

MINUTES OF NOVEMBER 10, 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, November 10, 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 9:52 p.m. after both political parties had met in caucus.

INVOCATION: The scheduled clergyman, Rev. Paul U. Harbough, of the Evangelical Congregational Church, left at 9:15 p.m. as he had another important appointment to keep.

The Rev. Robert Pohlitz, Asst. Pastor of St. Mary's Catholic Church, Elm Street, Stamford, was, fortunately, in the gallery and graciously gave the Invocation.

MOMENTS OF SILENCE For Sgt. John C. Latham, Congressional Medal of Honor and Herb Trolle, the late Asst. Postmaster, Springdale P.O.

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

CONGRATULATIONS proposed by Mrs. Marilyn Laitman for Mrs. Pobie Johnston, Mayor's Aide, who is to serve on the Jury Committee of the All-American Cities, sponsored by the National Municipal League. Mrs. Johnston has served for six years on the Screening Committee of this 80-year old national organization. A letter will be sent to Mrs. Johnston.

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 of the Board, Marilyn R. Laitman. There were 29 members present and 11 absent. The absent members were:

Julius J. Blois (D), 14th District
Theodore J. Boccuzzi (D), 9th District
Algird Cibulskas (D), 14th District (became ill)
Norman Davidoff (D), 13th District
Armen Guroian (D), 7th District
James Kelly (D), 12th District
Jeremiah Livingston (D), 5th District
Frederick Maynor (D), 10th District
Joseph Morabito (D), 12th District
Alfred Perillo (D), 9th District
John Sandor (D), 4th District

MR. EXNICIOS asked that the record show that the entire Republican membership is present for the final meeting of the 13th Board and although they are small in numbers, they are large in dedication to their responsibilities.

Minutes of November 10, 1975

(1) Mayor's appointments

There were two appointments on the tentative agenda that were submitted by the Mayor and ORDERED ON THE AGENDA under APPOINTMENTS COMMITTEE.

(2) Appropriation items

There were 16 fiscal items on the tentative agenda which were ORDERED ON THE AGENDA under FISCAL COMMITTEE with those over \$2,000 being referred to secondary committees.

(3) Legislative matters

The following 7 legislative items were ORDERED ON THE AGENDA under LEGISLATIVE & RULES COMMITTEE:

- 1) Final adoption of an ORDINANCE CONCERNING THE ESTABLISHMENT OF A UNIFORM MILL RATE FOR THE TAXATION OF MOTOR VEHICLES
- 2) Proposed ORDINANCE CONCERNING TAX EXEMPTION FOR FAITH TABERNACLE BAPTIST CHURCH PROPERTY LOCATED AT 84 WALLACE STREET
- 3) Final Adoption of ORDINANCE CONCERNING THE SHOWING OF X-RATED MOVIES WITHIN THE CITY OF STAMFORD
- 4) Proposed RESOLUTION AUTHORIZING THE CONDEMNATION BY THE CITY OF STAMFORD OF EASEMENT THROUGH AND UNDER PROPERTY OF ROMAN F. POMPONI AND CYNTHIA J. POMPONI IN CONNECTION WITH SEWER PROJECT 15-1

(Above also referred to SEWER COMMITTEE)

- 5) Proposed ORDINANCE CONCERNING FREEDOM OF INFORMATION
- 6) VETOED ORDINANCE NO. 321 SUPPLEMENTAL - CONCERNING DISCLOSURE OF CIVIL SERVICE PRACTICES WITHIN THE CITY OF STAMFORD
- 7) LETTERS DATED 10-6-75 FROM ATTORNEY PAUL S. NAKIAN WITH ATTACHED LETTER FROM JONAS SHAPIRO CONCERNING PROPERTY OF MR. AND MRS. JONAS M. SHAPIRO BEING ENDANGERED BY THE PROJECTED LAND/VEST DEVELOPMENT ON WESTOVER ROAD

(Above also referred to PLANNING & ZONING COMMITTEE and ENVIRONMENTAL PROTECTION COMMITTEE)

There were two legislative items that were NOT ordered on the agenda for Nov. 10th and they are as follows:

- 1) Proposed ORDINANCE CONCERNING REMOVAL OF MOTOR VEHICLES FROM PRIVATE PROPERTY
- 2) LETTER CONCERNING PROPOSED SETTLEMENT REGARDING RENTAL OF PARKING LOT LOCATED ON THE CORNER OF ATLANTIC AND BELL STREETS
- (4) Parks & Recreation concerns

- 1) PETITION - Salvation Army - Christmas Kettles to be placed on City streets beginning November 13, 1975

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10,811

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THE PRESIDENT introduced to the Board, the new Administrative Assistant, Mrs. Helen M. McEvoy, and wished her all the luck and much success in her new position.

PRESIDENT Miller also stated that the Board had very good cooperation from Miss Diane Maciejczyk during the 3½ week period when the Board was without an Administrative Assistant; that Diane was very helpful and was paid the salary for an Administrative Assistant during that period.

PAGES:

Jason Weinberg, a student at Rippowam High School .
William Isaacs, a student at King School.

ACCEPTANCE OF MINUTES:

MR. JOHN BOCCUZZI MOVED for the acceptance of the minutes of the regular meeting of October 6, 1975. Seconded and CARRIED.

MR. JOHN BOCCUZZI MOVED for the acceptance of the minutes of the Special Meeting of October 20, 1975. Seconded and CARRIED.

COMMITTEE REPORTS:

STEERING COMMITTEE

The reading of the report of the Steering Committee of October 20, 1975 was waived and appears below:

STEERING COMMITTEE REPORT

Meeting held Monday, October 20, 1975

A meeting of the Steering Committee was held Monday, October 20, 1975 in the Democratic Caucus Room, second floor, 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. (following a special meeting by the Board) and the following members were present:

Frederick E. Miller, Jr.
Robert B. Exnicios
William H. Flanagan
Julius J. Blois
Marilyn R. Laitman

Gerald J. Rybnick
Joseph DeRose
Michael Tresser
Barbara Forman
Matthew Rose
Norman Davidoff

Also present were: Anthony Truglia, Diane Handley, Billie Perkins, Richard Sainburg, George Ravallese and Barbara McInerney.

The following matters on the tentative agenda were acted upon:

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Item #1 under Parks & Recreation concerns was ORDERED ON THE AGENDA under PARKS & RECREATION COMMITTEE.

(5) Personnel matters

The following two items were ORDERED ON THE AGENDA under Personnel Committee.

1) INQUIRY INTO CIRCUMSTANCES CONCERNING CERTAIN APPOINTMENTS WITHIN THE CIVIL SERVICE SYSTEM

(Above also referred to LEGISLATIVE & RULES COMMITTEE)

- 2) Letter dated 10-7-75 from Joseph DeRose, 15th District Rep., requesting Personnel Committee and/or Parks & Recreation Committee to look into the charges made by John Griffin, former Terry Connors Rink Manager, in his recent letter of resignation.

(Above also referred to PARKS & RECREATION COMMITTEE)

(6) Planning & zoning matters

There were seven streets ORDERED ON THE AGENDA under PLANNING & ZONING COMMITTEE for acceptance as City streets. They are as follows:

Highline Trail, Nyselius Place, Dagmar Road, Dad's Lane, Winding Brook Land, Eljay's Lane and Miramar Lane.

(7) Environmental protection item

There was one item ORDERED ON THE AGENDA under ENVIRONMENTAL PROTECTION COMMITTEE concerning a proposed resolution authorizing the transfer of jurisdiction over municipally owned property known as "FINCH ACRES" to the EPB.

- 1) Letter dated 10-5-75 from Joan and Bill Fitzpatrick, Park Manor, concerning problem with parking on their own property in rear of the Senior Residence Park Manor.

(Above was NOT ordered on the agenda but referred to Legislative & Rules Committee and Health & Protection Committee)

- 2) Letter dated 10-10-75 from Harry C. Van Allen stating his opposition to the proposed ordinance concerning the Showing of x-rated movies in Stamford.

(Above NOT ordered on Agenda)

- 3) Letter dated 10-3-75 from residents of Lawn Avenue, concerning lack of sidewalks on Lawn Avenue and concerned for the safety of the children. (Letter submitted by George Connors, 8th District Rep.)

(Above was NOT ordered on the agenda)

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- 4) Letter dated 10-20-75 from John D. Stobbie, Assistant Personnel Director, stating Personnel Commission respectfully requests a delay of at least three months be granted in reference to Resolution No. 1031 passed by the Board of Representatives on 10-6-75)

There being no further business to come before the Committee, on motion, duly seconded and CARRIED, the meeting adjourned at 9:05 p.m.

Frederick E. Miller, Jr.
Chairman
Steering Committee

dm

APPOINTMENTS COMMITTEE - Theodore Boccuzzi

MR. MICHAEL LOUGHRAN requested permission to leave the floor so that he might abstain from voting on the next appointment (his own). He left the floor of the Board.

There are now 28 members present.

MR. HANDY DIXON stated that due to extenuating circumstances, Mr. Theodore Boccuzzi could not attend the meeting this evening, so he has had to substitute on short notice and asks for forbearance of this Board on his reports.

MR. DIXON stated that the Appointments Committee met at 6:30 p.m. this evening, in the Mayor's Conference Room and present were Messrs. Martino, Tresser, Costello, Crosby and Dixon, and Barbara Forman.

PARKING AUTHORITY

Term Ending:

MICHAEL LOUGHRAN (D)
93 Shadow Ridge Road
(Replacing Max Friedman,
who resigned)

APPROVED:
VOTE: 20 yes
8 no

Jan. 1, 1978

COMMISSION ON AGING

EUGENE L. DALY (D)
33 Brinckerhoff Avenue
(Replacing Austin Rinella,
who resigned)

APPROVED
VOTE: 17 yes
11 no

Dec. 1, 1976

Both Mr. Loughran and Mr. Daly received many accolades from many members of the Board. Both also received the unanimous approval of the Appointments Committee.

PRESIDENT MILLER noted that there is now a vacancy on the Board, and will be in the 13th District until December 1, 1975.

