

MINUTES OF AUGUST 4, 197513TH BOARD OF REPRESENTATIVESSTAMFORD, CONNECTICUT

A regular monthly meeting of the 13th Board of Representatives of the City of Stamford, Connecticut, was held on Monday, August 4, 1975 in the Board's meeting room on the second floor of the Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut.

The meeting was called to order by the President, Frederick E. Miller, Jr., at 8:40 p.m.

INVOCATION: Given by Rabbi Samuel M. Silver of Temple Sinai.

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

MOMENT OF SILENCE: A moment of silence was observed out of respect to the memory of the following:

Patsy Arruzza, former member of the Board of Representatives
Jack S. Cummings, Sr., former member of the Board of Representatives

Willie Brown, member of the Stamford Police Department
William Murphy, member of the Stamford Police Department
James J. Lynch, member of the Stamford Police Department

CHECK OF THE VOTING MACHINE: A check of the voting machine was conducted and it appeared to be in good working order.

ROLL CALL: Roll Call was taken by the Clerk, Marilyn R. Laitman. At that time there were 34 members present and 6 absent. However, two members arrived later, bringing the totals to 36 members present and 4 absent. The absent members were:

Robert Costello (D), 6th District
Robert A. Crosby (R), 16th District
Jeremiah Livingston, (D) 5th District
Matthew Rose (D), 3rd District

PAGES: Lisa Lupinacci, student at Stillmeadow School and daughter of City Rep. Linda Clark and Byines Martin, Jr., graduate of Rippowam High School

ACCEPTANCE OF MINUTES:

MR. JOHN BOCCUZZI MOVED for the acceptance of the minutes of the regular monthly meeting held July 7, 1975. Seconded and CARRIED.

COMMITTEE REPORTSSTEERING COMMITTEE

The reading of the report of the Steering Committee meeting of July 21, 1975 was waived and appears below:

STEERING COMMITTEE REPORT

Meeting held Monday, July 21, 1975

Minutes of August 4, 1975

A meeting of the Steering Committee was held Monday, July 21, 1975 in the Democratic Caucus Room, second floor, Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut.

The meeting was called to order by the Chairman and President of the Board, Frederick E. Miller, Jr., at 8:05 p.m. The following members were present:

Frederick E. Miller, Jr.
John Boccuzzi
Marilyn Laitman
Norman Davidoff
Salvan Ross
Gerald Rybnick
Barbara Forman
Michael Tresser

Matthew Rose
Julius Blois
Jeremiah Livingston
Joseph DeRose
Handy Dixon
Robert Exnicios
William Flanagan
Leonard Hoffman

Also present was Alfred Perillo.

The following matters on the tentative agenda were acted upon:

(1) Mayor's appointments

Two appointments held in Committee last month and two new appointments submitted by Mayor Lenz were ORDERED ON THE AGENDA under APPOINTMENTS COMMITTEE.

(2) Appropriation items

There were 15 fiscal items ORDERED ON THE AGENDA under FISCAL COMMITTEE with those over \$2,000.00 also being referred to a secondary Committee.

(3) Legislative matters

The following 11 legislative items were ORDERED ON THE AGENDA under LEGISLATIVE & RULES COMMITTEE:

1. Proposed ORDINANCE CONCERNING DESIGNATION OF RESPONSIBILITY WITHIN CITY DEPARTMENTS FOR THE USE OF PUBLIC FUNDS AND PUBLIC PROPERTY

(Also referred to FISCAL COMMITTEE and PARKS & RECREATION COMMITTEE)

2. Final adoption of ORDINANCE AMENDING SECTION 10-70 OF THE CODE OF ORDINANCES TO INCLUDE WITHIN THE DEFINITION OF "RENT" BENEFITS TO A LANDLORD DERIVED FROM A DECREASE IN SERVICES

3. Final adoption of ORDINANCE AMENDING SECTION 10-79 OF THE CODE OF ORDINANCES TO ALLOW A LANDLORD AS WELL AS A TENANT TO FILE AN INITIAL COMPLAINT WITH THE FAIR RENT COMMISSION

4. METHOD USED BY CITY FOR NOTIFICATION TO TAXPAYERS OF DELINQUENT TAXES

5. Proposed ORDINANCE PROHIBITING SELF-SERVICE GASOLINE STATIONS

6. Proposed ORDINANCE ESTABLISHING A UNIFORM MILL RATE FOR TAXATION OF MOTOR VEHICLES

(Also referred to FISCAL COMMITTEE)

7. Proposed ORDINANCE FOR TAX EXEMPTION FOR RECTORY OF TRINITY EPISCOPAL CHURCH RECTORY AT 60 CAMPBELL DRIVE FOR FIRST HALF OF THE LIST OF SEPTEMBER 1, 1970
8. Proposed RESOLUTION APPROVING CHANGE IN ASSESSMENT DATE FROM SEPTEMBER 1 TO OCTOBER 1 TO BE EFFECTIVE IN 1976
9. WAIVER OF BUILDING PERMIT FEE FOR GREEK CHURCH OF THE ANNUNCIATION
10. Proposed ORDINANCE CONCERNING DISCLOSURE OF CIVIL SERVICE PRACTICES WITHIN THE CITY
(Also referred to PERSONNEL COMMITTEE)
11. Proposed ORDINANCE CONCERNING PRIVATE REFUSE COLLECTION PRACTICES WITHIN THE CITY

(4) Public works

The following item on the tentative agenda was ORDERED ON THE AGENDA under PUBLIC WORKS COMMITTEE:

1. Proposed RESOLUTION CONCERNING APPROVAL OF AGREEMENT TO BE ENTERED INTO BETWEEN THE CITY OF STAMFORD AND THE TOWN OF DARIEN WHEREBY THE STAMFORD DEPARTMENT OF PUBLIC WORKS MAY BURN DARIEN REFUSE

(Above also referred to LEGISLATIVE & RULES COMMITTEE)

(5) Health & Protection concerns

The following item, which appeared on the tentative agenda, was ORDERED ON THE AGENDA under HEALTH & PROTECTION COMMITTEE:

1. PETITION from residents in area of Vroman Foods, Inc., on East Main Street objecting to nuisances caused by the trucks left running during the night and on weekends

Item #2 on the tentative agenda under Health & Protection Committee concerning an inquiry into policies concerning promotions and deployment of men within the Police Department was NOT ordered on the agenda for the meeting of August 4, 1975.

(6) Personnel concerns

The following five (5) items, which appeared on the tentative agenda, were ORDERED ON THE AGENDA under PERSONNEL COMMITTEE:

1. CIVIL SERVICE REGULATIONS - Consideration of revisions
2. Proposed RECOMMENDATION CONCERNING PROCEDURE TO BE FOLLOWED BY THE DIRECTOR OF PERSONNEL IN SEEKING A SALARY INCREASE
3. Proposed RECOMMENDATION TO BE SUBMITTED TO THE PERSONNEL COMMISSION CONCERNING POLICY FOR COMPENSATING RETIRING DEPARTMENT HEADS AND/OR ADMINISTRATORS FOR UNUSED SICK LEAVE AND VACATION TIME

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4. INQUIRY INTO CIRCUMSTANCES CONCERNING CERTAIN APPOINTMENTS WITHIN THE CIVIL SERVICE SYSTEM

(Also referred to LEGISLATIVE & RULES COMMITTEE)

5. COLLECTIVE BARGAINING CONTRACT BETWEEN THE BOARD OF EDUCATION AND THE STAMFORD EDUCATION ASSOCIATION

Item #6 on the tentative agenda, concerning a proposed resolution in support of the Deputy Corporation Counsel in the performance of his duties, was NOT ordered on the agenda for the meeting of August 4, 1975.

(7) Public housing matters

The following item was ORDERED ON THE AGENDA under PUBLIC HOUSING & GENERAL RELOCATION COMMITTEE:

1. TAX ABATEMENT FOR MARTIN LUTHER KING APARTMENTS

(Also referred to LEGISLATIVE & RULES COMMITTEE)

(8) Communications from the Mayor

The following item was ORDERED ON THE AGENDA under COMMUNICATIONS FROM THE MAYOR:

1. REPORT from Mayor Frederick P. Lenz, Jr., regarding recommendations included in the final report of Special Investigating Committee concerning the Appointment of a Superintendent of Parks

There being no further business to come before the Committee, on motion, duly seconded and CARRIED, the meeting was adjourned at 8:40 p.m.

Frederick E. Miller, Jr.
Chairman
Steering Committee

sf

RECESS

THE PRESIDENT announced that the Board would recess at this time for the purpose of having the caucuses. (8:49 p.m.)

THE PRESIDENT called the meeting back to order at 10:14 p.m. following the caucuses. He noted that Reps. D'Agostino and Perkins were present and there were 36 present and 4 absent.

APPOINTMENTS COMMITTEE - Theodore Boccuzzi

MR. THEODORE BOCCUZZI reported that the Appointments Committee met twice this month. He said that at the first meeting on July 31 present were Reps. Ravallese, Tresser, Dixon, Crosby and Theodore Boccuzzi. He said the second meeting was held earlier this evening and present were Reps. Tresser, Forman, Martino, DeRose, Ravallese, Exnicios, John Boccuzzi, Miller and Theodore Boccuzzi. He reported on the following appointments: (The votes are recorded below).

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10,670

PARK COMMISSION

VOTE:

Term Ending:

ANTON RICE III (R)
128 Guinea Road
(Replacing Frank Cowlin
who resigned) - (Held
in Committee 7-7-75)

APPROVED
27 yes
8 no
1 abstention

Dec. 1, 1979

BOARD OF TAXATION

SANDY GUINTA (D)
28 Scofield Avenue
(Replacing Charles
Fisher, whose term
expired) - (Held in
Committee 7-7-75)

APPROVED
20 yes
15 no
1 abstention

Dec. 1, 1979

PATRIOTIC & SPECIAL EVENTS COMMISSION

JUDD HARDING (R)
1435 Bedford St.
(Replacing T. Ryan,
deceased)

APPROVED
29 yes
6 no
1 abstention

Dec. 1, 1979

TRANSIT DISTRICT

CLARA SCROGGINS (R)
44 Strawberry Hill Ave.
(Reappointment)

APPROVED
18 yes
17 no
1 abstention

Dec. 1, 1979

SUSPENSION OF THE RULES

MR. THEODORE BOCCUZZI MOVED for SUSPENSION OF THE RULES to consider the appointment of Austin J. Rinella to the Personnel Commission in accord with the Mayor's letter of August 4, 1975. Seconded and CARRIED. He then reported on the following appointment:

PERSONNEL COMMISSION

AUSTIN J. RINELLA (D)
25 Island Heights Drive
(Replacing Edward Mathews,
who resigned)

APPROVED
30 yes
6 no

Dec. 1, 1976

SUSPENSION OF THE RULES

MR. THEODORE BOCCUZZI MOVED for SUSPENSION OF THE RULES to consider the appointment of Carmine V. Longo to the Personnel Commission in accord with the Mayor's letter of August 4, 1975. Seconded and CARRIED. He then reported on the following appointment:

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PERSONNEL COMMISSIONVOTE:Term Ending:

CARMINE V. LONGO (D)
830 Hope Street
(Replacing William
Napolitano, whose term
expired)

APPROVED
22 yes
14 no

Dec. 1, 1977

FISCAL COMMITTEE - Marilyn Laitman

MRS. LAITMAN reported that the Fiscal Committee met on July 30 and present were Reps. Laitman, Crosby, Loughran, Livingston, Rybnick and Zimble and absent were Reps. John Boccuzzi, Dixon, Exmicios and Forman. She said two members left the meeting early leaving the Committee without a quorum and making another session earlier this evening necessary. She said there were five members present at that session. She reported on the following items:

- (1) PREPARATION OF PHASE II OF REPORT concerning an item approved by the Board of Representatives at its December 2, 1974 meeting authorizing transfer of \$7,605.54 from the Law Department - Code 110.0101 Salaries - to the Personnel Department - Code 174.0101 - Salaries - (Letter dated 4-18-75 from Marilyn Laitman, 20th District Rep.) - Held in Committee 5-5-75 and 6-2-75 - (Phase I of Report given on 7-7-75)

MRS. LAITMAN read the following report concerning the above item.

ITEM NO. 1

"The Fiscal Committee continued its inquiry into the situation which arose from a transfer of funds from the Law Department to the Personnel Department which was intended to pay for the hiring of an additional employee but was applied for pay increases to the Director and Assistant Director of Personnel and possibly one other employee. The Fiscal Committee, with the Chairman and members of the Personnel Committee present, met with Mr. Lynch of the Personnel Commission and the Director of Personnel and his attorney.

"The Committee's focus at this time is a question of policy concerning whether pay increases, including those engendered by reclassifications, should require a specific appropriation for that particular purpose. The Committee is concerned with what has apparently been the practice of authorizing such pay increases to the extent that chance and circumstances have produced surplus funds in salary accounts. The effect, however, binds the City to continue to pay such increases in subsequent years.

"The Committee also considered the question of policy whereby reclassifications appear to have occurred routinely without the requirement for an examination as apparently required by the Civil Service regulations.

"The Committee also dealt briefly with a question raised from documentation supplied by the Director of Personnel pursuant to our last meeting with him where it appeared that the particular reclassification in question was requested on nothing more than an alleged pay difference in comparison with other department heads and their assistants.

"The Committee sought further input on these questions as the powers and duties of the Board of Representatives can affect such policies. A proposed ordinance is being drafted at my request and it is hoped that it will be sponsored by the Fiscal Committee and perhaps the Personnel Committee. This proposed ordinance will deal specifically with the question of a requirement for specific appropriation to fund future pay increases.. A first rough draft of such an ordinance was reviewed and is being revised.

"There was considerable disagreement between the Board's Committee members and those present on the issue of reclassification and how to fund same.

"The policy question of reclassification without re-examination requires further evaluation by this Committee, specifically as to the relationship that policy has to the powers and duties of the Board.

