the Southeast Quadrant and in that resolution it said that within 60 days from the date of this resolution, the City of Stamford, Connecticut Urban Redevelopment Commission shall submit to the proper zoning authorities of the City of Stamford an application to amend the zoning and CCN and CCS districts to bring such zoning into conformance with the renewal plan as amended to assure that redevelopment in such districts is in accordance with the needs and best interests of the people of the City of Stamford in accordance with Section 8-125 of the Connecticut General Statutes. She said she is wondering if that has been done.

MR. ROOS said they came up with a report and he supposes he should have mentioned it, but the report was ambiguous - two or three lawyers read it and got

Minutes of November 13, 1973

different interpretations and his own personal thoughts on it were that legally educated people are going to have trouble with interpreting it, so why shouldn't we have trouble with it here? He said it has been turned back by the URC Commission for a better clarified report which would be understandable to all of us.

Several members spoke highly of the Chairman of the URC Committee and said he will be missed.

The Chairman of the various special committees thanked the members of their committees for their work and their help on the committees.

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

MR. KNAPP, Chairman, presented the following report:

"A Special investigating committee was authorized by the Board of Representatives at their regular monthly meeting held Monday, January 3th, 1973 based on Section 204.2 of the City Charter. The Committee was authorized to investigate allegations of wrongdoing in the City of Stamford. The committee investigated the public charges made by the former Capital Projects Director criticizing the rental of equipment by the City.

Each meeting was of approximately three to four hours in duration. Present at all sessions was A. Reynolds Gordon, Counsel to the Committee. All sessions were recorded and each witness testified under oath.

Prior to the rental of equipment phase of the investigation, the committee issued an interim report on its findings and recommendations concerning the issuing of sewer contracts which it reported to the full board at its July meeting.

In deliberating the rental of equipment phase of its investigation, the committee met with the following witnesses: Mr. Jack Palmer, contractor and Mr. Nicholas Loglisci, Operations Officer, Public Works Department and former Public Works Commissioner under the Mayor Bruno Giordano Administration.

Due to the termination of the 12th Board of Representatives, the committee did not have time to complete its investigations into the equipment rental phase, and/or other allegations made.

Therefore, it is this committees recommendations that:

1. The new 13th Board of Representatives form a committee to complete the investigation which has been started.
In the event a new committee is formed by the 13th Board, we further recommend:
2. An investigator be retained to take part of the work load off of the committee members, which we feel will expedite the committees deliberations."

Respectfully Submitted

Warren M. Knapp., D-14
Chairman

(signed by all 10 members)

Minutes of November 13, 1973

MR. KNAPP said he would recommend that the Board accept his report, which was done.

PETITIONS:

MR. GUROIAN said he has a petition in his possession with approximately 200 signatures which pertains to the TOPICS program and what it has done to the area - specifically at the junction of East Main Street and Gulloden Road. He said since this is the last meeting he will hold it for the next meeting of the new Board.


THE PRESIDENT said we had a meeting last week on this matter with State Officials and they were not aware of what was going on down here and they are all upset because they have everybody, especially on the East Side, in a bad way and the Board of Representatives is getting blamed because we gave them the money. He said they had no idea at the time that signs would be placed in such outlandish places -- they put bus stops in front of stores and really raised Cain. He said they are now looking into the problem which is why there are now bags over the signs.

MRS. PONT-BRIANT said she also has a petition and would like to say that the Traffic Director does follow up on these complaints. She suggested that this Board ask the Traffic Director not to wait, but to follow up on these problems.

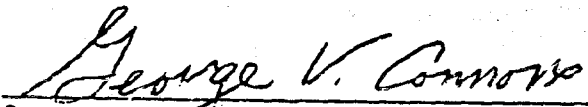
MR. TRUGLIA said he wants to thank one person who keeps this Board running, and that is our Administrative Assistant, Mrs. Velma Farrell and he thinks she is the one who should be getting a bit of thanks from this Board for her work. (Applause)

ADJOURNMENT:

There being no further business to come before the Board, on motion, duly seconded and CARRIED, the meeting was adjourned sine die at 10:45 P.M.


Velma Farrell
Administrative Assistant and Recording
Secretary

APPROVED:


George V. Connors, President
12th Board of Representatives

NOTE: Above meeting was broadcast over
Radio Station WSTC.