There are now 28 members present.

In his capacity as ACTING MAYOR, MR. FREDERICK E. MILLER, JR., administered the oath of office and swore into office first, Michael Loughran and second, Eugene Daly.

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FISCAL COMMITTEE - Marilyn R. Laitman

MRS. LAITMAN said the Fiscal Committee met on Nov. 5, 1975. Present were: Laitman, Exnicios, Forman, Rybnick; and absent were: John Boccuzzi, Dixon, Crosby, Loughran, Livingston, and Zimble. Due to a lack of quorum, the Fiscal Committee met again this evening, Nov. 10, 1975 at approximately 7:00 p.m. and PRESENT were: Laitman, Exnicios, Forman, Rubnick; Absent were: John Boccuzzi, Dixon, Crosby, Loughran, Livingston, Zimble.

Due to a lack of a quorum at 7:00 p.m. the Fiscal Committee met again this evening November 10, 1975 and Present were: Laitman, John Boccuzzi, Crosby, Exnicios, Dixon, Forman, Loughran, Rybnick and Zimble and absent: Livingston.

1) Proposed RESOLUTION CONCERNING THE INITIATION OF ACTION FOR THE CONSTRUCTION OF AN INDUSTRIAL SERVICE ROAD

MRS. LAITMAN said the Committee voted to HOLD IN COMMITTEE, pending further review by the 14th Board of Representatives.

MR. ROSS of the Planning & Zoning Committee stated his Committee voted 3 to hold in Committee and 1 to change the resolution, therefore, concurring to hold in Committee.

The above item was HELD IN COMMITTEE.

2) \$133.40 - BOARD OF RECREATION - Code 720.1301 - Insurance Account
This amount represents the premium due for Medical and Accident Insurance on the participants in this past season's sailing program - (Mayor's letter of 9-30-75)

MRS. LAITMAN said Fiscal approved this by a vote of 9 to 0 and SHE SO MOVED. Seconded and CARRIED.

3) \$920.00 - TRAFFIC DIRECTOR - (Mayor's letter of 9-29-75), break-down below:

Code 525.0802 - Car Allowance -----	\$720.00
Code 525.2101 - Conventions, Dues and Conferences-----	200.00
	<u>\$920.00</u>

MRS. LAITMAN said \$720.00 is the amount requested by Mr. Weber for car allowance, deleted in the budget. The car is essential to the functioning of the Traffic Director. He clocks 20 to 30 miles per day, including an 8-mile commute. He personally pays \$40 to \$50 extra for insurance because he uses his car for work. The \$200, Mrs. Laitman further stated, is the amount which would enable the Traffic Director to attend conferences related to his position. This is in keeping with the position taken by the Fiscal Committee at budget time that each request be considered on its individual merits. FISCAL approved both requests on a vote of 9-0 and MRS. LAITMAN SO MOVED. SECONDED AND CARRIED.

4) \$138.68 - HEALTH DEPARTMENT - Code 512.5203 - School Health Program
Parochial and Private Schools - Education - (This is for a nurse working towards a B.S. Degree) - (Mayor's letter of 9-29-75)

MRS. LAITMAN said these funds will pay for a nurse taking a course toward a B.S. degree, according to provisions in the nurses' contract. FISCAL approved 9-0 and MRS. LAITMAN SO MOVED. SECONDED AND CARRIED.

5) \$88.38 -

HEALTH DEPARTMENT - Code 510,5203 - For educational purposes in accordance with the terms of the MEA contract - (for a Clerk-Typist) - (Mayor's letter of 10-2-75)

MRS. LAITMAN said these funds will reimburse an employee of the Health Department, a Clerk-Typist, working toward a degree, according to the provisions of the MEA contract. FISCAL approved 9 - 0 and MRS. LAITMAN SO MOVED. Seconded and CARRIED.

LET THE RECORD SHOW that Mr. Anthony Truglia left the room and abstained from participating in any way on the next three items, Nos. 6, 7, and 8 pertaining to the Board of Education items.

6) \$157,273.00 -

BOARD OF EDUCATION - FEDERAL GRANT - 100% Prepaid grant under the Teaching Corps, Cycle 9, Professional Developments Act, for the second year of a two-year Teacher Corps. Program to be conducted in the Stamford Public Schools System in joint operation with the University of Bridgeport during the 1975-1976 school year (Letter 9-11-75 from B. R. Reed, Assistant Supt. of Schools)

MRS. LAITMAN stated that this is an on-going program. A 100% prepaid grant under the Teaching Corps, Cycle 9, Professional Developments Act. FISCAL voted 9-0 approving and SHE SO MOVED. Education, Welfare & Government Committee concurred. Seconded and CARRIED. (Mr. Truglia abstained)

7) \$230,840.00 -

BOARD OF EDUCATION - FEDERAL GRANT - 100% prepaid grant under the Emergency School Act, Title VII, Section 701, Public Law 92-318, for the period from Sept. 16, 1975 through June 29, 1976 for a project entitled "GROWTH: Greater Reading Opportunities With Tutorial Help" - (Letter dated 9-24-75 from B. R. Reed, Asst. Supt. of Schools)

MRS. LAITMAN stated that this is an on-going 100% prepaid federally-funded program under the Emergency School Act, Title VII. This grant is geared to improvement of reading skills through tutorial help, and has been evaluated. FISCAL approved by a vote of 9-0 and SHE SO MOVES. Seconded and CARRIED. (Mr. Truglia abstained)

8) \$18,904.29 -

BOARD OF EDUCATION - FEDERAL GRANT - 100% prepaid grant under Title II, Elementary and Secondary Education Act, for Library and Audio Visual Resources for 1975-1976 fiscal year - (Letter of 9-11-75 from B. R. Reed, Asst. Supt. of Schools)

MRS. LAITMAN said this is an on-going 100% federally-funded program to be used by our school system to acquire school library media resources. FISCAL voted 9-0 to approved. Seconded and CARRIED. (Mr. Truglia abstained)

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- 9) \$15,000.00 - MAYOR'S OFFICE - Code 108.0890 - To hire a Director of Productivity and supply office support for the balance of the fiscal year - (REDUCED by Board of Finance on 10-9-75 from \$51,278.00) - (Mayor's letter of 8-7-75)

MRS. LAITMAN stated that these funds, reduced by the Board of Finance, would begin the implementation of a productivity program. This long-needed program is essential if the City is to maintain both management and cost control of its operations in the future. FISCAL DENIED this by a vote of 2 in favor and 7 against. The item has been denied by Fiscal and is being brought out on the floor for a vote.

MRS. LAITMAN made an affirmative motion and recommends that it be denied.

PRESIDENT MILLER said this motion is to approve so that it can be voted on, but the recommendation of Fiscal is for the full Board to deny. Personnel Committee had no report. MOVED AND SECONDED.

MR. FLANAGAN said he has spoken over the past several years in favor of a productivity study, particularly of the Public Works Dept. However, he thinks that any study that is conducted must be done independently of the present or future administrations. To find out where we're at right now within the City departments, the studies must be done by independent people who are not subject to any influence, direct or indirect. Mr. Flanagan further expressed the hope that in the near future we shall have a performance audit done of the Public Works Dept. He stated that all of the mayoral candidates promised it. He feels sure that it will happen in the near future with the approval of the Boards of Finance and Representatives.

PRESIDENT MILLER said we shall proceed to a vote. The motion on the floor is for passage. Fiscal recommends DENIAL. Yes is for the item; No, against.

THE MOTION WAS LOST UNANIMOUSLY.

- 10) \$99,866.90 - FERGUSON LIBRARY - Code 122.0000 - (In accordance with the same increases granted the Municipal Employees Assn., for those employees not covered by any City Contract) - (Mayor's letter 9-12-75)

MRS. LAITMAN said these funds will cover the cost of increases granted to the MEA for those employees not covered by any contract. Fiscal approved by a vote of 9-0 and SHE SO MOVES. MRS. LAITMAN further stated that there are breakdowns available inside if anyone cares to see them. No report from Personnel Committee. MOVED AND SECONDED.

THE MOTION WAS CARRIED.

- 11) \$20,525.25 - STAMFORD MUSEUM & NATURE CENTER - Code 120.0000 - (In accordance with the same increases granted the Municipal Employees Assn., for those employees not covered by any City contract) - (Mayor's letter of 9-12-75)

MRS. LAITMAN said these funds reflect the amount needed to grant increases provided to MEA to those employees not covered by any City contract. Fiscal voted 9-0 to approve. MOVED AND SECONDED.

THE MOTION WAS CARRIED.

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- 12) \$14,160.90 - SALARIES FOR CITY EMPLOYEES NOT COVERED BY CONTRACT -
To cover salary increases similar to those granted to
members of the Municipal Employees Assn. - (Mayor's
letter of 9-12-75) breakdown below:

Commissioner of Finance Office - Code 114.0101	-----	\$ 1,407.47
*Board of Finance -----	Code 150.0101	----- 1,203.77
Human Rights Commission -----	Code 192.0101	----- 1,737.51
Environmental Protection Bd. ---	Code 193.0101	----- 591.43
Commission on Aging -----	Code 195.0101	----- 6,857.55
Fair Rent Commission -----	Code 198.0101	----- 2,363.17
		<u>\$14,160.90</u>

*While appropriating funds for Board of Finance salary increases, the Controller was explicitly instructed not to disburse funds from the Salary Account for salary increases until such time as the Board has had an opportunity to review the Salary Account.

MRS. LAITMAN said that these are again salaries for City employees not covered by contract. The agenda has a complete breakdown. The increases are the same as those granted under the MEA contract. Fiscal approved 9-0 and SHE SO MOVES. MOVED AND SECONDED.

THE MOTION IS CARRIED.