"Regarding the issue of reclassification solely based on pay differences among department heads, the member of the Personnel Commission present and the Attorney for the Director of Personnel indicated that that was not the policy.

"In sum, presently the major issue before the Board's Committee is the proposal that all pay increases be properly funded by a request for a specific appropriation. The Fiscal Committee will continue to pursue this issue. This Board and its members are the repository of the local electors' will, particularly so far as the purposes for expenditure of their tax dollars are concerned. We intend to see that this power is preserved and applied in their best interest."

Marilyn R. Laitman

MR. HOFFMAN said the Personnel Committee concurs with the above report on Item #1. He said the Committee fully supports the Fiscal Committee in its efforts to propose an ordinance covering this matter.

SUSPENSION OF THE RULES

MR. THEODORE BOCCUZZI MOVED for SUSPENSION OF THE RULES to consider at this time Item #5 under the Legislative & Rules Committee. Seconded and CARRIED.

LEGISLATIVE & RULES COMMITTEE - Norman Davidoff

- (5) Proposed ORDINANCE PROHIBITING SELF-SERVICE GASOLINE STATIONS WITHIN THE CITY OF STAMFORD - (Petition dated 6-19-75, submitted by Wayne Konitshek, President, Stamford Gas Dealers Association) - (Held in Committee 7-7-75)

MR. DAVIDOFF said the Legislative & Rules Committee voted 9 to 0 to recommend that the above item be Held in Committee. He said the Committee wishes to hear the City Fire Marshalls on the subject in the accordance with the recommendation of some representatives of the gasoline station owners and, in addition, the Committee is still awaiting an opinion from the Corporation Counsel's office. He said the Legislative & Rules Committee is unanimously in favor of formulating an ordinance to restrict self-service retail motor fuel outlets. He said until the Committee is in possession of an opinion from the Corporation Counsel as to the legality of such an ordinance, they are not prepared to recommend it to the full Board for approval. He said it is the intent of the Committee to have a legally constituted ordinance for the Board's approval at the September meeting.

MR. MORABITO MOVED that the proposed ordinance prohibiting self-service gasoline stations be taken out of Committee. Seconded.

In response to questions from MR. THEODORE BOCCUZZI, MR. DAVIDOFF said he discussed this matter with the Corporation Counsel earlier today and one of the areas of concern is restraint of trade.

MR. MORABITO said he believed that the ordinance that was proposed is valid and legal.

MRS. LAITMAN said that it would be her intention if this item is brought out of Committee to propose an amendment to allow all existing self-service stations to continue providing they meet all safety requirements.

MRS. FORMAN said that it would be her intention to propose an amendment that would give gasoline stations the option of combining regular service with self-service facilities.

MR. D'AGOSTINO requested a ROLL CALL VOTE and a sufficient number of members supported his request.

The following ROLL CALL VOTE was taken on the motion to bring Item #5 out of Committee and the motion CARRIED by a vote of 33 in favor, 2 opposed and one abstention:

THOSE VOTING IN FAVOR:

BOCCUZZI, John (D)
BOCCUZZI, Theodore (D)
CIBULSKAS, Algird (D)
CLARK, Linda (D)
CONNORS, George (D)
D'AGOSTINO, Thomas (D)
DeROSE, Joseph (D)
DIXON, Handy (D)
EXNICIOS, Robert (R)
FLANAGAN, William (R)
GUROIAN, Armen (D)
HANDLEY, Diane (R)
HOFFMAN, Leonard (R)
KELLY, James (D)
LAITMAN, Marilyn (D)
LOUGHRAN, Michael (D)
LOWDEN, Lynn (D)
MARTINO, Vincent (D)
MAYNOR, Frederick (D)
McINERNEY, Barbara (R)
MILLER, Frederick (D)
MORABITO, Joseph (D)
PERILLO, Alfred (D)
PERKINS, Billie (R)
RAVALLESE, George (D)
ROSS, Salvan (D)
RYBNICK, Gerald (D)
SAINBURG, Richard (R)
SANDOR, John (D)
TRESSER, Michael (R)
TRUGLIA, Anthony (D)
WALSH, Peter (D)

THOSE VOTING IN OPPOSITION:

DAVIDOFF, Norman (D)
FORMAN, Barbara (R)

ABSTENTION:

BLOIS, Julius (D)

THOSE VOTING IN FAVOR: (Continued)

ZIMBLER, Kurt (R)-----

MR. FLANAGAN MOVED for PUBLICATION of the proposed ordinance prohibiting self-service gasoline stations within the City of Stamford. Seconded.

MR. FLANAGAN suggested an additional public hearing be scheduled so that the Committee could hear from the consumers that will be affected by this proposal.

THE PRESIDENT noted that there was a public notice for the hearing that was held last week and observed that the Board is under no compulsion to hold public hearings on proposed ordinances. He also noted that the majority of the speakers at last week's hearing were in favor of the adoption of the proposed ordinance.

MR. FLANAGAN agreed that the last hearing was advertised but he said he did not hear any input from any consumers.

There was a request for a ROLL CALL VOTE on Mr. Flanagan's motion for publication of the proposed ordinance and there were sufficient members supporting this request.

MRS. LAITMAN MOVED TO AMEND the proposed ordinance by adding the following:

"Self-service stations existing and functioning as such shall be permitted to continue operation so long as they meet safety standards under the present applicable State and City codes."

MR. TRUGLIA seconded Mrs. Laitman's motion to amend the proposed ordinance.

MR. LOUGHRAN said that if safety is the basic consideration for opposition to the existence of self-service gasoline stations, no such stations should be allowed to exist. He said he would oppose the proposed amendment and would be of the opinion that if self-service stations are as dangerous as some have said, they should be put out of business. He referred to the safety factors pointed out in the petition from the gasoline station owners.

MR. GUROIAN spoke in favor of the amendment proposed by Mrs. Laitman and in opposition to the arguments put forth by Mr. Loughran.

MR. ZIMBLER said he has changed his opinion about the proposed ordinance and is now in favor of it. He said he has not been swayed so much by the safety factors as by the threat the self-service stations pose to the small businessman trying to operate independently of the corporate octopus. He said the Board owes it to these local businessmen to pass this ordinance to see that they are able to stay in business.

MRS. MCINERNEY spoke in favor of the amendment and said she questions the right of this Board to restrain the trade of any business. She said the consumer should have a choice of which stations he would like to patronize.

MR. ROSS also spoke in favor of the amendment. He asked if any member has any statistics comparing the accident rates in full service stations with self-service stations. He said that to his knowledge there have been no serious accidents in any nearby self-service stations.

MR. PERILLO MOVED THE QUESTION. Seconded and CARRIED.

MR. ZIMBLER spoke on a POINT OF INFORMATION and asked if it would be advisable to include a specific date in the amendment to note that self-service stations existing as of the present time only would be permitted to continue to exist.

THE PRESIDENT said that would not be necessary as there is a date at which time this ordinance will take effect. He said if the Board publishes the ordinance now and finally adopts it in September it would take effect by the end of September. He said this ordinance will not do anything for anybody until it is finally adopted and suggested that if the effective date is a problem it can be considered between now and the time the ordinance is brought before the Board for final adoption.

MR. PERILLO requested a ROLL CALL VOTE on the motion to amend the proposed ordinance as suggested by Mrs. Laitman and a sufficient number of members supported his request.

The following ROLL CALL VOTE was taken on Mrs. Laitman's motion to amend the ordinance and the motion CARRIED by a vote of 33 in favor, 2 opposed and one abstention:

THOSE VOTING IN FAVOR:

BOCCUZZI, John (D)
BOCCUZZI, Theodore (D)
CIBULSKAS, Algird (D)
CLARK, Linda (D)
CONNORS, George (D)
D'AGOSTINO, Thomas (D)
DAVIDOFF, Norman (D)
DeROSE, Joseph (D)
DIXON, Handy (D)
FLANAGAN, William (R)
FORMAN, Barbara (R)
GURDIAN, Armen (D)
HANDLEY, Diane (R)
HOFFMAN, Leonard (R)
KELLY, James (D)
LAITMAN, Marilyn (D)
LOWDEN, Lynn (D)
MARTINO, Vincent (D)
MAYNOR, Frederick (D)
McINERNEY, Barbara (R)
MILLER, Frederick (D)
MORABITO, Joseph (D)
PERILLO, Alfred (D)
PERKINS, Billie (R)
RAVALLESE, George (D)
ROSS, Salvan (D)
RYBNICK, Gerald (D)
SAINBURG, Richard (R)
SANDOR, John (D)
TRESSER, Michael (R)
TRUGLIA, Anthony (D)
WALSH, Peter (D)
ZIMBLER, Kurt (R)

THOSE VOTING IN OPPOSITION:

EXNICIOS, Robert (R)
LOUGHRAN, Michael (D)

ABSTENTION:

BLOIS, Julius (D)

MRS. FORMAN said that the way the proposed ordinance is written is not only restrictive to the consumer but restrictive to the station owner who would not be allowed to convert part of his station to self-service if he wanted to. SHE MOVED TO AMEND Section 1 of the proposed ordinance by adding "unless the service station operator wishes to include additionally a self-service operation into his existing operation and has obtained the approval necessary to insure safety and health requirements."

The motion to amend was not seconded.

THE PRESIDENT suggested that this proposal could be taken up with the Legislative & Rules Committee.

The following ROLL CALL VOTE was taken on the motion to publish the proposed ordinance prohibiting self-service gasoline stations within the City as amended and the motion CARRIED by a vote of 34 in favor, one opposed and one abstention: (The proposed ordinance follows the roll call vote).

THOSE VOTING IN FAVOR:

BOCCUZZI, John (D)
BOCCUZZI, Theodore (D)
CIBULSKAS, Algird (D)
CLARK, Linda (D)
CONNORS, George (D)
D'AGOSTINO, Thomas (D)
DAVIDOFF, Norman (D)
DeROSE, Joseph (D)
DIXON, Handy (D)
EXNICIOS, Robert (R)
FLANAGAN, William (R)
GUROIAN, Armen (D)
HANDLEY, Diane (R)
HOFFMAN, Leonard (R)
KELLY, James (D)
LAITMAN, Marilyn (D)
LOUGHRAN, Michael (D)
LOWDEN, Lynn (D)
MARTINO, Vincent (D)
MAYNOR, Frederick (D)
McINERNEY, Barbara (R)
MILLER, Frederick (D)
MORABITO, Joseph (D)
PERILLO, Alfred (D)
PERKINS, Billie (R)
RAVALLESE, George (D)
ROSS, Salvan (D)
RYBNICK, Gerald (D)
SAINBURG, Richard (R)
SANDOR, John (D)
TRESSER, Michael (R)
TRUGLIA, Anthony (D)
WALSH, Peter (D)
ZIMBLER, Kurt (R)

THOSE VOTING IN OPPOSITION:

FORMAN, Barbara (R)

ABSTENTION:

BLOIS, Julius (D)

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PROPOSED ORDINANCEPROHIBITING SELF-SERVICE GASOLINE STATIONS WITHIN THE CITY OF STAMFORD

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Section 1. No self-service gasoline stations, as hereinafter defined, shall be permitted. No person other than the service stations owner, operator or an authorized employee shall use or operate any motor fuel dispensing equipment at any gasoline service station.

Section 2. A gasoline service station is defined to be any place of business, public or private, where gasoline or other flammable liquid motor fuel for motor vehicles or internal combustion engines is dispensed at retail into fuel tanks of vehicles or engines.

Section 3. Self-service stations existing and functioning as such shall be permitted to continue operation so long as they meet safety standards under the present applicable State and City codes.

Section 4. Any person, firm or corporation, who shall violate any provision of this ordinance shall be fined not more than One Hundred Dollars (\$100.00) or sentenced to not more than thirty days or both.

This Ordinance shall take effect upon its adoption.

MR. ZIMBLER MOVED FOR ADOPTION of the following Sense of the Board Resolution:
Seconded.

SENSE OF THE BOARD RESOLUTIONCONCERNING ISSUANCE OF PERMITS FOR SELF-SERVICE GASOLINE STATIONS

BE AND IT IS HEREBY RESOLVED THAT:

It is the Sense of the 13th Board of Representatives of the City of Stamford that a moratorium be declared on the issuance of any further permits for self-service gasoline stations until such time as final adoption of the proposed ordinance prohibiting self-service gasoline stations within the City of Stamford, which was approved for publication at the regular monthly meeting of the Board of Representatives of August 4, 1975, is effected.

FISCAL COMMITTEE - Marilyn Laitman

MRS. LAITMAN reported on the following items:

(2) \$1,205.00 - STAMFORD EMERGENCY SERVICE - Code 560.0101 - Salaries -
Required to cover the MEA contracted salary for Executive Secretary for final six weeks of 1974-75 fiscal year -
(Acting Mayor's letter of 5-1-75) - (Held in Committee 7-7-75)

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MRS. LAITMAN said that Item #2 is being Held in Committee in order to give the Personnel Committee of the Board a chance to review the request.

MR. HOFFMAN said the Personnel Committee concurred with the item being Held in Committee.

(3) \$420.00 -

Proposed RESOLUTION AMENDING 1974-75 CAPITAL PROJECTS BUDGET BY ADDING THERETO A PROJECT IN THE AMOUNT OF \$420.00 TO BE ENTITLED "DEPARTMENT OF PUBLIC WORKS - DERRY STREET STORM WATER SEWER & STREET IMPROVEMENT" TO BE FINANCED BY THE TRANSFER OF SAID AMOUNT FROM THE PROJECT IN THE 1973-1974 CAPITAL PROJECTS BUDGET ENTITLED "CITY-WIDE STORM DRAINS" - To establish a separate budget category in order to meet the legal requirements in billing the total cost to the property owners benefiting from this project - (Mayor's letter of 4-27-75) - (Held in Committee 6-2-75 and 7-7-75)

MRS. LAITMAN said the above request has been withdrawn because a legal opinion has been rendered to the effect that the involved homeowners are not liable for the additional payment.