- 13) \$133,372.07 - MUNICIPAL ADMINISTRATORS ASSOCIATION - (In accordance with the same increases granted the Municipal Employees Assn., for those employees not covered by any City contract) (Mayor's letter of 9-12-75) - breakdown below:

Board of Representatives -----	106.0101	-----	\$ 462.46
Mayor's Office -----	108.0101	-----	1,345.47
Law Department -----	110.0101	-----	9,383.18
Town & City Clerk -----	112.0101	-----	1,134.99
Bureau of Accounts & Records -----	116.0101	-----	5,565.02
Data Processing -----	117.0101	-----	6,896.89
Purchasing -----	118.0101	-----	3,771.59
Central Services -----	126.0101	-----	1,441.93
Planning Board -----	134.0101	-----	3,665.74
Assessor's Office -----	144.0101	-----	3,683.96
Tax Collector -----	146.0101	-----	1,803.21
Personnel Department -----	174.0101	-----	5,388.18
Sewer Commission -----	190.0101	-----	1,364.87
Welfare Department -----	410.0101	-----	3,570.99
Smith House -----	440.0101	-----	1,586.71
Public School Health Services -----	502.0101	-----	3,063.98
Health Department -----	510.0101	-----	4,225.65
Code Enforcement Task Force -----	511.0101	-----	1,483.46
Traffic Department -----	525.0101	-----	2,301.42
Police Department -----	530.0101	-----	1,162.07
Public Works - Administration -----	602.0101	-----	3,723.94
Public Works - Highways -----	606.0101	-----	6,792.27
Public Works - Equipment Maint. -----	607.0101	-----	1,160.40
Public Works - Sanitation, Adm. -----	617.0101	-----	2,432.32
Public Works - Incin. & S.Tr. Pl. --	620.0101	-----	18,149.50
Public Works - Collection -----	624.0101	-----	6,526.25

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Item #13 continued:

Public Works - Engineering	----- 626.0101 -----	\$ 7,728.13
Public Works - Building Insp.	-- 628.0101 -----	3,734.71
Public Works - Land & Bldg. Maint	629.0101 -----	1,662.84
Park Department	----- 710.0101 -----	1,996.52
Terry Conners Rink	----- 712.0101 -----	374.50
Board of Recreation	----- 720.0101 -----	3,362.75
Hubbard Heights	----- 730.0101 -----	1,374.57
	CITY TOTALS-----	\$122,320.47

BOARD OF EDUCATION ---- 11,051.60

TOTAL CITY & BOARD OF EDUCATION--- 133,372.07

MRS. LAITMAN asked the Board members to reduce this item to \$133,372.07 (from \$139,845.85 as approved by Board of Finance). She further stated that she has breakdowns if anyone is interested. The amount has been reduced by the Fiscal Committee and will fund the increases for the Departments listed on the Agenda.

MRS. LAITMAN said:

"We would at this time, like to state that we are empathetic with the position taken by the Board of Finance and supported by the MAA. It is the feeling of the Fiscal Committee that if there is to be real accountability in the City, we must initiate a program providing for performance evaluation on a regular and recurring basis for all management personnel within the City.

"The evaluation would be reflected in future salary increases. Then and only then, would a merit increase be worthy of that designation. The MAA by their support of this program, have demonstrated their willingness and interest in structuring this evaluation. Their participation is key as is the need for outside professional help. We urge the new administration to make this a high priority goal. We are approving these increases through next year and urge the 14th Board to base future increases on this performance review. Fiscal approved on a vote of 9-0 and I SO MOVE".

MOVED AND SECONDED.

PRESIDENT MILLER: I believe we can now proceed to a vote.....Mr. Hoffman?"

MR. HOFFMAN: The amount that was deleted here - the Personnel Dept. You've cut that back to \$5,388.18.

Mrs. Laitman stated that that is the new Personnel Dept. figure, yes, \$5,388.18.

MR. HOFFMAN: "One more question. This amount of money does not, in any way, cover any of the retroactive salary increases that were proposed for some of the people who are no longer in the employ of the City? Is that correct?

MRS. LAITMAN: "I'm not sure that I understand. For example, there is retroactive salary money for Mrs. Flaherty. There is retroactive salary money for Mr. Barker, who resigned. There is retroactive money for Mr. Ketcham, who has a questionable degree of employment at the moment. There is retroactive pay for Mr. Berube. And there is possibly a small amount here by Mr. Griffin, who resigned."

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MR. HOFFMAN: "Gee, you know, I look at this Board and I think we've done a lot of fine things, and the Fiscal Committee has as well, and this is no reflection on you, Mrs. Laitman. However, I do believe that this is a lame-duck session and I look at us and I would hope that we are not so lame, nor are we such big ducks as to approve of a retroactive pay increase to people who are no longer in the employ of the city; and therefore, I would like to make a resolution that we would cut whatever the amount is out of this particular request; and perhaps you have that figure there, Mrs. Laitman, and you could provide me with that and then I could make my amendment or resolution to this to cut this account by that amount, because I really do believe this is a very bad precedent. I think that if we are going to do this for administrators, I think then that in the future, that this is something that would have to be done for union employees, etc., and I do not think this should be done. And I, for one, vigorously oppose this and I hope that the other members of the Board would oppose this as well."

PRESIDENT MILLER: "Well, Mr. Hoffman, before we vote on your motion, I think it only fair to require that the members of the Board know exactly what amount of money they would be considering. Mr. DeRose? First of all, is there a second to....moved and seconded by Mr. Zimble."

MR. DEROSE: "Through the Chair, I would like to ask Mrs. Laitman a question. Is this money that is already owed and due these people? Have they earned this money, or is it something above and beyond?"

MRS. LAITMAN: "We considered this, Mr. DeRose, in Fiscal, and it was felt that these people were working at that time and they were entitled to it. There was some disagreement, and we discussed this very question; people were working at the time and we felt that they were due at least their retroactive pay. For their new positions, which will be filled when replacements are found, those people would not be entitled to this entire increase. But we did feel that they should at least get those funds that were due to them while they were working."

MR. DEROSE: "Is it your opinion, then, that we cannot legally deny this money?"

MRS. LAITMAN: "Oh, Mr. DeRose. I am married to an attorney but I am not one. I would not make that judgment. I will tell you that I did vote in support of paying them the monies that I felt that they were due. I understand the question of Mr. Hoffman and it was a point of uneasiness in the Committee, and some of us did not feel that we had the legal grounds to deny them. But we did not seek an opinion of the Corporation Counsel. We just voted unanimously to grant them. And Mrs. Flaherty was working at the time, and we felt, picking her out, you know, you can pick out any single person here..."

MR. HOFFMAN: "If it would meet with the approval of Mrs. Laitman, and you, Sir, and other members of this Board, then I suggest that we delete this amount and let us hold it in Committee and let the next Board decide this amount. Let them decide whether this is legally due these people, etc. Because I really can't believe, for the life of me...."

PRESIDENT MILLER: "Well, are you changing your motion then, Mr. Hoffman?"

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MR. HOFFMAN: "Mr. President, if it would so please the Board, and you, then I would say let's hold it and look into the legal aspects of it. Is this money legally due these people? Morally, I don't think we owe this to these people, and legally, I doubt, I seriously question whether it is owed these people. And perhaps we ought to look at both aspects of it, either we deny it completely this evening, or we put it on hold, and let the next board look into this matter more fully and determine the legality and morality of such a move and also the problems of the precedents we're setting here tonight. And I think this is where the crux of the matter is - the precedents that we're setting."

PRESIDENT MILLER: "So then, Mr. Hoffman, you're withdrawing the motion to delete these items entirely for these 5 people, and in its place you are moving that this part of the item be held in Committee?"

MR. HOFFMAN: "Yes, Mr. President, if it so pleases the Chair."

PRESIDENT MILLER: "Is there a second to that motion?"

MR. ROSS: "Mr. President, Point of Order. Yes, I think you have to withdraw the second, also."

MR. ZIMBLER withdraws his second.

PRESIDENT MILLER stated that Mr. Hoffman has made his second motion, and asks if there is a second to hold this in committee? Mrs. Handley seconds. The motion is to hold part of Item 13 in Committee. MR. MILLER said he feels the members should know how much money is involved.

MRS. LAITMAN gave the following information:

- (a) Dept. 106, Mrs. Flaherty, Admin. Asst. to Board of Representatives:
Amount required to fund from 1-1-75 through 6-30-75 -----\$1,267.67

Funded for 1-1-75 through 10-7-75, when Mrs. Flaherty
resigned. REDUCED money for 10-8-75 to 6-30-75 ----- 462.46 New Amt.
- (b) Dept. 174, Mr. Barker. Original total was -----\$1,988.18

REDUCED TO ----- 952.71 New Amt.
- (c) Dept. 620. Mr. Ketcham, Original total was -----\$1,852.75

REDUCED TO ----- 267.00 New Amt.
- (d) Dept. 710 Mr. Berube, Original total was -----\$2,208.94

REDUCED TO ----- 651.05 New Amt.
- (e) Dept. 712 Mr. Griffin, original total was -----\$1,072.25

REDUCED TO ----- 287.55 New Amt.

The total to be paid is \$2,620.77, for these 5 items; being a reduction of \$5,769.02.

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PRESIDENT MILLER said that we can now discuss Mr. Hoffman's motion, if the Board wishes to do so. That we are now considering a motion to put back into Committee a part of this item #13 as outlined by Mrs. Laitman.

MR. CONNORS said that Mrs. Laitman explained that the cuts were roughly, plus or minus \$6,000.00 roughly. He said the people were no longer here and are not going to collect the total amount. He further said that putting it back into committee would not change anything, that next month those people would still not be here and the exact same thing will come before the Board. Mr. Connors felt that Mrs. Laitman made a very good explanation of the whole process right down the line. He does not want it held in Committee.

MR. EXNICIOS stated he hated to disagree with a fellow Republican this last meeting. But that in this particular case, he knows the reasons behind Mr. Hoffman's motion and really can't agree with it and agree with the rest of it. Mr. Exnicios said he would vote to support the rest of the increases, merit or otherwise, and that he sees no justification for withholding these retroactive increases to people who are gainfully employed and rightfully employed -- on our payroll back in January, 1975 through whenever they terminated and if they were drawing a salary during that time and if this Board sees fit to keep the MAA up to par with the union contracts, then I think these people are entitled to it. Personally, if I were going on other personal reasons, I'd say no, I'd go with Mr. Hoffman, but looking at the thing as objectively as possible, I think they are entitled and I would think that we would vote for the entire amount on the agenda.

MR. FLANAGAN: "I want to concur with what Mr. Exnicios said, If the contracts had been settled in a timely fashion, these people would have collected the money already. I don't think they should be penalized by the extensive delay that has taken place in the settling of all municipal contracts. When they worked, they were on a par with the people that are currently on the City's payroll. Therefore, they should be rewarded on the same basis as those that are currently employed. Thank you."

PRESIDENT MILLER stated we can now proceed to a vote on the motion to put back into committee the monies involved with these five individuals. A request for a ROLL CALL VOTE. Sufficient number for a ROLL CALL. Yes vote for Mr. Hoffman's motion and a No in opposition. Necessary for passage: a majority of those present and voting.

There were 7 in favor and 21 in opposition. The motion was LOST.

THOSE VOTING IN FAVOR:

CROSBY, Robert (R)
HANDLEY, Diane (R)
HOFFMAN, Leonard (R)
McINERNEY, Barbara (R)
ROSS, Salvan (D)
SAINBURG, Richard (R)
ZIMBLER, Kurt (R)

THOSE VOTING IN OPPOSITION:

BOCCUZZI, John (D)
CLARK, Linda (D)
CONNORS, George (D)
COSTELLO, Robert (D)
D'AGOSTINO, Thomas (D)
DeROSE, Joseph (D)
DIXON, Handy (D)
EXNICIOS, Robert (R)
FLANAGAN, William (R)
FORMAN, Barbara (R)
LAITMAN, Marilyn (D)
LOWDEN, Lynn (D)
MARTINO, Vincent (D)

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THOSE VOTING IN OPPOSITION: (continued)

MILLER, Frederick (D)
 PERKINS, Billie (R)
 RAVALLESE, George (D)
 ROSE, Matthew (D)
 RYBNICK, Gerald (D)
 TRESSER, Michael (R)
 TRUGLIA, Anthony (D)
 WALSH, Peter (D)

PRESIDENT MILLER called for a vote on the main motion for \$133,372.07. It was CARRIED.

MRS. FORMAN asked about a resolution about accountability, performance evaluation, etc.

MRS. LAITMAN re-read her statement and it became RESOLUTION NO. 1032. Mr. Exnicios asked for a small change to state fiscal 1976 rather than "next year."

RESOLUTION NO. 1032

BE IT AND IT IS HEREBY RESOLVED BY THE BOARD OF REPRESENTATIVES THAT it is their intention:

THAT we would move that this Board is empathetic with the position taken by the Board of Finance and supported by the MAA. It is the feeling of this Board that if there is to be real accountability in the City, we must initiate a program providing for performance evaluation on a regular and recurring basis for all management personnel within the City.

The evaluation would be reflected in future salary increases. Then and only then, would a merit increase be worthy of that designation. The MAA by their support of this program, have demonstrated their willingness and interest in structuring this evaluation. Their participation is key, as is the need for outside professional help. We so urge the new administration to make this a high priority goal.

We are approving these increases through fiscal 1976, and urge the 14th Board of Representatives to base future increases on this performance review.

14) \$60,000.00 - LAW DEPARTMENT - Code 110.0901 - Special Professional Services
 (This includes):

Tax Collection Task Force	\$10,375.00
Zoning Board of Appeals Matter	1,500.00
Market Street cases	1,000.00
Stamford Water Co. Rate Appeal	13,000.00
Eugene Berube Personnel matter	9,500.00
Levine Condemnation	22,500.00
Miscellaneous Court Costs since July 1st	1,300.00
" " " " "	1,000.00
	<u>\$60,175.00</u>

Note: The eight items mentioned add up to \$60,175.00, leaving a deficiency of \$47,675 against the full-year appropriation of \$12,500. The request for \$60,000 will provide them with an additional \$12,225 to cover anticipated billings in the Water Company and Berube matters.

MRS. LAITMAN: "These funds are necessary to fund major undertakings of this department, which on balance, have resulted in overall savings to the City. Fiscal appreciates the efforts made by the Corporation Counsel to hold down costs in this area. Fiscal voted to approve, 9-0 and SHE SO MOVES. Seconded and CARRIED.

15) \$24,627.56 - REGISTRARS OF VOTERS - Code 102.5105 - Primary Account - (Mayor's letter of 10-2-75)

MRS. LAITMAN stated that these funds will cover the costs of the primaries held on Sept. 9th and 11th, 1975. No appropriation is allocated for this account in the annual budget since there is no way of knowing in advance if there will be a primary. Fiscal voted 9-0 to approve. SHE SO MOVED. Seconded and CARRIED.

16) \$1,325.00 - PARK DEPARTMENT - Code 712.2201 - Terry Conners Rink, New Equipment (\$1,075.00) and Code 712.1801, Terry Conners Rink, Maintenance of Buildings (\$250.00) - (Mayor's letter of 10-2-75)

MRS. LAITMAN said this request is related to the burglaries at the Skating Rink. That it is necessary to replace the stolen articles as soon as possible. That there have been five break-ins in six weeks. Fiscal voted 9-0 to approve. SHE SO MOVED. Seconded and CARRIED.

MRS. LAITMAN requested SUSPENSION OF THE RULES to consider two item. SHE SO MOVED. The two items are related to the previously mentioned break-ins at the Terry Conners Skating Rink of the Park Department. These items would be passed, pending favorable action by the Board of Finance on Thursday, November 13, 1975.

PRESIDENT MILLER called for a vote on SUSPENSION OF THE RULES for Item #17 under Fiscal. Motion was CARRIED.

17) \$2,675.00 - PARKS DEPARTMENT - \$1,240 Code 712.2201 New Equipment; \$1,435.00 Code 712.1801 Maintenance of Buildings (Mayor's letter of 10-30-75) - (Typewriter, tape recorder, Sonitrol) - (Terry Conners Rink break-in and burglary again)

MRS. LAITMAN said the first figure would cover the cost of the typewriter and tape recorder. The second will fund the installation of a Sonitrol System. There is an 85% apprehension rate. Fiscal approved with a vote of 9-0.

SHE SO MOVED. SECONDED. MOTION CARRIED.

PRESIDENT MILLER called for a vote to SUSPEND THE RULES FOR item #18 under Fiscal. Motion was made and CARRIED.

18) \$1,200.00 - PARK DEPARTMENT - Terry Conners Skating Rink - \$865.00 Code 712.2201; \$335.00 Code 712.1901; New Equipment and Small tools & replacements, respectively - (Mayor's letter Nov. 5, 1975)

MRS. LAITMAN stated that these funds are needed to replace sound equipment and small tools stolen on Oct. 28th and Nov. 4, 1975. Hopefully, with the installation

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of Sonitrol, the thefts will disappear. The Fiscal Committee voted 9-0 to approve and Mrs. Laitman so moved. Motion was seconded and CARRIED.

MRS. LAITMAN requested SUSPENSION OF THE RULES, MOVED, SECONDED AND CARRIED.

- 19) \$127,050.00 - BOARD OF EDUCATION (Letter 10-22-75 from Benjamin R. Reed, Asst. Supt/Business - for members of the administrative staff, in the following categories:

Professional Salaries	\$117,050.00
Workshop Program Provision	5,000.00
Conference Provision	5,000.00
	<u>\$127,050.00</u>

MRS. LAITMAN said this would be passed, pending approval by the Board of Finance at their meeting Thursday, Nov. 13, 1975. Fiscal approved 9-0. SHE SO MOVED. Motion was SECONDED.

MESSRS. DeROSE, TRUGLIA and MARTINO ALL ABSTAINED FROM VOTING.

The motion having been made, and seconded, was CARRIED.

AT THIS POINT, MRS. LAITMAN read into the record a letter from Corporation Counsel Joel Freedman regarding a sense-of-the-board resolution adopted by this Board on Nov. 20, 1974 with reference to the STAMFORD WATER COMPANY and its water charges to the City. (Letter dated November 7, 1975)

"Dear Mr. Miller:

"On November 20, 1974, the Board of Representatives adopted a "Sense of the Board" resolution instructing this office to institute an appeal to the Public Utilities Commission to repeal the bidding formula for water charges to the City by the Stamford Water Company.

"Based upon our research into this issue, we concluded that the matter could best be handled by raising it before the Public Utilities Commission at the next hearing having to do with an application for an increase in water rates by the Stamford Water Company. Such a hearing took place on July 8, 1975. At that time the City, through its attorneys, argued before the Public Utilities Commission that the Stamford Water Company had never performed a cost of service study and that over the years, in filing applications for rate increases, had simply requested that rates for all classes of service simply be increased by the same percentage. Thus, the rate structure not only failed to fairly allocate charges for various types of water service by the cost involved, but errors in such rates had been compounded over the years by successive rate increases.

"We are pleased to report to your Board that the Public Utilities Commission accepted our argument and in their decision dated September 3, 1975 provided that "as a condition to its next rate application, the Company shall submit a complete cost of service study."

"While the City will not reap any immediate benefit from this decision of the Public Utilities Commission, their action resulting from our argument will result in a determination in the not-too-distant future which insures that such water charges paid by the City of Stamford to the Stamford Water Company fairly

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reflects the Company's cost of providing such water and thus, the intent of your Board's resolution will have at last been realized."

(signed) Joel E. Freedman
Corporation Counsel

MRS. LAITMAN stated, after finishing the letter, that "we ourselves deserve a pat on the back for that one."

At this time MR. GEORGE CONNORS left. There remained 27 members.

MRS. LAITMAN asked if THE CHAIR wanted to take up the labor contracts. THE CHAIR said if it is agreeable to the Personnel Committee Chairman, we could take those up at this time.

20) MRS. LAITMAN asked for SUSPENSION OF THE RULES to consider the labor contracts signed with the TEAMSTER'S LOCAL 145. Motion was made and seconded and CARRIED to suspend the rules.