MR. ROSS said the Planning & Zoning Committee concurred.

(4) \$85,484.00 -

DEPARTMENT OF HEALTH - Code 509.0000 - Lead Poison Prevention Program - Grant - From Department of Health, Education and Welfare to continue this program for a second year from July 1, 1975 through June 30, 1976 - (Mayor's letter of 7-1-75)

MRS. LAITMAN said this amount is wholly reimbursable by the State and re-funds the continuation of the Lead Poison Prevention Program. She said the Fiscal Committee voted 5 to 0 to recommend approval and SHE SO MOVED. Seconded by Mrs. Clark who said the Health & Protection Committee concurred. CARRIED.

(5) \$35,500.00 -

DEPARTMENT OF HEALTH - Code 515.0000 - Air Pollution Control Program - Grant - From the State Department of Environmental Protection to continue this program through the 1975-1976 fiscal year - (Mayor's letter of 6-27-75)

MRS. LAITMAN said this represents a "pass through" of \$35,500.00 of federal funds to continue the Air Pollution Control Program. She said the Fiscal Committee voted 5 to 0 to recommend approval and SHE SO MOVED. Seconded by Mrs. Clark who said the Health & Protection Committee concurred. CARRIED.

(6) \$336.31 -

DEPARTMENT OF HEALTH - Code 512.5203 - Training School - To reimburse two nurses employed in the Public School Health Program for one-half the cost of job-related education as mandated by the contract between the City and the Connecticut Nurses Association - (Mayor's letter of 7-1-75)

MRS. LAITMAN said this amount represents a contractual obligation to fund job-related education for two registered nurses. She said the Fiscal Committee voted to recommend approval and SHE SO MOVED. Seconded and CARRIED.

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- (7) \$10,000.00 - DEPARTMENT OF HEALTH - Code 510.0939 - Early Periodic Screening Diagnosis and Treatment Program - Grant - To be received from the State Welfare Department to provide screening services for children - Amount represents anticipated revenues to be received during the year for this program and will eliminate necessity of requesting individual appropriations each month - (Mayor's letter of 7-1-75)

MRS. LAITMAN said this represents another payment from the State for the Early Periodic Screening Diagnosis and Treatment Program and the Fiscal Committee voted to recommend approval and SHE SO MOVED. Seconded.

It was noted that the Health & Protection Committee has not met on this item.

MR. JOHN BOCCUZZI MOVED that Item #7 be taken out of the Health & Protection Committee. Seconded and CARRIED.

The VOTE was then taken on the motion to approve the above item and the motion CARRIED.

- (8) \$46,515.00 - RESOLUTION NO. 1018 AMENDING 1974-1975 CAPITAL PROJECTS BUDGET BY ADDING THERETO A PROJECT IN THE AMOUNT OF \$46,515.00 TO BE ENTITLED "PUBLIC WORKS DEPARTMENT - NEW CONSTRUCTION - SNOW REMOVAL FACILITY" TO BE FINANCED BY THE APPROPRIATION OF SAID AMOUNT - To cover the costs of asphaltting the rock salt pads and of alterations completed at Scofieldtown Yard - Funds had originally been requested through the Snow Removal account in the operating budget but were denied at the Board meeting of 6-2-75 on the recommendation of the Fiscal Committee who suggested that all costs for permanent construction, alterations and improvements of City facilities should be funded through the Capital Projects Budget - (Mayor's letter of 6-27-75)

MRS. LAITMAN said that the Fiscal Committee had previously reviewed this request and returned it to the Commissioner of Public Works with the suggestion that the Capital Projects Budget be amended to include this project. She said it is that proposal which is before the Board tonight. She said the Committee has now received a detailed breakdown and was able to assess more carefully the request. She said the asphalt rock salt pads are at the City Garage and Scofieldtown Yard and total \$33,570.81 and \$12,944.00 is for alterations to the Scofieldtown Yard Snow Removal facility. She said she had received from Commissioner O'Brien bills substantiating these requests. She said the Fiscal Committee voted to recommend approval and SHE SO MOVED. Seconded by Mr. Perillo who said the Public Works Committee voted 7 to 1 to recommend approval.

MR. FLANAGAN said he had received copies of two requisitions included in this request which do not total \$33,000.00. He also said that part of the request for salt pads was really for parking area and roadways.

MRS. LAITMAN said she had some requisitions in addition to the ones referred to by Mr. Flanagan.

MR. SANDOR asked if this money had already been spent.

MR. JOHN BOCCUZZI said these funds are for the Snow Removal account and traditionally that account is not adequately funded at the beginning of the fiscal year as it is not possible to predict how much snow there will be.

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MRS. LAITMAN said deficit spending is permitted for snow removal. She said a minimal amount, which was \$25,000.00 this year, is appropriated at budget time and then the Public Works Department comes in at the end of the fiscal year for the balance of what was spent during the winter.

MR. FLANAGAN agreed that it is not possible to project what will be needed for snow removal but noted that this money is being requested for capital improvements which could have been predicted. He said it is his opinion that the bulk of this request does not legally come within the category of an account that can be spent in deficit.

MRS. LAITMAN said these facilities are directly concerned with snow removal. She said from now on items such as these will be considered separately but that at the time the budget was prepared this was all to be considered part of the snow removal account.

The VOTE was then taken on the motion to approve the following resolution and the motion CARRIED;

RESOLUTION NO. 1018

AMENDING 1974-1975 CAPITAL PROJECTS BUDGET BY ADDING THERETO A PROJECT IN THE AMOUNT OF \$46,515.00 TO BE ENTITLED "PUBLIC WORKS DEPARTMENT - NEW CONSTRUCTION - SNOW REMOVAL FACILITY" TO BE FINANCED BY TAXATION

BE AND IT IS HEREBY RESOLVED BY the Board of Representatives of the City of Stamford in accordance with Section 611.5 and 619 of the City Charter.

1. To adopt an amendment to the 1974-1975 Capital Projects Budget by adding a project in the amount of \$46,515.00 to be known as "Public Works Department - New Construction - Snow Removal Facility."
2. Said project to be financed by taxation.
3. That this resolution shall take effect upon enactment.

(9) \$10,500.00 -

RESOLUTION NO. 1019 - AMENDING 1974-75 CAPITAL PROJECTS BUDGET BY ADDING THERETO A PROJECT IN THE AMOUNT OF \$10,500.00 TO BE ENTITLED "PUBLIC WORKS DEPARTMENT - NEW CONSTRUCTION - REHABILITATION OF TOWN HALL" TO BE FINANCED BY THE APPROPRIATION OF SAID AMOUNT - To be used toward replacement of roof on Town Hall - City required to change specifications from asphalt to slate to be eligible for restoration grant from National Park Service - (Mayor's letter of 6-27-75)

MRS. LAITMAN said the above request was also previously reviewed by the Fiscal Committee and although the Committee approved the expenditure, it was recommended that this item be part of the Capital Projects Budget rather than the Operating Budget and this is what is now before the Board. She said the Fiscal Committee voted to recommend approval of the following resolution and SHE SO MOVED. Seconded by Mr. Perillo who said the Public Works Committee concurred. CARRIED;

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RESOLUTION NO. 1019

AMENDING 1974-1975 CAPITAL PROJECTS BUDGET BY ADDING THERETO A PROJECT IN THE AMOUNT OF \$10,500.00 TO BE ENTITLED "PUBLIC WORKS DEPARTMENT - NEW CONSTRUCTION - REHABILITATION OF TOWN HALL" TO BE FINANCED BY THE APPROPRIATION OF SAID AMOUNT

BE AND IT IS HEREBY RESOLVED BY the Board of Representatives of the City of Stamford in accordance with Section 611.5 and 619 of the City Charter:

1. To adopt an amendment to the 1974-1975 Capital Projects Budget by adding a project in the amount of \$10,500.00 to be known as "Public Works Department - New Construction - Rehabilitation of Town Hall."
2. To be financed by taxation.
3. That this resolution shall take effect upon enactment.

(10) \$600,000.00 -

Proposed RESOLUTION AMENDING 1975-1976 CAPITAL PROJECTS BUDGET BY ADDING THERETO A PROJECT IN THE AMOUNT OF \$600,000.00 TO BE ENTITLED "PUBLIC WORKS DEPARTMENT - STORM DRAINS - TOILSOME BROOK" TO BE FINANCED BY THE ISSUANCE OF BONDS IN SAID AMOUNT
To reinstate project eliminated by the Board of Finance in its review of the budget for this fiscal year - Requested at this time to take advantage of current economic climate that is producing bids below engineering estimates and to protect the residences along the brook from the adverse effects of the inadequacies of this drainage system - (Mayor's letter of 6-30-75)

MRS. LAITMAN said that at budget time this request was denied by the Board of Finance because there was some disagreement between the Public Works Department and the Environmental Protection Board. She said this conflict has been resolved and the proposal has been approved by the Board of Finance. She said this construction will alleviate a major portion of the constant drainage problems by the utilization of "Gabions" to effect erosion controls. She said it is hoped to coordinate this project with a planned sewer project in the area. She noted that these funds will not totally complete the project but in the words of Mr. Sharp, the consulting engineer, will be "putting money where conditions are the worst." She said the Fiscal Committee voted to recommend approval of the proposed resolution and SHE SO MOVED.

MR. PERILLO seconded the motion and said the Public Works Committee concurred. He added that the State has seen these plans and approval from the Department of Environmental Protection is in the mail. He said that Commissioner O'Brien has met with the residents in the Toilsome Brook area and they are willing to go along with this plan.

MR. SAINBURG said he basically is in favor of plans to clean up Toilsome Brook problems but there are some problems here that should be recognized. He said the first problem is a matter of timing. He said he understood that State DEP approval was not yet received as they are awaiting a hydraulic profile or backwater curve which he had heard had not been started. He said the Stamford Environmental Protection Board must also approve these plans as they function not only as an inland-wetland agency but also as a flood and erosion control board. He said he thinks it would be premature to

approve money for a project that just might not be approved. He said the second problem is the money itself and noted that two years ago \$750,000.00 was approved for south of the Parkway drainage and very little of this has been spent. He said he understands that Commissioner O'Brien has said that approximately half of this could be made available for Toilsome Brook work. He said the money was appropriated for specific purposes, such as \$100,000.00 for Intervale Road drainage, and suggested that specific change requests would be needed to use this money for Toilsome Brook. He said when he moved to Intervale Road 14 years ago he was told that solution to the drainage problems was in the works and that \$90,000.00 had been appropriated for that purpose. He said he does not know what happened to that money, if it ever existed, nor to the \$100,000.00 that was appropriated two and a half years ago, aside from surveying which happens frequently. He said the point is that money is appropriated and nothing is ever done and he questioned whether or not that would happen with Toilsome Brook. He said a third point is the overall scope of the project. He asked how much is really necessary. He said the Environmental Protection Board spent a relatively small amount of money to clean the brook last winter, in the neighborhood of \$20,000.00. He said last month's severe six-inch rain produced no or practically no problems and noted that modest projects can secure big results. He said to do the job proposed by Public Works could cost up to \$2 million. He said this might be fine for a fifty-year flood but questioned the expenditure at this time. He suggested it might be better to have a phased step-by-step program and evaluate each small step before going on to the next. He said the people in the Toilsome Brook area are taxpayers and he is certain they don't want to see the money wasted on a boondoggle. He said he entirely supports the concept of relieving the Toilsome Brook area residents of their flood burden but he wants to be sure of a reasonable approach. He said another aspect that bothers him is the work to be done on one landowner's property. He said he understands that \$200,000.00 is to be spent on drainage and improvements, including a road into a relatively large undeveloped tract. He suggested this landowner might be assessed for these improvements much the same way as property owners are assessed for sewer improvements. He said for these reasons he feels this request should be held in Committee for further study.

MRS. LAITMAN said she would support having the Environmental Protection Board review this project. She said she spoke with Commissioner O'Brien this evening who told her that he had spoken with the State people and they have seen the plans. She said Mr. Sharp explained to the Committee that they are ready to proceed with the plans as they are now drawn up. She said there has been a hydraulic study. She said the Fiscal Committee was told that the total figure for this project would be \$1.3 million to \$1.4 million. She said the monies for the Intervale Road project are still in the Capital Projects Budget. She said Commissioner O'Brien is willing to meet with the area residents at any time in an effort to have this project go forward.

MRS. MCINERNEY said no one is denying the fact that the problems in the Toilsome Brook area need to be taken care of. She read a letter from the Revonah Woods Association that was sent to Commissioner O'Brien in May 1975 which noted their concern about some of the aspects of the planned project which might allow an access road to be built into the Bracewood Lane property which lies to the south of the Brook and would encourage the owners of that property to try again to develop that property in a non-conforming manner.

MR. ZIMBLER said he had been very closely involved in the whole problem of Toilsome Brook. He said he does agree in part with some of the points raised by Mr. Sainburg but feels that the project should be started as soon as feasible.

He suggested that a possible solution might be to hold this item in Committee until such time as a meeting between the Commissioner and representatives of the Toilsome Brook Association has been held to make absolutely certain that this plan is agreeable to all and that EPB approval is received.

MR. PERILLO said he feels the project ought to be started now to alleviate the problems.

MR. HOFFMAN said he concurred with a good bit of what Mr. Zimbler and Mr. Sainburg have said. He said he feels that the City has procrastinated in getting around to correcting this particular problem and a lot of people have worked hard to get it into the budget. He said however, that he is concerned about the amount of money to be spent which will not even correct all of the problems.

MRS. McINERNEY said no one is against Toilsome Brook and noted that the Revonah area residents are greatly affected by the flooding of Toilsome Brook. She said their objection is that tax dollars may be spent for private development.

MR. JOHN BOCCUZZI said this Toilsome Brook construction has been pending for months and months. He said now that the administration is ready to solve the problems, this should be done and done now. He said any delay will add to the expense of the project.

MR. DAVIDOFF MOVED THE QUESTION. Seconded.