MRS. LAITMAN stated that the contracts negotiated with TEAMSTERS LOCAL 145 had the same terms as the MEA, as follows:

3%	retroactive to	1/1/75
3½%	on	7/1/75
3%	on	1/1/76
3½%	on	7/1/76
4%	on	1/1/77

and that TEAMSTERS LOCAL 145 covers the following City departments:

- (a) PUBLIC WORKS
- (b) HUBBARD HEIGHTS GOLF COURSE
- (c) DEPARTMENT OF PARKS & TREES
- (d) PARKING AUTHORITY

MRS. LAITMAN stated that we are not passing on the money involved at this point, only on approval of the contracts. SHE MOVED FOR APPROVAL; its was SECONDED.

MR. HOFFMAN stated that as Chairman of Personnel Committee, he thinks they should have a say on this particular matter. He said the Personnel Committee did not have an opportunity to meet on this, having received the copies of the contract in the mail today. There was not sufficient time to review the contracts, although it appears the money is in line with other contracts. However, he cannot in good conscience give blanket approval to them and will therefore, abstain from voting on them.

MR. ZIMBLER said he is a member of both Fiscal and Personnel and received his copies of the contracts on Saturday, the 8th. Although they appear to be in order, he, too, will abstain from voting because he cannot do so until he has an opportunity to look them over thoroughly.

MR. ROSS stated he would abstain for the same reasons.

The motion was CARRIED, with two abstentions. A voice vote.

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PRESIDENT MILLER commented that it was the CHAIR'S understanding that there was some agreement by the leadership that the Board might consider these contracts. As the members know, there is a legal requirement that we act on them within thirty days from the time we receive them, which is Nov. 7, 1975. If we don't they are automatically approved. The CHAIR is not unwilling to call a special meeting of this board, but it would be necessary to do so if we do not act on them tonight.

MRS. LAITMAN said it was her understanding, also, that everyone had full agreement in bringing out these contracts, but since there is some question and since there seems to be some hesitancy by some people to support them, she would like to withdraw her motion for approval this evening, and would like to suggest to Mr. Miller that he have a special meeting of the Board, that will give plenty of time for committees who have question to meet on them. Thank you.

THE PRESIDENT stated that they would then not consider the contracts, and would have a special meeting sometime before December 1, 1975.

MR. JOHN BOCCUZZI asked for a five-minute recess. The Minority Leader agreed.

RECESS was taken at 11:08 p.m. Meeting was called to order again, after approximately six minutes at 11:14 p.m.

THE PRESIDENT CALLED THE MEETING TO ORDER.

MRS. LAITMAN withdrew her motion to keep contracts in committee. She then moved for approval of the TEAMSTER'S LOCAL 145 CONTRACTS. It was SECONDED.

MR. ROSS abstained from voting on this item.

MR. JOHN BOCCUZZI requested a ROLL CALL VOTE.

THE PRESIDENT said Yes in favor; No against; necessary for passage is a majority of those present and voting.

THE ROLL CALL vote was 25 yes and 2 abstentions.

THOSE VOTING IN FAVOR:

BOCCUZZI, John (D)
CLARK, Linda (D)
COSTELLO, Robert (D)
CROSBY, Robert (R)
D'AGOSTINO, Thomas (D)
DeROSE, Joseph (D)
DIXON, Handy (D)
EXNICIOS, Robert (R)
FLANAGAN, William (R)
FORMAN, Barbara (R)
HANDLEY, Diane (R)
LAITMAN, Mafilyn (D)
LOWDEN, Lynn (D)
MARTINO, Vincent (D)
McINERNEY, Barbara (R)
MILLER, Frederick (D)
PERKINS, Billie (R)
RAVALLESE, George (D)
ROSE, Matthew (D)

ABSTENTIONS:

HOFFMAN, Leonard (R)
ROSS, Salvan (D)

THOSE VOTING IN FAVOR: (continued)

RYBNICK, Gerald (D)
SAINBURG, Richard (R)
TRESSER, Michael (R)
TRUGLIA, Anthony (D)
WALSH, Peter (D)
ZIMBLER, Kurt (R)

- 21) MRS. LAITMAN moved for SUSPENSION OF THE RULES to consider CASEWORKERS and DENTAL HYGIENISTS CONTRACTS. Moved, Seconded and CARRIED.

MRS. LAITMAN said these contracts carry the same provisions as contracts previously passed. SHE MOVED FOR APPROVAL. SECONDED.

THE MOTION IS CARRIED. Mr. Hoffman abstained. Mr. Ross also abstained.

MR. HOFFMAN made the request that in the future, regardless of who the chairman is, contracts should come to the Personnel Committee in plenty of time for proper evaluation, regardless of elections, etc.

THE PRESIDENT said that the problem was the timing; when we received the contracts from the Labor Negotiator and they had to be approved within a 30-day time limit.

MRS. LAITMAN: "This is my last report as Chairman of Fiscal. I owe a debt of gratitude to my 39 teachers, and especially to John Boccuzzi, Handy Dixon, Bob Crosby, Bob Exnicios, Bobbie Forman, Jerry Livingston, Mike Loughran, Jerry Rybnick, and Buddy Zimble. They helped to make this a fine, hard-working committee, concerned at all times with helping to fund affordable, balanced budgets that would meet the needs of Stamford. And thank you to all of you who supported us 99 and 44/100ths per cent of the time. Thank you."

LEGISLATIVE & RULES COMMITTEE - William Flanagan (Norman Davidoff, absent)

MR. FLANAGAN, Vice-Chairman of the Legislative & Rules Committee, stated that Item 1 on the L & R Committee agenda is for final adoption of the ordinance concerning the Establishment of a Uniform Mill Rate for the Taxation of Motor Vehicles in the City of Stamford. The L & R Committee met tonight and on a vote of 5-1, it was decided to hold this in committee because of the wishes of the Board of Finance.

- (1) Final adoption of ORDINANCE CONCERNING THE ESTABLISHMENT OF A UNIFORM MILL RATE FOR THE TAXATION OF MOTOR VEHICLES - Approved for publication 9-2-75 and published 9-6-75 - (Letter dated 7-7-75 from Deputy Corporation Counsel to Anthony Truglia, 5th District Rep.)

The above item was HELD IN COMMITTEE.

- (2) ORDINANCE NO. 327 -CONCERNING TAX EXEMPTION FOR FAITH TABERNACLE BAPTIST CHURCH PROPERTY LOCATED AT 84 WALLACE STREET - (Letter 7-22-75 from Robt. B. Wise, Esq.) - (Held in Committee 9-2-75 and 10-6-75)

MR. FLANAGAN moved for waiver of publication on this ordinance. Moved and seconded. The motion to waive publication was CARRIED.

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MR. FLANAGAN: "By a vote of 6-0, the Committee unanimously approved recommendation to adopt this ordinance. This is a rectory that had previously been granted a tax rebate, but through oversight, the paragraph continuing the exemption was omitted and this is to correct a deficiency that occurred three years ago. I so move."

MOVED and SECONDED. The motion for final adoption was CARRIED UNANIMOUSLY.

ORDINANCE NO. 327 SUPPLEMENTAL

TAX EXEMPTION FOR FAITH TABERNACLE BAPTIST CHURCH, PROPERTY LOCATED AT 84 WALLACE STREET, STAMFORD, CONNECTICUT, UNDER PROVISIONS OF SECTION 12-81b OF THE CONNECTICUT GENERAL STATUTES

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Pursuant to Section 12-81b of the General Statutes of Connecticut, the property of Faith Tabernacle Baptist Church, an eleemosynary institution, acquired from George Hutchings, Jr., and Emma J. Hutchings on October 25, 1968 located at 84 Wallace Street, Stamford, Connecticut, for the purpose of a Manse, be exempted from taxation on the Lists of September 1, 1970, 1971, 1972, 1973, 1974 and 1975 and all future assessments lists and from all past and future Public Improvement Assessments.

This ordinance shall take effect upon its enactment.

- (3) Final adoption of ORDINANCE CONCERNING THE SHOWING OF X-RATED MOVIES WITHIN THE CITY OF STAMFORD - (Submitted by Anthony Truglia, 5th Dist. Rep., on 8-12-75) - (Approved for publication 10-6-75 and published 10-11-75)

MR. FLANAGAN: "Because of a Corporation Counsel's opinion that this ordinance as written is unconstitutional, the Legislative & Rules Committee voted 5-1 to hold it in Committee."

This item HELD IN COMMITTEE.

- (4) Proposed RESOLUTION AUTHORIZING THE CONDEMNATION BY THE CITY OF STAMFORD OF EASEMENT THROUGH AND UNDER PROPERTY OF ROMAN F. POMPONI AND CYNTHIA J. POMPONI IN CONNECTION WITH THE SEWER PROJECT 15-1 - (Letter dated 10-15-75 from Samuel J. Bernstein, Planning Board Chairman) - (Approved by Bd. of Finance 10-9-75 and by Planning Board 10-14-75)

MR. FLANAGAN: "This was also referred to the Sewer Committee, and we had no action from the Sewer Committee so the Legislative & Rules Committee held this also."

The item HELD IN COMMITTEE.

- (5) Proposed ORDINANCE CONCERNING FREEDOM OF INFORMATION - Amendment to the Code of Ordinances Section 2-4, Town & City Clerk, Custodian of Records, Inc. - All minutes shall be filed with the Town Clerk no later than seventy-two hours following the holding of such regular meetings, special meeting, and every emergency special meeting - (Letter 10-25-75 from Lois Pont-Briant)

MR. FLANAGAN: "There is a request from Mrs. Pont-Briant, who is the Town Clerk-Elect, and who sponsored this legislation, that it be held so there can be some clarification of language and just who it applies to and also on the timing."

The Legislative & Rules Committee voted to HOLD IN COMMITTEE.