The VOTE was taken on Mr. Davidoff's motion to move the question and the motion LOST by a machine vote of 17 in favor and 16 opposed. (Two-thirds affirmative vote required).

In response to a question posed by MR. GURIOIAN, MR. ZIMBLER said he is completely behind this project. He said the Toilsome Brook Association has fought hard and long to get this project underway. He said until he has had definite input from that association that this is the way they want it done, he does not want to see the money committed. He said he would like to have the residents have a chance to meet with Commissioner O'Brien to review the plans.

MRS. LAITMAN MOVED that this item be held in Fiscal and Public Works Committees until the residents have a chance to meet with the Public Works Department and with Mr. Sharp, the consulting engineer. Seconded and CARRIED.

(11) \$11,158.00 - POLICE DEPARTMENT - Code 533.0000 - Civilian Specialists -
Includes a grant from the Connecticut Planning Committee on Criminal Administration under the Omnibus Crime Control and Safe Street Act of 1968 in the amount of \$5,542.00 and City's cash contribution of \$5,616.00 - (Mayor's letter of 6-23-75)

MRS. LAITMAN said these funds will cover the City's share and the Government's share of a grant, now in it's third year. She noted there is a decreasing ratio of funding and said that the first year the Government paid all of the costs, the second year 75% and this year 50%. She said the person employed under the grant is a civilian specialist known as a statistical planner, whose functions have negated the need for three sworn officers who did her job on a part time basis. She said the planner has set up a system of analyzing information, holding it and retrieving it and issues monthly "hot spot" lists which give graphic representation of posts to every officer. She said this is an admirable use of civilian talent

and results in a freeing of needed manpower. She said it is her personal opinion that additional use of such civilian specialists should be encouraged. She said the Fiscal Committee voted to recommend approval of this item and SHE SO MOVED. Seconded.

MRS. CLARK MOVED to take this item out of the Health & Protection Committee. Seconded and CARRIED.

The VOTE was then taken on the motion to approve Item #11 and the motion CARRIED.

(12) \$423,649.00 - STAMFORD DAY CARE PROGRAM - Amount required to operate the City's ten day care centers for the 1975-76 fiscal year, to be received as follows: (Mayor's letter of 7-3-75)

State Dept. of Community Affairs Grant -----	\$349,858.00
Program Fees -----	43,955.00
State Dept. of Education - School Lunch Program	29,336.00
PTA Contribution -----	500.00
	<u>\$423,649.00</u>

MRS. LAITMAN said this represents funds for our highly regarded Day Care Program run in ten day care centers and serving an enrollment of 240 three and four-year olds. She said the Board authorized the application for these funds at the February meeting. She said the Fiscal Committee voted to recommend approval of this request and SHE SO MOVED. Seconded.

MRS. LAITMAN said the Education, Welfare & Government Committee met with Fiscal Committee on the above item and also voted to recommend approval.

The VOTE was taken on the motion to approve Item #12 and the motion CARRIED.

(13) \$80,000.00 - BOARD OF EDUCATION - GRANT To be received from the State under Title IV, Part A of P.L. 93-380, Education Amendments of 1974 to continue the Adult Basic Education Program for the fiscal year 1975-1976 - (Letter dated 6-25-75 from Acting Supt. of Schools, Thomas F. Reardon)

MRS. LAITMAN said this is a 100% prepaid grant to fund the eleventh year of the Adult Basic Education Program. She said between 600 to 700 enrollments are anticipated this year. She said the Fiscal Committee voted to recommend approval and SHE SO MOVED. Seconded.

MRS. LAITMAN said the Education, Welfare & Government Committee met with Fiscal Committee on the above item and also voted to recommend approval.

The VOTE was taken on the motion to approve Item #13 and the motion CARRIED.

(14) \$17,800.00 - LONG RIDGE FIRE COMPANY, INC. - Code 573.0000 - To cover operating deficit incurred during the 1974-1975 fiscal year - (Mayor's letter of 5-8-75)

MRS. LAITMAN said this amount funds the 1974-1975 operating budget deficit and would be an amendment to the 1975-1976 budget. She said the Company has sustained operating deficits for three years necessitating dipping into their engine fund. She said they have recently purchased a \$68,000.00 fire engine which they will pay for and

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she noted that they have never come to the City for equipment funds and are functioning with three engines long overdue for replacement. She said that in view of the rural characteristics of their Fire District, they have higher operating expenses than the typical urban or suburban fire department. She said the Fiscal Committee voted to recommend approval and SHE SO MOVED. Seconded.

IT WAS MOVED to take this item out of the Health & ^Protection Committee. Seconded and CARRIED.

MRS. McINERNEY spoke in favor of this appropriation and noted that the area covered by Long Ridge Fire Company is 13 square miles and is larger than other fire districts. She said that since the fire hydrants are so far apart they require more hoses and more equipment.

In response to a question from MR. MORABITO, MRS. LAITMAN said that each tax district pays for the services that are directly attributable to that district and that is what the Board of Finance considers when they determine the various mill rates for the different tax districts.

The VOTE was then taken on the motion to approve Item #14 and the motion CARRIED.

(15) \$473,501.00 - RESOLUTION NO. 1020 - CONCERNING AUTHORIZATION FOR FILING OF AN APPLICATION FOR STATE ASSISTANCE IN AN AMOUNT NOT TO EXCEED \$473,501.00 TO ENABLE WAIVER OF PAYMENT IN LIEU OF TAXES -
To make social service programs possible in State moderate rental projects (Oak Park, William C. Ward Homes, Vidal Court and Lawnhill Terrace) -- (Mayor's letter of 7-16-75)

MRS. LAITMAN said this is an application to the State for reimbursement to the City in terms of moderate rental projects. She said the amount is arrived at by taking the total assessment for the four projects - \$9,053,560.00 - multiplied by the tax rate for the district in which they are located - A District--52.3 mills. She said this practice has been in effect in Stamford for the past six years. She said the Fiscal Committee voted to recommend approval and SHE SO MOVED. Seconded by Mr. Dixon who said the Public Housing & General Relocation Committee concurred.

In response to a question from MR. DeROSE, MRS. LAITMAN said that the funds go into the General Fund and are not specifically earmarked for social service programs. She said that terminology is required by the State.

The VOTE was then taken on the motion to approve the following resolution and the motion CARRIED.

RESOLUTION NO. 1020

CONCERNING AUTHORIZATION FOR FILING OF AN APPLICATION FOR STATE ASSISTANCE IN AN AMOUNT NOT TO EXCEED \$473,501 TO ENABLE WAIVER OF PAYMENT IN LIEU OF TAXES, MAKING SOCIAL SERVICE PROGRAMS POSSIBLE IN STATE MODERATE RENTAL PROJECTS (Oak Park MR-6, William C. Ward Homes MR-33, Vidal Court MR-55, Lawnhill Terrace MR-68)

WHEREAS, pursuant to Chapters 128, 129, 130 and 133 of the Connecticut General Statutes, the Commissioner of Community Affairs is authorized to extend financial assistance to local housing authorities, municipalities, human resource development agencies and non-profit corporations; and

WHEREAS, it is desirable and in the public interest that the City of Stamford make application to the State for financial assistance under Section 8-216 of the General Statutes in order to undertake a program of Payment-In-Lieu-of-Taxes and; to execute an Assistance Agreement therefore;

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

1. That it is cognizant of the conditions and prerequisites for State Assistance imposed by Chapters 128, 129, 130 and 133 of the Connecticut General Statutes, especially the requirement of Section 8-207 of the Connecticut General Statutes, as amended.
2. That the filing of an application by the City of Stamford in an amount not to exceed \$473,501 is hereby approved, and that the Mayor is hereby authorized and directed to execute and file such application with the Commissioner of Community Affairs, to provide such additional information, to execute such other documents as may be required by the Commissioner, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an Agreement is offered, to execute any amendments, recisions, and revisions thereto, and to act as the authorized representative of the City of Stamford.
3. That in consideration of said Assistance Agreement applicant does hereby waive any payments in lieu of taxes by the Housing Authority to the municipality under the provisions of Section 8-71 of the Connecticut General Statutes.

MRS. LAITMAN said that the Fiscal Committee did meet on the Collective Bargaining Contract submitted by the Board of Education but did not have a quorum and did not vote on it. She said a Special Meeting of the Board will be held on August 18 to consider this contract and the Fiscal Committee will meet prior to that Special Meeting.

LEGISLATIVE & RULES COMMITTEE - Norman Davidoff

- (1) Proposed ORDINANCE CONCERNING DESIGNATION OF RESPONSIBILITY WITHIN CITY DEPARTMENTS AND/OR AGENCIES FOR THE USE OF PUBLIC FUNDS AND PUBLIC PROPERTY
To regulate accountability for record-keeping practices within City departments - (Letter dated 1-22-75 from Deputy Corporation Counsel addressed to Internal Auditor - Re: Seaboard Service Invoices - Stamford Park Dept.)
(Additional proposal submitted by Barbara McInerney, 20th District Rep., on 4-21-75) - (Letter dated 7-21-75 from Deputy Corporation Counsel) -
(Held in Committee 4-7-75, 5-5-75, 6-2-75 and 7-7-75)

MR. DAVIDOFF said the Legislative & Rules Committee voted 9 to 0 to recommend that this proposed ordinance be approved for publication and HE SO MOVED. Seconded.

MRS. LAITMAN said the Fiscal Committee did not meet on this item.

MR. BLOIS said the Parks & Recreation Committee did not meet on this item.

THE PRESIDENT said it was not necessary to have a motion to move this item out of Fiscal and Parks & Recreation Committees. He noted that Reps. Connors, Exnicios and Loughran have been excused from the meeting and there are now 33 members present.

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The VOTE was then taken on the motion to approve the following proposed ordinance for publication and the motion was CARRIED unanimously:

PROPOSED ORDINANCE

CONCERNING DESIGNATION OF RESPONSIBILITY WITHIN CITY DEPARTMENTS
AND/OR AGENCIES FOR THE USE OF PUBLIC FUNDS AND PUBLIC PROPERTY

NOW, BE IT ORDAINED IN THE CITY OF STAMFORD THAT:

1. The public policy for the City of Stamford shall be that each and every department, board, agency or other entity thereof shall establish and maintain a system of accurate record keeping and fixed responsibility therefore; services rendered by the City, any expenditure of public funds, any public obligation incurred, and any use of City property, or the maintenance thereof shall be accurately accounted for in accordance with the provisions of this ordinance.

2a. Each and every department head of the City of Stamford and each and every commission, board or other entity shall by no later than January 1, 1976 institute and maintain a system of records and accounting for such activity within such department, board, agency or other entity.

b. Any system of accounts and records instituted pursuant to this ordinance shall include but not be limited to;

i. A record by itemization of each expenditure from each account with such department.

ii. A log or other record of all incoming calls for any services requested of the City from such department, board, agency or other entity provided such services would require more than routine clerical office activity or response. Such record or log shall contain a description of the nature of such call and entry date and the time of such call and such entries shall be made at the time such calls were received.

iii. A record or log of all services rendered by the City except routine clerical services including a description of the services rendered, entry date, and the approximate time such services were rendered; such information shall be recorded at the time such services were performed.

iv. A record of the use and maintenance of property including vehicles including:

a. A chronological record of all services to each item of property.

b. A record of all personnel assigned to such property at all times.

c. A record of servicing by receipt listing unit number, identification number and property description signed by the person in possession and authorized by same person within such department to obtain servicing.

d. A log by item of each and every item of property within such department including a simple permanent unit number for such item for as long as such item is in the possession of the City, with such unit number permanently fixed to such item.

e.. A record or log of all persons assigned to or permitted possession of such property which shall include a copy of a receipt therefore.

3. On and after January 1, 1976 a master ledger of all City motor vehicles and other movable machinery and equipment shall be maintained and kept current in each department.

4. On and after January 1, 1976 the appointing authority of each department, board, agency or other entity within the City shall assign an employee the responsibility of maintaining such records as may be required by this ordinance. All such records shall be signed by the employee so assigned. No person shall be assigned such responsibility where at least one person in such department may be required to maintain such records under his present job description or where any person in such department is of such level of employment that he may be transferred within the meaning of the Civil Service Regulations of the City to a position with the duties required for maintaining such records. In all other instances such assignment shall be done in accordance with the laws for expenditures of appropriations by the City.

5a. On and after January 1, 1976 each and every employee of the City of Stamford shall be responsible for any and all property of the City in his possession and for any damages or loss from unreasonable use thereof. Such employee shall sign a receipt of such property indicating the condition of such property at the time he receives its possession.

b. On or after January 1, 1976 each and every employee within the City shall be responsible to report any service or maintenance requirement of such property while in his possession when such requirement would reasonably be apparent from the use thereof.

c. The absence of a receipt or record required by this ordinance in relation to the above shall create a presumption of liability for such employee for any damage or loss to such property.

6. On and after January 1, 1976 no appropriation shall be made to any account within the City where there has occurred within one year from the date of request for such appropriation;

a. In conjunction with the use of City property purchased or maintained through such account;

(i) an unexplained use of such property; or
(ii) a use for a purpose other than an authorized public use in accordance with state or local law or regulation therefore.

b. An unexplained or unreasonable expenditure for maintenance for City property or an expenditure therefore in violation of state or local law or regulation where such expenditure is from an appropriation or account for the purchase or maintenance of such City property.

c. An unexplained loss or absence or other expenditure of funds contrary to the requirement of state or local law or regulation thereof.

d. An unexplained or unreasonable loss or absence of records for the expenditure of funds for the account which such appropriation is requested.

e. A service of the City provided in violation of state or local law or regulation thereof where the expenditure of such service was from an account for which such an appropriation was requested.

7. A violation of any provision of Section 6a-e of this ordinance or the loss or absence of any record otherwise required by this ordinance shall create a presumption of misuse of public property and public funds.

8. Any person who misuses public property or public funds shall be punished in accordance with the penalty provided in Section 1-8 of the Code of Ordinances.

9. This Ordinance shall take effect upon enactment.

- (2) ORDINANCE NO. 310 AMENDING SECTION 10-70 OF THE CODE OF ORDINANCES TO INCLUDE WITHIN THE DEFINITION OF "RENT" BENEFITS TO A LANDLORD DERIVED FROM A DECREASE IN SERVICES - To enable the Fair Rent Commission to receive complaints from tenants based on a decrease in the services supplied - approved for publication on 7-7-75 and published on 7-11-75 - (Letter dated 4-15-75 from Diana M. Crause, Director, Fair Rent Commission)

MR. DAVIDOFF MOVED for final adoption of the following ordinance: Seconded and CARRIED unanimously.

ORDINANCE NO. 310 SUPPLEMENTAL

AMENDING SECTION 10-70 OF THE CODE OF ORDINANCES TO INCLUDE WITHIN THE DEFINITION OF "RENT" BENEFITS TO A LANDLORD DERIVED FROM A DECREASE IN SERVICES

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

1. Section 10-70 of the Code of Ordinances is hereby repealed and the following shall replace it:

Section 10-70. Definitions.

Unless the context specifically indicates otherwise, the meaning of terms in this article shall be as follows:

Commission: The Fair Rent Commission of the City.

Housing Accommodation: Any building or structure, wholly or in part, containing living quarters occupied or fairly intended for occupancy as a place of residence, with any land or buildings appurtenant thereto and any services, furniture and facilities supplied in connection therewith, except a hospital, convent, monastery, asylum, public institution, or college or school dormitory, or any institution operated exclusively for charitable or educational purposes.

Landlord: Any person who leases, subleases, rents or permits the occupancy of any housing accommodation, including a person who manages a housing accommodation owned by someone else.

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Rent or rental charges: Any consideration, monetary or otherwise, including any bonus, benefit, or gratuity, demanded or received for the use of occupancy of any housing accommodation and shall also include a benefit derived from a decrease in services.

Tenant: Any person who leases or rents, whether by written, or oral lease, any housing accommodation, as a residence for himself and/or his immediate family.

2. This Ordinance shall take effect upon enactment.

- (3) ORDINANCE NO. 311 AMENDING SECTION 10-79 OF THE CODE OF ORDINANCES TO ALLOW A LANDLORD AS WELL AS A TENANT TO FILE AN INITIAL COMPLAINT WITH THE FAIR RENT COMMISSION - Approved for publication on 7-7-75 and published on 7-11-75 - (Letter dated 4-15-75 from Diana M. Crouse, Director, Fair Rent Commission)

MR. DAVIDOFF MOVED for final adoption of the following ordinance: Seconded and CARRIED unanimously.

ORDINANCE NO. 311 SUPPLEMENTAL

AMENDING SECTION 10-79 OF THE CODE OF ORDINANCES TO ALLOW A LANDLORD AS WELL AS A TENANT TO FILE AN INITIAL COMPLAINT WITH THE FAIR RENT COMMISSION

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

1. Section 10-79 of the Code of Ordinances is hereby repealed and the following shall replace it:

Section 10-79. Eligibility to file complaint.

Any tenant and any landlord shall be eligible to file a complaint with the Commission and any landlord or his representative shall be eligible to petition the Commission for a readjustment of the rent, as provided by subsections (7) and (9) of section 10-76. It shall be a defense to any complaint before the Commission that the tenant is responsible for damages to the landlord's premises, other than ordinary wear and tear, in excess of any amount held by the landlord as security. If the Commission finds, after a hearing that the tenant is responsible for such damages, other than ordinary wear and tear, it shall not make a determination in regard to such complaint until such time as the tenant has paid into escrow with the Commission an amount sufficient to pay for such damages, as determined by the Commission.

2. This Ordinance shall take effect upon enactment.

- (4) METHOD USED BY CITY FOR NOTIFICATION TO TAXPAYERS OF DELINQUENT TAXES - Request has been made to this Board to look into situation in which the City's first notice of delinquent taxes was received three years after the taxes were due and included claim of interest due in the amount of \$205.74 -- (Letter dated 5-30-75 from Frank W. LiVolsi, Jr., Esq.) - (Held in Committee 7-7-75)

MR. DAVIDOFF said Item #4 will be held in Committee. He said he will write a letter to the Tax Collector asking him to attend the next Legislative & Rules Meeting; and Attorney LiVolsi will submit his recommendation to make notice in this situation more equitable to the taxpayers.

Item # 5 --- see page 10,672 of this meeting.

- (6) Proposed ORDINANCE ESTABLISHING A UNIFORM MILL RATE FOR TAXATION OF MOTOR VEHICLES - Revised ordinance submitted at the request of Rep. Anthony Truglia, 5th District Rep. - (Letter to Mr. Truglia dated 7-7-75 from Deputy Corporation Counsel)

MR. DAVIDOFF said the Legislative & Rules Committee voted 9 to 0 to hold this item in Committee for further evaluation of the policy questions involved. He said this will definitely be taken up at September's meeting.

MRS. LAITMAN said the Fiscal Committee met on this item but did not vote as a quorum was not present.

- (7) ORDINANCE NO. 312 - TAX EXEMPTION FOR RECTORY OF TRINITY EPISCOPAL CHURCH LOCATED AT 60 CAMPBELL DRIVE FOR FIRST HALF OF THE LIST OF SEPTEMBER 1, 1970
To include in the tax abatement the tax due and payable July 1, 1971 which was inadvertently omitted from Ordinance No. 241 Supplemental adopted by the Board of Representatives on May 1, 1972 - (Submitted by Marilyn Laitman, 20th District Rep., for Steering Committee on 7-21-75)

MR. DAVIDOFF said the Legislative & Rules Committee voted unanimously to recommend waiver of publication of this proposed ordinance and HE SO MOVED. Seconded and CARRIED.

MR. DAVIDOFF MOVED for final adoption of the following ordinance for tax exemption for Trinity Episcopal Church property: Seconded and CARRIED unanimously.

ORDINANCE NO. 312 SUPPLEMENTAL

AMENDING ORDINANCE NO. 241 SUPPLEMENTAL - PROPERTY TAX EXEMPTION FOR RECTORY OF THE TRINITY EPISCOPAL CHURCH LOCATED AT 60 CAMPBELL DRIVE, STAMFORD, CONNECTICUT, UNDER PROVISION OF SECTION 12-81b OF CONNECTICUT GENERAL STATUTES

BE IT ORDAINED BY THE CITY OF STAMFORD THAT Ordinance No. 241 Supplemental is amended as follows:

Ordinance No. 241 Supplemental is, pursuant to Section 12-81b of the General Statutes of the State of Connecticut entitled, "Establishment by ordinance of effective date for exemption of property acquired by certain institutions," the Assessor of the City of Stamford and the Tax Collector of the City of Stamford are hereby authorized to exempt and abate taxes on the List of September 1, 1970, and September 1, 1971, assessed on real property situated on the south side of Campbell Drive - of the Grand List of September 1, 1970, South 4 - Lot #1 - acquired by the Trinity Episcopal Church of Stamford, Connecticut, on July 1, 1971, to be used for religious purposes.

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

- (8) RESOLUTION NO. 1021 APPROVING CHANGE IN ASSESSMENT DATE FROM SEPTEMBER 1 TO OCTOBER 1 TO BE EFFECTIVE IN 1976 - State law mandates that such change be effected no later than 1978 - (Letter dated 7-8-75 from James D. Hyland, Tax Assessor)

MR. DAVIDOFF said the Legislative & Rules Committee voted 9 to 0 to recommend adoption of the following resolution and HE SO MOVED. Seconded and CARRIED unanimously.

RESOLUTION NO. 1021

ESTABLISHING A UNIFORM ASSESSMENT DATE IN THE CITY OF STAMFORD, CONNECTICUT

BE IT RESOLVED by the Board of Representatives of the City of Stamford, that notwithstanding the provisions of Section 571.1 of the Charter of the City of Stamford and pursuant to the authority of Public Act No. 74-299, Substitute Senate Bill No. 460, which became effective on May 30, 1975, the City of Stamford does hereby establish a uniform assessment date of the first day of October, commencing with the Grand List of October 1, 1976.

This Resolution shall take effect upon its adoption.

- (9) WAIVER OF BUILDING PERMIT FEE FOR GREEK CHURCH OF THE ANNUNCIATION - For construction of new facilities on Newfield Avenue - (Letter dated 7-21-75 from Paul D. Shapiro, Esq.)

MR. DAVIDOFF said the Legislative & Rules Committee voted 9 to 0 to recommend approval of the above item and HE SO MOVED. Seconded and CARRIED unanimously.

- (10) Proposed ORDINANCE CONCERNING DISCLOSURE OF CIVIL SERVICE PRACTICES WITHIN THE CITY OF STAMFORD - Local "Right to Know" law - (Submitted at the request of Rep. Diane Handley, 17th District, by Deputy Corporation Counsel in letter dated 5-1-75) - (Held in Committee 6-2-75 and 7-7-75)

MR. DAVIDOFF said the Legislative & Rules Committee voted 9 to 0 to hold this proposed ordinance in Committee for further evaluation and possible changes.

MR. HOFFMAN said the Personnel Committee did not meet specifically on this item.

- (11) Proposed ORDINANCE CONCERNING PRIVATE REFUSE COLLECTION PRACTICES WITHIN THE CITY - Letter dated 3-24-75 from Rep. Theodore Boccuzzi, 9th District - (Ordinance submitted in letter dated 7-21-75 from Deputy Corporation Counsel address to Reps. Barbara Forman, 19th District, and Marilyn Laitman, 20th District)

MR. DAVIDOFF said a proposed draft of this ordinance dated July 18, 1975 was received by the Legislative & Rules Committee and the Committee voted to delete

Paragraph 3 from that draft, which reads, "No private collector shall refuse to service a new customer when the location of the new customer is reasonably accessible from any area where such private collector is already doing business." He said that the vote to delete that paragraph was 4 in favor, 3 opposed and 2 abstentions. He said the Committee voted 8 to 1 to recommend publication of the amended ordinance and HE SO MOVED. Seconded.

MRS. FORMAN MOVED TO AMEND the proposed ordinance before the Board by restoring Paragraph 3. Seconded.

MRS. LAITMAN said she would agree with the restoration of Paragraph 3 as it is a crucial part of the ordinance. She urged the Board members to support the amendment. She suggested that the word "unreasonably" be inserted in Paragraph 3, as follows:

3. No private collector shall unreasonably refuse to service a new customer when the location of the new customer is reasonably accessible from any area where such private collector is already doing business.

MRS. FORMAN accepted Mrs. Laitman's suggestion.

MR. ZIMBLER spoke in favor of the amendment. He said this paragraph is the whole ordinance and is the reason the ordinance was brought into being.

MR. GUROLIAN asked who would determine what a reasonable distance would be.

MRS. LAITMAN said the ordinance has provisions for hearings by a designated body when disagreements develop.

MRS. HANDLEY said she was one of the Committee members who voted for deletion of Paragraph 3 as she felt that section was an imposition on business. She said some of the refusemen indicated that if a man wanted to reduce his work load, it would not be fair to force him to take on another customer. She said she also felt that Sections 4 and 5 covered the same points. She said she does not think a man can be forced to accept another customer if he does not wish to expand his business.

MR. D'AGOSTINO said that at the time Mr. Boodman said Paragraph 3 might be against the law.

MR. DAVIDOFF said that Mr. Boodman did have doubts about this item.

MR. SAINBURG spoke in favor of the amendment and said that no other section of the proposed ordinance covers this specific point. He said it is the essence of the ordinance without which it would be meaningless.

MRS. FORMAN said she was aware of some of the questions that Mr. Boodman had and she spoke to another local attorney who assured her that it was within the police power of the City to act in this and that if the City has the power to license as it does, it has the power to require the refusemen to serve customers.

MR. MORABITO spoke against the amendment as it is an infringement on private enterprise. He said a man can not be forced to do business if he does not want to do so.

MR. KYENICK asked if this Board was going to be guided by an outside attorney or by the counsel the City employs.

MR. PERILLO said if the refusemen are in business to give service, then they should give it or get out of the business.

MR. MORABITO said the solution would be for everyone to take his own refuse to the incinerator. He said if enough people do that, it will hit the garbagemen where it hurts, right in the pocketbook.

MRS. FORMAN said some residents are at the mercy of the private collectors and are dependent on them and should be allowed to change collector if they so desire.

The VOTE was then taken on the motion to approve Mrs. Forman's amendment and the motion CARRIED.

MR. RYBNICK asked that the record indicate that he is abstaining on all votes pertaining to this item.

The VOTE was then taken on the motion for publication of the following proposed ordinance and the motion CARRIED:

PROPOSED ORDINANCE

CONCERNING PRIVATE REFUSE COLLECTION PRACTICES WITHIN THE CITY

WHEREAS, the City of Stamford has the power pursuant to Charter Section 40, Subdivision 41, to provide for and regulate collection and disposal of all garbage, trash, waste, and ashes either by contract or otherwise and prohibit and regulate the depositing of same; and

WHEREAS, the City is also endowed with the power pursuant to Charter Section 40, Subdivision 47, to regulate or prohibit the carrying on of any trade, manufacturing, business or profession which is or may be so carried on as to become prejudicial to public health, conducive to fraud and cheating or dangerous to or constituting an unreasonable annoyance to those living or owning property in the vicinity of Stamford; and

WHEREAS, it is the sense of the Board of Representatives of the City of Stamford that as regards the business of private garbage collection, open and competitive business practices in this industry serve the best interest of the community; and

WHEREAS, the conduct of business by private collectors such that local residents would find it difficult if not impossible to change collectors would require regulations under the above provisions.

NOW, THEREFORE, BE IT ORDAINED IN THE CITY OF STAMFORD THAT:

1. This Ordinance shall be entitled _____

2. For the purpose of this ordinance, a private collector is one who transports for any other person for a fee any substance defined as garbage, trash or other waste pursuant to Chapter 8 of the Code of Ordinances where such transportation is intended for disposition of such substance at any landfill site, incinerator or transfer station.