(6) VETOED ORDINANCE NO. 321 SUPPLEMENTAL - CONCERNING DISCLOSURE OF CIVIL SERVICE PRACTICES WITHIN THE CITY OF STAMFORD - (Mayor's letter of 10-17-75)

MR. FLANAGAN: "The Legislative & Rules Committee voted 5-1 to recommend overriding the Mayor's veto, and I SO MOVE. Based on the changes that were worked out during numerous meetings by the L & R Committee, it was the feeling of the Committee that the final language would not in any way, infringe upon the privacy of municipal employees, or applicants for municipal jobs. We felt that there was perhaps some misunderstanding because of the numerous drafts that were in existence, and we feel that the ordinance as it was published, should be approved. I SO MOVE."

MOVED AND SECONDED.

MR. WALSH: "I was the one vote minority on this Committee and I feel the same as I did last month. I go along with the ordinance except for the part about the Personnel Committee. Otherwise, that was my reason for voting as I did."

THE PRESIDENT: "You can't make a motion for an amendment now, Mr. Walsh. You just have to vote yes or no."

MR. MARTINO: "Mr. President, I thought this item #6 had been held."

PRESIDENT MILLER: "The Committee voted 5-1 recommending approval to over-ride veto."

MR. HOFFMAN: "Thank you, Mr. President. Earlier, Mrs. Laitman referred to the fact that our Board had done some good things and I think many of us have found to our dismay, the fact that very often the voters of the City do not appreciate the Board or the Board members, and I think that here we have a perfect example of a fine thing that this Board has done, and a lot of effort has gone into this by people who have worked on it, the Legislative & Rules Committee, and especially Mrs. Handley, in trying to get this thing all together; and I think now that this Board has taken some giant steps in cleaning up a civil service system that we found loaded in favor of everyone except some of the applicants who came and honestly applied for jobs; and I think that we must go one step further this evening and we must over-ride this veto."

"I think that the Mayor, when he vetoed this ordinance, I am quite certain that perhaps he did it with a good reason in mind; and I would hope that having had a chance now to think about it, that our entire Board would see fit to over-ride his veto and let us take politics out of this entire matter and look at it as Board members and Representatives who are trying to do a job for the City. Thank you, Mr. President."

MRS. HANDLEY: "I have spoken to this ordinance so many times, I guess you're tired of hearing from me, especially if you've attended all the hearings we've had, but I'd like to reiterate one more time, we did seek in-put from everybody we could find. We had two public hearings. I've got this, all of this (gesturing toward a very large file of papers), is just on this one ordinance. There are no duplicates in here."

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MRS. HANDLEY: "The question boils down, I guess, to different domains. One is whether or not you want to take the lead and set policy for the future. And the other one is the legal question, which did come up, and I received, and all of you got a copy from Corporation Counsel on August 8th of a letter stating that he questioned whether or not it was legal, and if you will bear with me, the last paragraph of that letter indicated that it might create a conflict between the charter, ordinances, and personnel regulations. But the following sentence says "...without, at this time, venturing an opinion as to which would prevail, I have contacted Mr. Freedman, and I have asked for an opinion as to which would prevail."

"I have never received an opinion and I have to assume that with all the heat that has surrounded this ordinance, that we are on very safe legal grounds. It was approved by the Deputy Corporation Counsel, who worked very closely with us in Legislative & Rules, and I hope just hope, at this time, you would not send all this work for naught."

MRS. LAITMAN: "If you'll bear with me for a minute while I find a copy of a letter I sent to the Board because I have some questions that I'd like to ask; particularly with relation to something Mr. Hoffman just said about the climate and what has happened here."

"I am concerned that an ordinance, and I originally brought this up at the first public hearing, was geared to just one board; and I would like to have my fears put into perspective and perhaps relieved. About Section 3 of the ordinance, I wondered if perhaps Mrs. Handley would answer this; because I felt that this was the specific reaction to the personality of the former Personnel Director, I think it should be borne in mind as obviously being on record as not being against the right-to-know."

"I am concerned about passing bad legislation, and I'd like to be relieved on this point that we did not act at a time when we were so concerned that the Personnel Director would not leave. Since then, he has left, and I wondered if this paragraph in Section 3 could be easily abused by future Personnel Committee members and especially by the Hiring Authority. And I'd like to get your opinion on it. Maybe it would be best to just read Section 3 of Ordinance No. 321:

- "3. All other information regarding applicants shall be maintained and made available to any City entity vested with the power of appointment for any position within the Civil Service relative to such position, the Personnel Committee of the Board of Representatives and any applicant; such information shall include the names of all applicants examined, their scores and relative standing within forty-eight hours after such scores have been determined and all other information regarding applicants not required to be disclosed under Section 2, except information exempted under Section 4."

Exempted under Section 4, any and all information related to the marital status of any person, medical and psychological information of any person; information relative to psychological testing; statement of worth; and any information otherwise specifically excluded from public disclosure by any state statute or law.

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PRESIDENT MILLER: "Do you have a question for Mrs. Handley?"

MRS. LAITMAN: "The question is could you explain Question 3? My interpretation seems to be that is a specific reaction to the personality of the former Personnel Director, and that could this paragraph be easily abused by future Personnel Committee members and especially by the hiring authority?"

MRS. HANDLEY: "First of all, this was not personality legislation. This was legislation that was started in March, and it was a reaction to disclose of lack of information, pertinent information, particularly being given to the hiring authority, the hiring authority in some cases may be five people, and the Personnel Committee of this Board is five people, and the applicant is one person, (the tape was changed at this point and there was a loss of a phrase or two en route, sorry, Mrs. Handley)....

"....future applicants' rights that they do not have now. We wanted to insure the hiring authority some rights. The Civil Service Regulations still indicate that the hiring authority will choose from the first three applicants, but as it stands now, all they receive is the name and the score of the applicants. We felt there was other pertinent data, even from trying to select one of those three, that could weigh in the decision, particularly since the calculations were so erratic in the past.

"Off the top of my head, if you were choosing an engineer and you had one engineer applicant who had attended a university, perhaps, M.I.T., you might want to take that into consideration if he were one of the top three. What his grade was in reference to his education. The score only reflects a lump sum, and without giving the hiring authority permission to look in and look at the subjective factors. I really think you're giving them a great disservice. As far as the applicant, I really feel unquestionably he has the right to see the information. And the reason for giving it to the Personnel Committee of the Board was to save the applicant legal fees. He has redress in the courts but if he can't afford it, and he can catch ahold of somebody on the Personnel Committee of the Board who can oversee that particular exam and perhaps agree with him that he has a grievance, we can get the process moving without asking the man to retain an attorney.

"It was basically done....I tailored this particular ordinance--- for me! If I wanted to apply for a city job and I felt that the questions on the test were not fair, or if I felt I had a grievance, I personally could not afford an attorney. I would have to shrug my shoulders and walk away. As it stands now, I would have no redress. But with this law, I have a place to go, and I think it is protecting the civil servant. And you're also making it very difficult for political influence to come into play."

MRS. LAITMAN: "I understand what you're saying, and it has cleared up some points. But I don't understand the last statement at all. I think that, at best, we are a legislative body, politically endorsed, and here politically, and I think we happen to have a responsive chairman of the Personnel Committee ...I think this might not always be the case...it might be the case...we don't know. And I'm not sure as how the will of the Personnel Board of Appeals would enter into it. That's what I'm concerned about. I'm concerned about the Personnel Committee of the Board seeing this data. I'm not at all concerned about the hiring authority seeing it. I couldn't agree more."

MRS. HANDLEY: "You did question the hiring authority? Am I correct?"

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MRS. LAITMAN: "I said the Personnel Committee of the Board."

MRS. HANDLEY: "Well, first of all, to get information now, and Mr. D'Agostino will bear me out, when the investigation of Mr. Boodman's appointment came before the Legislative & Rules Committee, Mr. Hoffman requested Mr. D'Agostino and I to go and look into it. Basically you can interpret Section 735 of the Charter to make Personnel Director a czar of personnel practices and a czar of screening all applications. And Mr. D'Agostino and I were informed that we were on thin ice in this particular case. So we felt if the Personnel Committee had this right, they could, let us say, have a right to a preliminary investigation, because a full investigation involves two-thirds of the members of this Board."

PRESIDENT MILLER: "All right, I think we'll go on to some of the other people who want to speak."

MR. ZIMBLER: "Thank you, Mr. President. I'd like to remind the members of this Board that if the Personnel Committee had not bean on the ball, there might not have been a special investigating committee formed. It was the Personnel Committee that first brought these facts to light and recommended the formation of the special investigating committee."

"Now this Board has a chance to go down in history as the legislative body which cleaned up a civil service system which was most certainly inept, and quite possibly corrupt. Now let's not leave it half-baked. We are thinking in terms of justice. Let's not forget where was justice for Phil Bennett? Where was justice for Peter Woodcock? Where was justice for the other people who, as the investigation turned out, would have been qualified for a position for which they applied, but were denied their chance for this position. And weren't given a chance for proper redress. This is what we have to worry about. Sure, let future Boards worry about appointing a Personnel Committee with a Chairman who is responsive to the needs of the community. Let's not worry about giving them too much power. Let's worry about getting the right people in there. Thank you."

MR. HOFFMAN: "Thank you, Mr. President. I would like to say that I believe that as legislators, we just say that we merely legislate, but I think all legislative bodies whether they are representatives at a Federal level, or whether they are representatives at a State level, or whether we are representatives at a City level, I believe that we have to do more than just legislate. I think we also have to be responsive to the people, and I believe that when someone in your particular district has a problem with a sewer, a street, a sidewalk, a stop light... many, many things, we come to the aid of that particular person, or that particular group of people and we will try to help them if we can."

"And I think here we are saying to ourselves that if somebody has been denied a particular position within the City, or they feel that they have been cheated out of that particular position which they applied for, that we are not able to help them in any manner, any way, any shape, or form, that we just have to say tough luck, fellow or lady, you know, I can't do anything more for you."

"I think that very often constituents look to their representatives, again, City, state, or whatever, and they look to these people as a sort of court of last resort, after they have tried through all the regular agencies to try to get something done, you then turn to your legislator whom you have elected and then say to this fellow, this person, this lady, hey, look, I need some help."

"And if they don't help you, then the next time they are up for election, you turn the rascal out.