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3. No private collector shall unreasonably refuse to service any person when the location of such person is reasonably accessible from any area where such private collector is already doing business.

4. No private collector shall discriminate against any person by rate or other collection practice because such person has changed or has expressed an intention to change collectors.

5. No private collector shall refuse to service any person because such person has changed collectors.

6. No private collector shall enter into an agreement with another for the prearrangement or fixing of price or fee for collection services in any given area within the City or among any group of customers within the City.

7. It shall be a requirement of any license issued by the Commissioner of Public Works pursuant to Chapter 8 of the Code of Ordinances for the transportation or disposition of garbage, trash and other waste that the licensee supply the following information:

- (a) A description of the area served by him by street names.
- (b) A list of prices charged each customer serviced by such collector.
- (c) A list of names and addresses of any and all persons owning an interest in its business.
- (d) A list of collection equipment and the capacity thereof owned at the time of the license application or upon acquisition thereafter.
- (e) Notice within thirty days of any transfer, sale, exchange or gift of any interest in said business.

8. The Commissioner of Public Works shall maintain a list of areas covered by private refuse collectors within the City by street including the name of each private collector doing business on each such street and shall keep such list up-to-date and accessible to the public and publish such list at least once a year in the local media.

9. Any person who violates any provision of this section shall pay a fine of one hundred dollars (\$100.00) for each offense. Each separate person discriminated against pursuant to Sections two through five of this ordinance shall be deemed a separate offense.

10. (a) Notwithstanding any other penalty provided by law, the Commissioner of Public Works may suspend or revoke any license described in Section 7 of this ordinance, refuse to renew such license, or prohibit from use of the City incinerator, transfer station or dumping facilities any person who he has determined to have violated any provision of this ordinance for a period of one year from the date of the Commissioner's determination that a violation has occurred.

(b) Any suspension, revocation or refusal to renew a license, and any prohibition described in Section 10 (a) above, shall not occur except upon reasonable notice to the party holding, or seeking such license or to be prohibited thereby and an opportunity for such party to respond and present evidence and argument on all issues involved.

11. Any person, joint venturer, employer, principle, agent, employee of a person that has violated any provision of this section and any shareholder who owns more than ten (10) per cent of any stock in a corporation that has violated any provision of this ordinance, shall be presumed to be a person who has violated a provision of this ordinance.

12. This ordinance shall take effect upon enactment.

THE PRESIDENT excused Mrs. Perkins from the meeting and announced that there were 32 members present at this time.

PUBLIC WORKS COMMITTEE - Alfred Perillo and Gerald Rybnick

MR. PERILLO reported on the following item:

- (1) RESOLUTION NO. 1022 - CONCERNING APPROVAL OF AGREEMENT TO BE ENTERED INTO BETWEEN THE CITY OF STAMFORD AND THE TOWN OF DARIEN WHEREBY THE STAMFORD DEPARTMENT OF PUBLIC WORKS MAY BURN DARIEN REFUSE - Mayor's letter of 6-23-75) - (Held in Committee 7-7-75)

MR. PERILLO said the Public Works Committee voted to recommend adoption of the following resolution and HE SO MOVED. Seconded by Mr. Davidoff who said the Legislative & Rules Committee concurred. CARRIED.

RESOLUTION NO. 1022

APPROVAL OF AN AGREEMENT BETWEEN THE CITY OF STAMFORD AND THE TOWN OF DARIEN FOR THE INCINERATION OF DARIEN REFUSE AT STAMFORD

WHEREAS, an agreement between the City of Stamford and Town of Darien for incineration of Darien refuse at Stamford would serve the interest of both communities.

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

1. It is the intent of said Board to approve an agreement whereby refuse generated in Darien may be incinerated by Stamford.

2. The Mayor is authorized to make and enter into such agreement which shall include the following:

a. A fee to Darien based on actual operating costs together with contingency factors relative to costs and probable tonnage expectancies determined by the Commissioner of Public Works. Said fee shall be initially \$12.00 per ton for refuse burned with a \$10.00 per ton credit for ash removed by Darien subject, however, to any existing agreement between the City of Stamford and any other party requiring another disposition of such ash. Said fee may be adjusted by the Commissioner of Public Works if necessary to reflect actual costs.

b. "Refuse" which shall be the subject of such agreement shall consist of all household waste excluding yard trimmings, stone and ashes and shall otherwise consist of substances for incinerating pursuant to the Code of Ordinances of the City of Stamford and regulations promulgated pursuant thereto providing for same.

c. All City of Stamford licenses and permits shall be required of persons who shall use the City of Stamford Incinerator facilities pursuant to such agreement.

d. The term for such agreement shall be one year with a one year option of renewal subject to reasonable review at a reasonable time before such option is exercised.

e. Any other provisions reasonably necessary to the creation of such an agreement and reasonably necessary for the protection of the City's interest therein which shall be consistent with the terms of this resolution.

3. This Resolution shall take effect upon enactment.

MRS. FORMAN said she would like the Public Works Committee to look into a very dangerous situation that exists on Hunting Ridge Road. She said she would be willing to meet with the Committee to explain the problem fully.

THE PRESIDENT suggested the request be put in writing for the Steering Committee.

MR. FLANAGAN said that at the last Steering Committee he asked for a report concerning the Public Works employee who was involved in an accident in a Public Works truck and who was reported not to have been a licensed driver.

MR. PERILLO said when Commissioner O'Brien returns from vacation, he will follow through on Mr. Flanagan's request.

THE PRESIDENT noted that Mr. Maynor was leaving and there were now 31 members present.

MR. MARTINO said he had some literature to be presented to the Public Works Commissioner and he would like to have them in the record of the meeting.

THE PRESIDENT said they will be included in the record of the meeting.

HEALTH & PROTECTION COMMITTEE - Matthew Rose

MR. ZIMBLER reported for the Health & Protection Committee in the absence of Mr. Rose. He said he had received a very encouraging report from Capt. Tobin of the Police Department with regards to the vandalism at the railroad station. He said in the six months' period from July 1974 to January 1975, immediately prior to the changes that have been instituted at the station, there were 43 cases of breaking and entering motor vehicles and in the period from January 1975 through June 1975 there were 6 cases of breaking and entering. He said that from September 1974 to January 1975 there were 29 cars stolen from the station and from January 1975 to July 1975 there were 21 cars stolen. He said even though that is only a difference of eight, the conclusive thing is that in the last three months - May, June and July - there were only six of those vehicles taken which indicates a definite decrease and shows that the area is gradually being discounted as a good location in which to steal a car. He said the Special Officers on duty at the railroad station in the period from February 10 to July 30, 1975 have made 28 arrests for such things as car theft, tampering with a motor vehicle, possession of burglary tools, intoxication, attempted robbery and public indecency. He said on behalf of the Committee he would like to thank the Police Department. He said there are many more things that have to be done at the railroad station but this is definitely a step in the right direction and it is appreciated.

MRS. MCINERNEY reported on the following item:

- (1) PETITION from residents in area of Vroman Foods, Inc., on East Main Street objecting to nuisances caused by the trucks left running during the night and on weekends - (Submitted by Rep. Armen Guroian, 7th District, on 7-7-75)

MRS. MCINERNEY said the Health & Protection Committee met on the above petition which was received from the residents living in the 7th District and Rep. Guroian and at that time a representative of Vroman Foods, Inc., Mr. Al DeCarlo, said the company would make every effort to correct the noise in that area.

MRS. HANDLEY asked why the Highview Avenue item was omitted from the agenda. She said the public hearing has not been held and she was under the assumption that the item would not be removed from the agenda until the hearing was held.

THE PRESIDENT asked if Mrs. Handley was saying that there was a mistake on the agenda or was she complaining that the Steering Committee did not put the item on the agenda. He noted that the final arbiter as to what goes on the agenda is the Steering Committee.

MR. ZIMBLER said he spoke to Mr. Rose about two weeks ago on this and he was told that Mr. Rose wanted to hold off on the public hearing until such time as the work that is now being done in the area is completed. He said Mr. Rose's feeling was that rather than hold a public hearing while the work was going on it would be a better idea to wait for the completion of the work and then get comments on the completed work and get any additional input from both the residents and the Representatives in that area. He said he indicated that he would hold off on the public hearing until at least the middle of August.

THE PRESIDENT said that he would assume then that the item is properly not on the agenda and is still in Committee.

MR. ROSS noted that the item was not on the tentative agenda.

PARKS & RECREATION COMMITTEE - Julius Blois

MR. BLOIS MOVED FOR SUSPENSION OF THE RULES to consider a fee for the Stamford Chess Club. Seconded and CARRIED.

MR. BLOIS reported on the following item:

BOARD OF RECREATION - FEE for Stamford Chess Club - 25¢ per person per week
(Letter dated 7-25-75 from Superintendent of Recreation)

MR. BLOIS said the Stamford Chess Club meets at Sterling Farms and the 25¢ fee will cover all the costs of running the program. HE MOVED for approval of the fee. Seconded and CARRIED.

MR. BLOIS said he had been asked to report on the tennis courts at Sterling Farms and he read the following:

"The six tennis courts constructed at Sterling Farms in 1971-1972 playable in the year 1972 were constructed at a cost factor of the courts alone of \$31,000.00 plus the fencing around them at a cost of \$3,700.00 for a total of \$34,700.00. Additional cost factors for the replacing on an annual basis of the six tennis nets have run

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approximately \$600.00 per year, so this would add approximately \$1,800.00 for a grand total as of the above date of \$36,500.00.

The revenue brought in during this period of time:

1974-1975 -----	\$15,500.00
1973-1974 -----	6,000.00
1972-1973 -----	2,700.00
	<u>\$24,200.00</u>

"Still, to amortize these courts over a five year period, there remains \$12,300.00 balance to be amortized by the 1975-1976 season. Also, in the 1975-76 season, we believe the courts will be due for re-surfacing. This year, we have made temporary and emergency repairs - small - a minimum of approximately \$350.00.

"Our fees this 1974-1975 season have been placed on an hourly court fee basis of \$3.00 minimum rate per hour per court for either singles or doubles with a Sterling Farms I.D. card which costs \$3.00 for the season. To this hourly base rate, \$1.00 is added for each player without an I.D. permit which can be either a Stamford resident or a non-resident. There also is a junior and senior rate for Monday through Friday play which is \$1.00 per hour per court which is applicable for 2 hours in the morning - namely 8-9 and 9-10 A.M.

"Our costs to operate just the tennis courts are as follows: During the early spring and late fall, there are two cashiers on full-time and one part-time cashier for Saturdays and Sundays for a cost factor of \$3,000.00 for this period of time plus the use of our secretary to fill in during the morning for two hours when reservations are taken for a total of \$4,200.00 during the spring and fall seasons. During the height of the season, which is approximately 16 weeks, additional part time summer help is hired to supplement the influx for the amount of play. This additional cost runs approximately \$2,000.00 for an operational cost factor applicable to the tennis area of approximately \$6,200.00 to \$6,500.00 at the present time.

"There is an additional maintenance cost for the upkeep of the courts by the permanent personnel of approximately \$4,500.00 for the maintenance of the tennis courts for a total cost factor of operations only of approximately \$10,000.00 - \$12,000.00 per season.

"We keep two tennis courts open on a year round basis for play - weather permitting. Also, Sterling Farms is the only public tennis complex in the City of Stamford where the person has the privilege of making phone reservations for the use of the courts and is assured that he has a definite time to play and no waiting period is involved. This phone reservation procedure is a costly factor; but it is the Authority's thinking that for the I.D. card permit that is sold for tennis that a tennis player should have this privilege and so they have provided for same. This has brought about considerable problems last year and has been partially minimized this year by this phone reservation system.

"We have had numerous surveys done for the Authority by S.N.E.T. Co. who have physically monitored the amount of calls received during the phone period times which are taken beginning at 9:00 A.M. on weekdays and a player can make reservations on Friday for Monday's play. The other times that are sold are reserved on a 2 days in advance basis. The surveys conducted by S.N.E.T. Co. indicated that in the 1973-74 season where calls were only taken during the morning periods, approximately 600-700 phone calls were received in a time period between 9:00 and 9:45 a.m. This amount of phone calls necessitated additional lines and cost factors

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to the Authority to handle this volume; whereas, we began with one line, we now have four rotating numbers and still can't possibly handle the number of calls.

"Further, this volume has not only caused the additional work load and personnel to the Authority but has inundated S.N.E.T. Co.'s sub-station to where approximately 75 phones were knocked out and couldn't be used by the individual people who were in sequential numbers to the ones assigned to us. The phones were dead when they took them off their receivers. Further, this volume not only inundated S.N.E.T Co.'s sub-station located on High Ridge Road but also backed up to their main office on Main Street.

"The 1974-1975 season has seen a slight change and improvements both to the Authority and S.N.E.T. CO. whereas, phone reservations for tennis have been split and a player makes reservations beginning at 9:00 a.m. for morning play between the hours of 9:00 a.m. and 1:00 p.m. and for afternoon play, reservations are taken beginning again at 1:00 p.m. for play during the hours of 1:00 p.m. and 8:00 p.m."

MR. BLOIS said he hoped that the report would answer the questions that had been raised about the fee at Sterling Farms for tennis.

MRS. FORMAN thanked Mr. Blois for the work, effort and time necessary to make his report. She said, however, that alternate ways for continuing the reservation system have been proposed and she asked if the Authority had discussed those possibilities.

MR. BLOIS suggested Mrs. Forman put her suggestions in writing for the Parks & Recreation Committee and they will discuss it and then propose it to the next meeting of the Golf Authority.

MRS. HANDLEY asked if the same factors as Mr. Blois mentioned in his report on the Sterling Farms tennis courts have been used to arrive at a fee for the tennis courts at Scalzi Park.

MR. BLOIS said Scalzi Park would come under a different category and noted that there is no reservation system at Scalzi.

MRS. HANDLEY said that she would then assume that the only difference between the two courts is the reservation system and that that is why the fees are higher at Sterling Farms.

MR. BLOIS said if the Board wants the fees reduced to \$2.00 and the courts to be made available on a first-come, first-served basis, the Golf Authority would be willing to do that.

MR. BLOIS then reported on the Beach - Park Stickers sold by the banks. He said in 1975 the banks sold 15,472 stickers and from 1964 to the present they have sold 207,600 stickers. He said he also had a comparison of the Park Department revenues for the past 20 years. He said the revenues for the fiscal year 1974-1975 were as follows:

I.D. & Park Permits	\$ 20,930.00
Marinas	28,167.50
Lighting	1,812.00
Vending Machines & Lockers	311.60

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Tennis	\$ 3,355.00
Rentals & Concessions	12,765.84
Picnic Permits	1,095.00
Ice Rink	138,377.41
TOTAL	\$206,814.35

PERSONNEL COMMITTEE - Leonard Hoffman

MR. HOFFMAN said the Personnel Committee had approximately eight meetings during this past month. He reported on the following items:

- (1) CIVIL SERVICE REGULATIONS - Consideration of revisions - (Letter dated 5-14-75 from Edward T. Mathews, then Chairman, Personnel Commission) (Held in Committee 6-2-75 and 7-7-75)

MR. HOFFMAN said the above item is being held in Committee for further study.

- (2) Proposed RECOMMENDATION CONCERNING PROCEDURE TO BE FOLLOWED BY THE DIRECTOR OF PERSONNEL IN SEEKING A SALARY INCREASE - (Submitted at Steering Committee meeting on 6-23-75 by Leonard Hoffman, 11th District Rep., and Chairman of Personnel Committee) - (Held in Committee 7-7-75)

MR. HOFFMAN said the Committee drafted a recommendation to be followed by the Director of Personnel in seeking a salary increase and when this item was discussed with the Corporation Counsel, he suggested that it be held in Committee and that the Committee should look to some of the other legislation or ordinances that are being proposed by several other Committees. He said the Committee agreed to follow his advice and will probably ask that this item be deleted from the agenda at the next Steering Committee meeting.

- (3) Proposed RECOMMENDATION TO BE SUBMITTED TO THE PERSONNEL COMMISSION CONCERNING POLICY FOR COMPENSATING RETIRING DEPARTMENT HEADS AND/OR ADMINISTRATORS FOR UNUSED SICK LEAVE AND VACATION TIME -- (Submitted at Steering Committee Meeting on 6-23-75 by Leonard Hoffman, 11th District Rep., and Chairman of Personnel Committee) - (Held in Committee 7-7-75)

MR. HOFFMAN said this item is also being held for further study and information.

- (4) INQUIRY INTO CIRCUMSTANCES CONCERNING CERTAIN APPOINTMENTS WITHIN THE CIVIL SERVICE SYSTEM - To include appointment of Barry J. Boodman to position of Assistant Corporation Counsel as well as other appointments which may have been made illegally or improperly - (Letter dated 6-9-75 from Thomas D'Agostino 17th District Rep., in reference to the Assistant Corporation Counsel) - (Scope of inquiry broadened at Steering Committee Meeting on 6-23-75 as proposed by Leonard Hoffman, 11th District Rep., and Chairman of Personnel Committee) - (Held in Committee 7-7-75)

MR. HOFFMAN said that as late as this past week the Committee received several replies to the numerous questions that have been posed by the Committee. He said he does have a small report. He read from a letter dated July 29 from the Department of Civil Service which stated that there are approximately 43 probationary employees within the system as of this date. He said the letter went on to explain why a certain applicant was not notified of the vacancy in the position of Rink Engineer when the person holding that position resigned. He said that apparently

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was because the Park Commission has seen fit not to fill that position. He said that in answer to some other questions the letter goes on to say that job specifications are kept on file indefinitely unless the position is abolished by the Personnel Commission and that since July 1, 1975, job openings are advertised for six weeks. He said the letter also says that job openings are posted in 35 local areas and are advertised a minimum of six weeks in advance of the test and that test grades are kept for seven years and are available to Personnel Commission members and that the hiring authority receives all data on the top three candidates on the eligibility register. He said the letter also says that the hiring authority receives all biographical data, including resumes, on the top three eligibles. He said the Committee is not in the position of making a report on this particular item as they do not wish to jeopardize anyone's position within the City nor do they wish to make any assumptions. He said the Committee wants to accumulate more factual data and requires more time to do so.

MR. DAVIDOFF said the Legislative & Rules Committee is also working on this item and has no final report at this time.

MR. DeROSE said that in a letter of inquiry dated 6-9-75 from Rep. Thomas D'Agostino, very specific questions with regard to the Assistant Corporation Counsel, Barry J. Boodman, were brought up. He said he would like to know what the Personnel Committee has done specifically with regard to Mr. Boodman.

MR. HOFFMAN said the Committee has been collecting some facts. He said he has a copy of the minutes of the executive session of the Personnel Commission of January 24, 1973, which was held on February 12, 1973, which states that the Personnel Commission reviewed the candidates for the position of Assistant Corporation Counsel and on the motion of Mr. Comerford, a member of the Personnel Commission at that time, seconded by Mrs. Frisbie, an exception was made on one of the four candidates with only four years and eight months of practice before the Connecticut Bar and he was allowed to take the examination. He said the minutes go on to say that in support of Mr. Comerford's motion the Commission noted that there were only four applicants for the position and all should be allowed to participate. He said he also has a copy of the job specification for the position of Assistant Corporation Counsel and for the position of Deputy Corporation Counsel dated April 7. He said there were some changes on the job specification for Deputy Corporation Counsel going into January 24, 1973. He said it was revised again on January 13, 1973. He said there have been a number of revisions the Committee has not been able to evaluate. He said he also has a copy of a special executive session of the Personnel Commission on May 22, 1974 which says the Personnel Commission reviewed the request of Corporation Counsel to add a new sentence to the job specification for Deputy Corporation Counsel under duties, as follows: "Second in command in the Law Department with authority to direct all or a portion of its affairs when authorized by the Corporation Counsel to do so." He said the minutes say that the Commission was unanimous in its consent to this proposal. He said he and Mr. Davidoff wrote to the Personnel Commission asking some specific questions and he read the response which stated that requests for changes in job specifications may be made by the hiring authority or the Director of Personnel may make changes at his discretion which appear appropriate to the job requirements or the needs of the City and that reasons for changes in job specifications may be documented if the purpose for the change is not obvious from the description of the change and that unless the change that is proposed is a minor one, the Personnel Commission considers changes in job specifications. He said the letter went on to say that approval or denial of changes in job specifications is the responsibility of the Personnel Commission. He said the letter goes on to say that Mr. Lynch, the acting Chairman of the Personnel Commission, has no personal knowledge of the reason why the job specification for the Assistant Corporation Counsel was changed on January 13, 1973 and that the Director of Personnel and the

remaining member, Mr. Napolitano, have no positive recollection of the reasons and that a check of the minutes of that date fails to provide an reference to the change.

THE PRESIDENT suggested that copies of the letters and responses might be made available to all Board members.

MR. HOFFMAN said that he talked to the Corporation Counsel who asked the Committee not to make any assumptions. He said he is only reporting what he has received thus far. He said the Committee needs more time.

MR. DeROSE said that Mr. Hoffman can have all the time that he needs and he would hope that whatever answers he comes up with will be more specific than what has been reported so far. He said he would like to have something more concrete by the next meeting.

MR. HOFFMAN said that the report he has given deals specifically with Mr. Boodman's appointment. He said this whole matter was brought to the attention of the Personnel Committee at the Steering Committee meeting of 6-23-75 and, therefore, the Committee has had only a little bit more than a month to consider this matter. He said the Committee needs to be prudent in what it is doing and in what it is saying.

MR. TRUGLIA noted that Mr. Hoffman quoted the Corporation Counsel as advising the Personnel Committee to make no assumptions on this matter and yet Mr. Freedman has been quoted in the press as saying this whole matter is past history. He said he was not too sure how the Board could get any kind of an impartial matter from Mr. Freedman on this. He said he was not too sure where the Board could go from here. He also said he had heard there was an aggrieved party in this situation and noted that apparently the aggrieved party has not yet come to the attention of the Personnel Committee. He suggested that the Committee pursue who this aggrieved party is and have him appear before the Personnel Committee as he would have a lot to say about this whole matter.

MR. HOFFMAN said he could not speak for Mr. Freedman nor respond to any reports concerning what he may have said. He said that he and Mr. Davidoff, Chairman of the Legislative & Rules Committee, wrote a letter to the press inviting everyone who may have some sort of grievance to come forward and bring it to the attention of the Committees and this was not done in this case.

MR. TRUGLIA suggested that the radio station would be able to supply the Committees with the information pertaining to this aggrieved party.

MR. GUROIAN said he would like to make a observation. He said the inquiry into the appointment of Mr. Boodman seems to have come about through a letter from Mr. D'Agostino and yet Mr. D'Agostino has not spoken to the matter. He said if he is the author of this inquiry he should be posing questions for the Committees to research.

THE PRESIDENT said Mr. Guroian was not in order as each member of the Board has the right to decide if he wants to speak on an issue or not.

MR. D'AGOSTINO said he has been in touch with Mr. Hoffman and Mr. Davidoff.

- (5) COLLECTIVE BARGAINING CONTRACT BETWEEN THE BOARD OF EDUCATION AND THE STAMFORD EDUCATION ASSOCIATION - Two- year agreement from July 1975 through June 1977 - (Letter dated 7-21-75 from Rocco G. Colatrella, President, Stamford Board of Education)

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MR. HOFFMAN said the Personnel Committee has met on the above item several times, including meetings with the Fiscal Committee and the Board of Education. He said the Committee was prepared to present this to the full Board this evening but after various discussions it was decided that the best route would be to hold this item. He said his only fear would be that the Board will be forced to act on the contract one way or another on August 18, and if at that time something comes up that would require further investigation, there would not be time.

THE PRESIDENT said there would be a Special Meeting to consider the contract on August 18 and noted there is ample opportunity between now and then to research any questions that may arise.

MRS. LAITMAN said she will send out cards for a Fiscal Committee meeting on August 18 prior to the Board meeting and expects that representatives from SEA and the Board of Education will be there. She invited all Board members to attend this meeting if they have specific questions they want answered. She reminded the members that under State Statute this Board is limited to consideration of the fiscal implications of the contract. She said the Board can not modify the contract but can only accept it or reject it.

THE PRESIDENT said the Special Meeting to consider the teachers' contract will be August 18 at 8:30 p.m.

PLANNING & ZONING COMMITTEE - Salvan Ross

MR. ROSS reported that the Planning & Zoning Committee met July 23 and present were Reps. Guroian, Rose, Sainburg, Tresser and Ross. He said the Committee discussed at that time Item #3 under Fiscal Committee and the report has already been given.

PUBLIC HOUSING & GENERAL RELOCATION COMMITTEE - Handy Dixon

MR. DIXON reported on the following item:

- (1) TAX ABATEMENT FOR MARTIN LUTHER KING APARTMENTS - Board of Representatives previously approved tax abatement stipulating that the owner of the apartments, New Neighborhoods, Inc., would pay 10% of the gross income of the property to the City in lieu of taxes but New Neighborhoods had refused to sign this agreement because of the inability of Martin Luther King to make any payment to the City for the taxes at all - (Mayor's letter of 6-12-75) (Held in Committee 7-7-75)

MR. DIXON said the above item is being Held in Committee. He said the Committee anticipates at least one other Committee meeting for further information on this matter and also expects to have a public hearing prior to the next Board meeting so that this item can be reported out of Committee in September.

MR. DIXON also reported that he had looked into some matters brought to his attention by Mr. Blois concerning New Hope Towers, such as broken fire alarms, garbage in the hallways and defective elevators. He said he consulted with Cooke Haynes agency and they do recognize that there are some problems existing in New Hope Towers and they assured him that most of the problems, which have been caused by vandalism, are under control and they are hopeful things will improve.

MR. DAVIDOFF said that the Legislative & Rules Committee concurred with Item #1 being held in Committee.

ENVIRONMENTAL PROTECTION COMMITTEE - Richard Sainburg

MR. SAINBURG reported that the Environmental Protection Board held a public hearing on its inland-wetlands map which was well attended. He said members of this Board may be concerned about the apparent imprecise and erroneous aspects of the map but noted that the map was made from existing data and was never meant to be more than a working basis to enable the Environmental Protection Board to get into business. He said there will be a great many changes in the map as time goes along as it is only guide in its present form.

MR. SAINBURG MOVED for SUSPENSION OF THE RULES to consider a Sense of the Board Resolution opposing experimental dumping of dredge material in Long Island Sound near Stamford Harbor. Seconded and CARRIED.

MR. SAINBURG said that the Army Corps of Engineers has planned a so-called experimental disposal operation of contaminated dredge material in Long Island Sound. He said notification of this experiment was not properly posted or publicized. He said the proposed dumping area is called Eaton's Neck Field Study Area and is technically in New York State. He said it had previously been closed in 1970 in an effort to clean up the Sound. He noted that this area is as close to Stamford as it is to Long Island. He said the dredge material is to come from Eastchester Creek in the Bronx and Milton's Point in Rye, New York and an analysis of this material shows significant quantities of cadmium, mercury, nickel, arsenic, copper, lead, chromium and zinc. He said there is a serious problem right here in Stamford Harbor where navigation conditions are worsening in the East Branch, but the Army Corps of Engineers has not approved dredging operations because they have said there is no place to dump. He cited other projects in Rhode Island where a similar study produced unacceptable conditions and was terminated. He said there are reports that the Army Corps has abandoned this project but he urged adoption of his proposed resolution so that this Board could go on record as opposing this type of project. HE MOVED that the following resolution be adopted: Seconded.