"And in this particular instance, I do believe that we owe it to the people of this particular city, that we should not say to them, well, look, if you have lost a job "by hook or crook" and especially more if it is "by hook or crook" this is the thing we're trying to eliminate and I think we must act as a court of last resort and we must help that particular person. Thank you very much!"

MR. FLANAGAN: "Thank you, Mr. President. Apparently, the objections are specific, which is good; and specifically concern about future personnel committees of the Board of Representatives. I really think that since this is a sensitive committee, and the President of this Board, and future Boards, will recognize this to be a very sensitive committee that only the highest qualified members of the boards should be selected to serve upon the Personnel Committee, and I do think since, by a two-thirds vote, the Board can uncover all data about employees of the City and personnel practices, that to assume that there would be a personnel committee that would misuse this power in the future, would, by the same measure, be assuming that by a two-thirds vote, a committee that is formed of board members would abuse this power, too, because they do have it by a 2/3 vote.

"I think that we have uncovered a serious situation within the Personnel Department that had gone back many years and had gone back to a time prior to the most recent Personnel Director.

"With the Board of Representatives having the power to check into the means of examination, I think it will keep people honest in the future; and I think that there have been allegations of tailored exams given for specific persons to benefit them in getting their jobs. And I think another key factor of this ordinance is that all locally-prepared examinations must be made public.

"If the Personnel Department uses standardized tests, then these do not have to be made public, and I think this will direct them towards standardized testing. And in the rare event when they have to make up a special exam for a particular post in this city, they will be very careful about doing it correctly because of this ordinance.

"I think that to pre-suppose, as I said in the beginning, to pre-suppose that members of the Personnel Committee of the Board of Representatives would act in bad faith is really an insult to this Board of Reps. that is sitting here right now. I think that we can expect, in the future, that we will have professional people on this Board, and particularly that the presidents in the future will keep this ordinance in mind when they make these appointments. And I think this is really necessary to once and for all straighten out something that has been going on for a long time."

MRS. McINERNEY: "Thank you, Mr. President. I would like to urge all my fellow members of the 13th Board of Representatives to vote "yes" to over-ride this veto, and to show the citizens and employees of the City of Stamford that we are truly prepared to correct all past civil service irregularities and start the 14th Board with a clean slate by reinforcing all the past work and hours of dedication that we've done here to correct what we've seen. Vote for the "Public Right-To-Know" law. We are all interested in protecting the rights of all civil servants and future applicants, and their rights to be judged for a position by their merits and past performance. We're not here to knock heads any more.

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"I voted last month to publish this and to make it a final law, and I will vote to do so again tonight. This is our last chance to pass some meaningful reform legislation, and I think you should bear that in mind when you cast your vote."

MR. ZIMBLER: "Yes, Mr. President. Just to add briefly to what Mr. Hoffman said earlier. I think we're missing the point on one thing. When someone who is highly qualified for a position is denied the opportunity to compete for that position, and possibly being hired for it...yes, this particular individual is victimized, but it goes a lot deeper than that, because the victims there are all the citizens and taxpayers of Stamford who are denied the opportunity of possibly getting the best-qualified man or woman for that particular position. And, likewise, when as we have seen has happened, when an examination is custom-tailored for a particular individual who might not be the best-qualified individual for that position, once again it is our entire constituency, all taxpayers of Stamford who are being victimized; so we are not talking simply about individual victims, but we are talking about the entire city, and I think that is the big picture and I think that is what we should look at tonight."

PRESIDENT MILLER: "I think we can proceed to a vote now."

MRS. FORMAN: "Yes, I'd like to request a ROLL CALL VOTE."

PRESIDENT MILLER: "Necessary for a roll call vote is one-fifth of the members present. The CHAIR sees a sufficient numbers of hands. We'll take the vote by roll call."

"The CHAIR will observe that the Chair has had some difficulty with this vote. The Chair has searched the precedents and there is a problem because there had been very few vetoes in the history of this Board, and even fewer instances of successful attempts to over-ride a veto. I believe we all know Section 202.2 of the Charter states, in part; 'No ordinance or appropriation resolution shall be adopted except by majority vote of the entire membership of the Board of Representatives.' In other words, no ordinance can be finally adopted without 21 votes."

"And, in Section 204.1a, we have, in part: 'The Board may, at the meeting or at any meeting held within forty days thereafter....' (that is after the Mayor's veto)... 'by a two-thirds vote of the members present pass the ordinance over the mayor's veto, and the ordinance shall thereupon become effective without further action by the mayor.'"

"At the present time there are 27 members present; two-thirds of 27 would be less than 21. The Chair would advise the membership that it is the Chair's intention to rule that the vote necessary to over-ride the mayor's veto would be 21 votes. The Chair cannot point to any place where it is written that they would be so, but it would be common sense that if it takes 21 votes to finally adopt an ordinance, it would take at least 21 votes to over-ride a Mayor's veto on the same ordinance."

MR. HOFFMAN: "In all due respect to you, Sir, would it be proper, since I think that there is such an urgency to pass this piece of legislation, and since I think it is so important, would it be proper then to issue some sort of a challenge to this particular ruling now, or would it be proper to challenge it after the vote?"

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"And again, I say this, Sir, in all due respect to you, that I am asking this because I would like to see this ordinance passed and I would hate to see it passed, Mr. Miller, on the basis of let's say a couple of votes and it is just a question of legality that we would lose by that small a margin?"

PRESIDENT MILLER: "I think the issue would be properly raised after the vote is taken. And there is no question that will be my ruling - 21 votes. The Clerk will call the roll. A Yes vote is to over-ride the veto, and a No vote in opposition. Necessary for passage, 21 votes."

MRS. HANDLEY: "We have passed the ordinance, Mr. President. We are now voting on the veto. And I would like to appeal your ruling."

PRESIDENT MILLER: "We will proceed then to a vote."

MRS. LAITMAN, CLERK OF THE BOARD, took the roll call. The vote was Unanimous. 27 in all. (The Ordinance No. 321 follows roll call). THE MOTION WAS CARRIED.

THOSE VOTING IN FAVOR:

BOCCUZZI, John (D)
CLARK, Linda (D)
COSTELLO, Robert (D)
CROSBY, Robert (R)
D'AGOSTINO, Thomas (D)
DeROSE, Joseph (D)
DIXON, Handy (D)
EKNICIOS, Robert (R)
FLANAGAN, William (R)
FORMAN, Barbara (R)
HANDLEY, Diane (R)
HOFFMAN, Leonard (R)
LAITMAN, Marilyn (D)
LOWDEN, Lynn (D)
MARTINO, Vincent (D)
McINERNEY, Barbara (R)
MILLER, Frederick (D)
PERKINS, Billie (R)
RAVALLESE, George (D)
ROSE, Matthew (D)
ROSS, Salvan (D)
RYBNICK, Gerald (D)
SAINBURG, Richard (R)
TRESSER, Michael (R)
TRUGLIA, Anthony (D)
WALSH, Peter (D)
ZIMBLER, Kurt (R)

ORDINANCE NO. 321 SUPPLEMENTALCONCERNING DISCLOSURE OF CIVIL SERVICE PRACTICES WITHIN THE CITY
OF STAMFORD

WHEREAS, appointment, advancement and promotion based on competitive examination are the essence of purpose for a classified civil service, and

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WHEREAS, a policy of fullest public disclosure in appointment, advancement and promotion in the classified service is essential to the integrity of the civil service system, and

WHEREAS, fullest public disclosure of records and policies of the Personnel Commission and Department of Civil Service of the City is essential to preserve the integrity of the Civil Service System and secure hiring and promotion pursuant to open competitive and promotional examination,

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

1. This ordinance shall be called the Civil Service Disclosure Ordinance of the City of Stamford.

2. The following records shall be maintained and made available to the public:

(a) Copies of all locally prepared written examination questions within forty-eight hours after such examination has been given.

(b) The total number of applicants to any examination including the total number examined and rated, the total number admitted to the examination and the total number refused admission to such examination together with the reasons therefore.

(c) The method and formula applied to calculate the grades and scores of all applicants.

3. All other information regarding applicants shall be maintained and made available to any City entity vested with the power of appointment for any position within the Civil Service relative to such position, the Personnel Committee of the Board of Representatives and any applicant; such information shall include the names of all applicants examined, their scores and relative standing within forty-eight hours after such scores have been determined and all other information regarding applicants not required to be disclosed under Section 2, except information exempted under Section 4.

4. The following information shall be excluded from the requirements of this ordinance:

(a) Any and all information relative to the marital status of any person;

(b) Medical and psychological information of any person.

(c) Information relative to psychological testing.

(d) Statement of worth.

(e) Any information otherwise specifically excluded from public disclosure by any state statute or law.

5. On and after November 1, 1975, no policy or business or other practice or rule of the Personnel Commission or the Department of Civil Service shall have any force and effect unless such policy, practice or rule shall be reduced to writing, acted on in accordance with any requirements of the City Charter and Code of Ordinances and recorded in the

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appropriate minutes within that department.

6. On and after November 1, 1975, no policy, business or other practice or rule intended as a proscription, amendment, or enforcement of rules for the classified service pursuant to Section 735 of the City Charter shall have any force or effect adopted in writing and in accordance with the requirements of Section 735.

7. (a) The Personnel Commission and the Department of Civil Service shall notify in writing any person who may be aggrieved of any action taken by them.

(b) Such writing shall contain specific reference to:

- (1) The position or other subject in issue.
- (ii) The specific action by which such person is aggrieved and the date such action was taken.
- (iii) Any right to administrative appeal or contract remedy in lieu thereof.
- (iv) The signature and title of the person taking and responsible for such action that may aggrieve such person.

8. Where the requirements of this ordinance and any other law conflict, that law requiring the most disclosure of information shall prevail.

9. This ordinance shall take effect upon enactment.

- (7) LETTERS dated 10-6-75 from Attorney Paul S. Nakian with attached letter from Jonas Shapiro, concerning PROPERTY OF MR. AND MRS. JONAS M. SHAPIRO BEING ENDANGERED BY THE PROJECTED LAND/VEST DEVELOPMENT ON WESTOVER ROAD

MR. FLANAGAN: "Our Committee has discussed this and I have been called by Attorney Nakian and in the same conference conversation I have spoken with Mr. Shapiro; and I am concerned about what appears to be a major change in the direction of water flow from the Land/Vest property toward the Shapiro property.