"WHEREAS, the Army Corps of Engineers proposed the experimental dumping of 250,000 cubic yards of dredge material on the Eaton's Neck Field Study Ground; and

"WHEREAS, such dumping ground is unacceptably close to Stamford Harbor and beach facilities; and

"WHEREAS, this material would be imported from New York State; and

"WHEREAS, no dumping area has been provided for badly needed Stamford Harbor dredgings; and

"WHEREAS, the proposed dredge material contains dangerous chemical substances,

"NOW, THEREFORE, BE IT RESOLVED that the Board of Representatives of the City of Stamford wishes to go on record as being opposed to said experiment and requests that the Army Corps of Engineers formally abandon this project at this time and present complete plans to justify such an experiment, and if such a future experiment is planned that priority be given to Stamford Harbor dredge material and that further procedure would be made with the approval of the Connecticut Department of Environmental Protection and the Stamford Environmental Protection Board."

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MR. SAINBURG asked that copies of this resolution be sent to Senators Ribicoff, Weicker, Rep. McKinney and the State Department of Environmental Protection as well as the Army Corps of Engineers in New York City.

MRS. McINERNEY MOVED TO AMEND the proposed resolution to include the following:
Seconded and CARRIED.

WHEREAS, there are presently 17 dumping sites in the waters of Long Island Sound -- ten in Eastern Long Island Sound from the Race to Bridgeport and seven in Western Long Island Sound from Bridgeport to Throgs Neck; and

WHEREAS, the majority of these dumping sites are located in waters closer to the Connecticut shoreline; and

WHEREAS, in recent years the state of the environment in Long Island Sound waters has improved to the point where shell fish and marine life are beginning to be seen for the first time in many years; and

WHEREAS, we would like to see the continued restoration, protection and preservation of these waters in Long Island Sound; and

WHEREAS, the plans as previously disclosed included dumping sludge and debris dredged from harbor bottoms located in polluted waters, causing considerable concern to all residents in the community;

MR. GUROIAN MOVED TO AMEND the proposed resolution by deleting that portion of the resolution following the words "abandon this project". Seconded.

MR. SAINBURG said that portion of the resolution may seem contradictory but he did have a reason. He said he is not entirely opposed to the concept of dumping dredge material in Long Island Sound if it is properly controlled. He said Stamford Harbor does have to be dredged and the material has to be put somewhere. He said the key thing is that any dumping must be approved by the State DEP and the City's Environmental Protection Board and he feels that these are sufficient safeguards to be sure that any experimental dumping that was conducted would not be harmful to local waters.

MR. FLANAGAN said the East Branch of the Stamford Harbor is a commercial waterway that takes relatively deep-drafted barges but that at this point even at high tide, fully loaded barges can not use this waterway because it needs to be dredged. He said it would be unrealistic to say that this Board is opposed to any dumping in Long Island Sound. He said uncontaminated dredgings have to be dumped somewhere. He said if there were to be no dredging and dumping of dredge material, the shipping industry in Stamford Harbor would be destroyed.

MRS. McINERNEY said that it is her understanding that when polluted materials are dumped, all marine life and vegetation is killed in the area.

MR. ROSS said he is opposed to all dumping in Long Island Sound and noted that the Long Island Sound waters have improved over the last two years. He said any dumping in Long Island Sound will contribute to the pollution in Stamford Harbor and suggested that dumping be done in the open ocean.

MR. GUROIAN said that he could not rely on the DEP to see that no harmful dumping is done and added that the DEP is responsible for spoiling the environment for the people who live along the Noroton River.

THE PRESIDENT said that it is his understanding that Mrs. McInerney has a proposal for an amendment to the resolution and she thinks that Mr. Guroian would be willing to accept it instead of his proposed amendment.

MR. GUROIAN WITHDREW HIS AMENDMENT. The seconder agreed to the withdrawal.

MRS. MCINERNEY MOVED TO AMEND Mr. Sainburg's resolution by adding the following after the words "abandon this project". Seconded and CARRIED.

Be and it is further resolved that:

In the future the Board of Representatives would oppose any plans which would include the dumping of sludge or polluted materials in the waters of Long Island Sound and, therefore, requests that the Connecticut Congressional representatives in Washington work to support the continued improvement of Long Island Sound and work to defeat any plans that would include sludge dumping in these waters.

The VOTE was then taken on the motion to adopt Mr. Sainburg's resolution as amended as follows and the motion CARRIED:

RESOLUTION NO. 1023

OPPOSING EXPERIMENTAL DUMPING OF DREDGE ON EATON'S NECK FIELD, LONG IS. SOUND

WHEREAS, the Army Corps of Engineers proposes the experimental dumping of 250,000 cubic yards of dredge material on the Eaton's Neck Field Study Ground; and

WHEREAS, such dumping ground is unacceptably close to Stamford Harbor and beach facilities; and

WHEREAS, this material would be imported from New York State; and

WHEREAS, no dumping area has been provided for badly needed Stamford Harbor dredgings; and

WHEREAS, the proposed dredge material contains dangerous chemical substances; and

WHEREAS, there are presently 17 dumping sites in the waters of Long Island Sound-- ten in Eastern Long Island Sound from the Race to Bridgeport and seven in Western Long Island Sound from Bridgeport to Throgs Neck; and

WHEREAS, the majority of these dumping sites are located in waters closer to the Connecticut shoreline; and

WHEREAS, in recent years the state of the environment in Long Island Sound waters has improved to the point where shell fish and marine life are beginning to be seen for the first time in many years; and

WHEREAS, we would like to see the continued restoration, protection and preservation of these waters in Long Island Sound; and

WHEREAS, the plans as previously disclosed included dumping sludge and debris dredged from harbor bottoms located in polluted waters, causing considerable concern to all residents in the community:

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED THAT:

The Board of Representatives of the City of Stamford wishes to go on record as being opposed to said experiment and requests that the Army Corps of Engineers formally abandon this project;

BE AND IT IS FURTHER RESOLVED THAT:

In the future the Board of Representatives would oppose any plans which would include the dumping of sludge or polluted materials in the waters of Long Island Sound and, therefore, requests that the Connecticut Congressional representatives in Washington work to support the continued improvement of Long Island Sound and work to defeat any plans that would include sludge dumping in these waters.

COMMITTEE ON RE-NAMING OF MUNICIPAL FACILITIES - Algird Cibulskas

MR. CIBULSKAS presented the following report of the Committee:

RECOMMENDATIONS FOR PROPOSED GUIDELINES FOR NAMING AND/OR
RE-NAMING MUNICIPAL FACILITIES IN THE CITY OF STAMFORD

Municipal Facilities should be named according to geographic areas or similar descriptions relating to local identity and character to the greatest extent possible. It is the consensus of this Committee that the use of the "Commemorative Facility" will replace the naming of municipal facilities after people and we, therefore, recommend the use of a geographic or historical description.

COMMEMORATIVE WALL

The Committee recommends the establishment of a "Commemorative Facility". This could be a wall, a specific area in a public facility, or other suitable structure which would be set aside for honoring purposes. This facility would then provide a place for the mounting of wall plaques and/or other suitable objects to commemorate people whose accomplishments to the community warrant recognition.

The purpose of this recommendation is twofold: 1) It would establish a local "Hall of Fame" for citizens who have excelled in civic participation, community effort and for dedication and accomplishment, and 2) It would tend to eliminate the need for naming facilities after people and provide a broader opportunity for honoring individual

ETHNIC

No municipal facility should be named after any ethnic denomination. It is the consensus of this Committee that these guidelines will prevent nationalistic misunderstandings.

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PEOPLE

No municipal facility should be named and/or re-named after a person while that person is alive unless there are extra ordinary extenuating circumstances after indepth evaluation. It is the consensus of the Committee that inasmuch as one of the guidelines prohibits the re-naming of a municipal facility bearing the name of a person, no facility should be named after a living person in order to prevent possible detrimental consequences.

TIME PERIOD

No municipal facility should be named and/or re-named after a person until that person has been deceased at least six months. It is the consensus of the Committee that such a waiting period is appropriate so as to eliminate the possibility of rash or hasty judgments during periods of public emotion.

NAME CHANGES

The name of any municipal facility which has been named after a person cannot be changed. It is the consensus of the Committee that if there was sufficient reason to name a municipal facility after a person, this name shall be perpetuated.

STREETS

New street names and/or name changes which are similar and/or closely sounding to existing street names should not be used. New street names and/or name changes which are the same name but differ only in secondary nomenclature, i.e., road, street, circle, place, drive, court, east, west, north, south, etc., should not be used. It is the consensus of the Committee that the names of different streets should be sufficiently different so as no possible ambiguity exists, especially in the case of a police or fire emergency.

It is the consensus of this Committee that all standard procedures be followed in assigning street names and addresses of new facilities as a result of urban renewal construction.

GIFTS

It is the consensus of this Committee that in the case of gifts to the City of Stamford in the form of buildings, park land, recreational areas, facilities for public use, etc., some relaxation of the guidelines, as recommended in the section subtitled "People" in this report, should be given due consideration depending on the individual circumstances.

MR. CIBULSKAS MOVED that this report be adopted by the Board of Representatives and that a copy be sent to the Mayor. Seconded.

MR. ROSS congratulated the Committee for its report.

MRS. FORMAN said she is assuming that all existing street names would remain unchanged.

MR. CIBULSKAS said that would be true.

The VOTE was then taken on Mr. Cibulskas' motion and the motion CARRIED.

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THE PRESIDENT noted that technically the Committee is in existence until December and that if the Committee chooses, the Committee could meet again to see if some of these recommendations could be redrafted in the form of ordinances and referred to the Legislative & Rules Committee.

COMMUNICATIONS FROM THE MAYOR

THE PRESIDENT said that the communication from the Mayor noted on the agenda has been forwarded to each Board member.

COMMUNICATIONS FROM OTHER BOARDS AND INDIVIDUALS

MR. MARTINO said that he wrote a letter to Mr. Freedman which he would like to have included in the minutes of the meeting.

THE PRESIDENT said the letter was sent to each member of the Board but that it would also be included in the minutes of this meeting.

"Dear Mr. Freedman:

Is Mr. Boodman an untouchable for you?

Where do we stop? Mr. Freedman, you asked this question on a News Program - WSTC - a couple of days ago. Let me give you the answer if you please.

We should not stop now and here because a colleague or a friend is involved. The people want to know how deep goes the cancer of our Civil Service. That's all! You shall not tell us (the people) that "this is past history" and so let us forget about it!

When you come out with such a pronouncement, you force us to believe that you, the City Corporation Counsel, wants to manipulate the law according to what pleases you or according to who is involved.

Please, Mr. Freedman, don't force us to believe that your political acumen acquired through your long years of court experience has suddenly become so blunt! Your trying to make us believe that it's fair, it's legal, it's ethical to dig for every bit of evidence in one case and your trying to throw the "this is past history" blanket on another case which seems closer to your heart, creates a tiny bit of confusion in the mind and in the conscience of many people! Thousands of citizens are perplexed these days by the stand of their Corporation Counsel in the Boodman case.

Dear Mr. Freedman, I hope you did not acquire the "this is past history" concept of law during your law practicing years, that is before you went into the Real Estate business; the "this is past history" concept or tactic does not satisfy and does not convince too many citizens! When you try that kind of approach in an even lightly political (?) case like the Barry Boodman case, you give it the touch of controversy which seems to be a distinct characteristic of yours. (Just an opinion, Mr. Freedman)

Now that you want the Press, the Investigative Committee, the Board of Representatives and the people of Stamford to say with you in unison - Barry Boodman's case is past history. Let us all forget about it! Believe me Mr. Freedman, all the aforesaid people are going to ask more questions of you about your stand on Boodman's case.

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For example, they will want to know, as I do, Mr. Freedman:

Who hired Mr. Boodman?
 Who did he compete with for the position of Assistant Corporation Counsel?
 Who scored highest on the test?
 Did he really take the test? Did he pass it?
 Who prepared and administered the test?
 Why was he suddenly and quietly made a Deputy Corporation Counsel?
 Etc. Etc. Etc.

You see Mr. Freedman, it isn't nice to be unfair, unjust, partial. People will get suspicious then; they will want to apply the "Right to Know" law which you are currently holding down because, as I heard you saying on WSTC, you are waiting to get an opinion on it from Mrs. Johnston, upon her return to work; they will look at you for legal opinions (which are instead often given by Mr. Boodman); they will question the sincerity, the integrity and the ability of the present administration to keep things clear and above level.

So, Mr. Freedman, let fairness and ethics be in your office always and for everyone.

With my best regards,

(signed) Vincenzo R. Martino

OLD BUSINESS

MRS. MCINERNEY said that a few months ago an ordinance was proposed concerning X-rated films and she asked what the status of that was at this time.

THE PRESIDENT said that was Mr. Truglia's ordinance and noted that if Mr. Truglia wanted it on the tentative agenda for Steering Committee, he could re-submit it.

MR. TRUGLIA said that apparently this proposal has been lost in the shuffle. He said he intends to re-submit it in spite of the fact that he was advised by a member of the Corporation Counsel's staff not to pursue it.

NEW BUSINESS

MR. TRUGLIA said that Lisa Lupinacci, who was a page for this evening's meeting, would be undergoing a serious operation in the very near future and he suggested that this Board send her a letter thanking her for being at this meeting and wishing her a successful operation and a good future.

MR. FLANAGAN MOVED that the regular monthly meeting of the Board to be held in September be held on Tuesday, September 2, 1975. Seconded and CARRIED.

THE PRESIDENT announced that the Steering Committee will meet on August 18 immediately following the Special Meeting of the Board.

ADJOURNMENT

There being no further business to come before the Board, on motion, duly seconded and CARRIED, the meeting was adjourned at 2:00 a.m.

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10,712

Sally Flaherty

Sally Flaherty
Administrative Assistant and
(Recording Secretary)

APPROVED:

Frederick E. Miller, Jr.

Frederick E. Miller, Jr., President
13th Board of Representatives

NOTE: Above meeting was broadcast in its
entirety over Radio Station WSTC.

SF/dm