"Apparently, the natural flow of water that did go from a west-to-easterly direction, now goes from an east-to-westerly direction. I have been informed, though, (I have now seen it), that there is an 18" culvert aimed right at the Shapiro property. If this is the case, and I don't know for sure that it is, but I have looked at the file. If this is the case, it seems to me that the subdivision as approved by the City Engineer of the City of Stamford, was not thoroughly researched.

"The Shapiro's have had a hydrological study performed and the result of the engineering reports show that the flow of water directed toward their property is between six and ten times that which they had before.

"The only thing that I can recommend, and I will hope that the 14th Board of Representatives will further this, and I have suggested to the people involved that they contact the 14th Board at its first Steering Committee meeting.

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"And I hope they will keep track of this situation and will not accept the road that has been put in on the Land/Vest property until they are absolutely sure that the drainage is adequate and that there has been no damage done to the Shapiro property.

"I am personally aware of a situation on property that directly abuts mine in North Stamford when the City Engineering Dept. approved a road, which road has created a bog which produces mosquitoes every single summer, and I have not personally got much confidence in some of their approvals. And I hope that perhaps the next Board of Representatives will take this up as an issue which is perhaps SECOND ONLY TO THE PERSONNEL PROBLEMS WE HAVE."

PRESIDENT MILLER: "This was given also to the Planning & Zoning. Mr. Ross?"

MR. ROSS: "Yes. Planning & Zoning concurs with the conclusion of Mr. Flanagan draws. And also wishes that it be placed in the Steering Committee so that the next Board of Reps. will keep on top of this."

PRESIDENT MILLER: "Environmental Protection Committee?"

MR. SAINBURG: "EPC met and discussed this item. I can document what Mr. Flanagan has to say. I personally tramped the property. I saw this 18" culvert aimed directly at the Shapiro's house. It looks like a cannon. And I concur exactly in what Mr. Flanagan says, concerning the future on this."

PRESIDENT MILLER: "Is there anything further in Legislative & Rules?"

MR. FLANAGAN: "That concludes L & R."

PUBLIC WORKS COMMITTEE:

PRESIDENT MILLER: "Public works Committee, Mr. Rybnick?"

MR. RYBNICK: "I have a partial report that I will enter just as soon as the EPB."

SEWER COMMITTEE

PRESIDENT MILLER: "Sewer Committee, Mr. DeRose?"

MR. DEROSE: "There's no report this month."

HEALTH & PROTECTION COMMITTEE:

PRESIDENT MILLER: "Health and Protection Committee, Mr. Rose?"

MR. ROSE: "No report at the present time, Mr. President."

PARKS & RECREATION COMMITTEE

PRESIDENT MILLER: "Parks and Recreation Committee, Mrs. Perkins?"

MRS. PERKINS: "Yes. Thank you, Mr. Miller. I have a letter to read from the Salvation Army."

- (1) PETITION NO. 402 - SALVATION ARMY - Christmas Kettles to be placed on City streets beginning November 13, 1975 - (Letter dated 10-14-75 from Captain Margaret Jones)

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PRESIDENT MILLER: "All right. You're making a motion for approval of this petition? Moved and Seconded. All those in favor say Aye, all those opposed No. The MOTION IS CARRIED.

PRESIDENT MILLER: "Personnel Committee, Mr. Hoffman?"

PERSONNEL COMMITTEE: Leonard Hoffman

- (1) 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 6-9-75 from 17th Dist. Rep. Thomas D'Agostino in reference to Asst. Corp. Counsel) - (Scope of inquiry broadened at Steering Committee meeting 6-23-75 as proposed by Leonard Hoffman, 11th Dist. Rep.) - (Held in Committee 7-7-75, 8-4-75 and 9-2-75) - (Partial report given 10-6-75 see Resolution No. 1032)

MR. HOFFMAN: "Thank you, Mr. Miller. The Personnel Committee was given Item #1 which was an inquiry into circumstances concerning certain appointments within the civil service system, including appointment of Barry J. Boodman. And our Committee did give a report, and it was at your suggestion, Sir, that we invite the Personnel Commission in to meet with us, to resolve, I guess, the question pertaining to their authority and their ability to change the specifications as was stated in their minutes of their Personnel Commission meeting.

"A letter was sent out to Mrs. Frisbie, Mr. Richard Comerford, and Mr. Napolitano. Mrs. Frisbie called me, said she was unable to attend due to the fact that she had a meeting scheduled for the date of our meeting for the Personnel Committee. Mr. Comerford responded with a phone call to the Bd. of Reps Office, and I think you too, Sir, indicated that you happened to know he was away from the City for a legal meeting, or a legal conference, and I believe that Mr. Napolitano got word to someone, somehow or other, there was a wedding going on in his family and therefore that was his reason for being absent.

"As it turned out, Mr. Zimble and I did attend this meeting and Mrs. Handley was there, as well as Mr. Flanagan as onlookers (an unclear remark, possibly by Mrs. Handley) ----- I stand corrected. In any event, we did not have a quorum. The items were discussed, and however, we were not able to do anything on this particular item, Mr. President. However, I am given to understand that the Personnel Commission does have the authority to modify these specifications as was done in their Personnel Commission meeting. I have no other report other than on this particular item."

PRESIDENT MILLER: "This was also given to Legislative & Rules. Mr. Flanagan?"

MR. FLANAGAN: "As Mr. Hoffman reported, Mrs. Handley and I met, but there was not a quorum of either committee, so we had a pleasant chat with the news media."

PRESIDENT MILLER: "I would like to inquire of Mr. Hoffman. You did mention that it had been stated that the Personnel Commission has the power to make waivers. And I was wondering whose authority you were basing that statement on?"

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MR. HOFFMAN: "We did hear this on a couple of occasions from the Personnel Director, and we had heard this from the present people who are on the Personnel Commission, as well as the past chairman of the Personnel Commission, who did say that they did have that right to make a waiver. And I think they have become more flexible, good, bad or indifferent. They have become more flexible because of a ruling that occurred some time ago regarding the position of a policeman who was denied a particular position because of his stature -- he was an inch or so short and they were taken to court and they lost this particular case. So since that time, they have become a little gun-shy, Mr. Miller, and when there is some question about this, they have opened this thing up and they have made these kind of waivers.

"Again, I say, good, bad, or indifferent, it does occur, and they say that they have that particular authority to do that."

MR. DeROSE: "Mr. President, I am not sure whether I am reading this thing correctly or not. Through the CHAIR, I would like to ask Mr. Hoffman does he consider this to be a completed report on what we asked him to initially get started here? And we gave him specific questions and he was supposed to come back with information. Am I to understand that this is his completed report?"

MR. HOFFMAN: "Well, Mr. President, (small, sad sigh) I don't think I have to go through you directly to Mr. DeRose? I can answer him directly, right? And I would say this Sir, I think we gave a report that was rather comprehensive and detailed what information we were able to garner from the Personnel Dept. And I mention this because really and truly, when we asked all the people that were involved, no one had any knowledge about it. No one knew anything about it. So therefore, I would say to Mr. DeRose that perhaps, and perhaps I shouldn't be angered about this, but nevertheless, I do feel that it is sort of insulting our intelligence when you do ask this question because a report was given, Sir, a report was given to this Board. We gave, we read the minutes of the meeting, and the minutes of these meetings were so sketchy, I defy anyone, unless they were a seer, or a crystal-ball-gazer, to read into this thing any more than what we were able to tell you.

"And when you go to the Personnel Director, and you ask as to why in the world something happened, and they come back and say no one knows, no one knows anything about it. Then I say to you that perhaps this should have been another full-scale investigation by this entire board, where the whole thing could have been looked into. But I think as it is now, I think that we are looking into the appointment of a superb civil servant. I think we are looking into this and according to the Personnel Commission minutes, they agreed to accept the application of four candidates in spite of the fact that several of the candidates apparently did not meet the full job specifications."

PRESIDENT MILLER: "Well, Mr. Hoffman, I think it's fair to state that in a sense, anybody would have to agree that your report is not complete because, for whatever reasons, the Personnel Committee was not able to meet with Mr. Comerford, Mr. Napolitano and Mrs. Frisbie to discuss this Boodman waiver. So I think in that respect at least, the report is incomplete, and I think it's a problem at this point because the Board is going out of existence."

(Some colloquy lost here due to changing the tape - will do better next month)

MR. HOFFMAN: ".....authorities in the Personnel Department and elsewhere."

PRESIDENT MILLER: "No, but it might have been helpful to hear out of their own mouths the reasons why these three individuals on the Personnel Commission decided on a waiver."

MR. HOFFMAN: "I agree with that, but Mr. Miller, when these people will not come before a committee of the Board, you know, what am I to do? I don't have subpoena powers."

MR. DeROSE: "Mr. President, I'm just curious as to what happened from last month. Last month, I believe, it was the wish of this Board that Mr. Hoffman would again go to the previous Personnel Commission and ask them in, and ask them very specific question, and I'd like to know why that did not come about. Did they again refuse to come in, was another request made since the last meeting?"

MR. HOFFMAN: "Could I respond to that?"

PRESIDENT MILLER: "Well, I think I can tell you why they didn't come in. Mrs. Frisbie was having a campaign meeting at her house that night. Mr. Comerford was in Hartford at a legal meeting and Mr. Napolitano's daughter was getting married the following Saturday. That's why those three individuals didn't appear."

MR. DeROSE: "But weren't they the reasons that were given for the previous month? It was not? Then, Mr. President, I'd like to ask you, where do we stand right now as far as this particular item is concerned?"

PRESIDENT MILLER: "I think we'll have to settle for that report Mr. Hoffman has given to us. If you want to initiate this again in the 14th Board, you might do so, but as a practical matter, it's finished for the 13th Board."

MR. DeROSE: "However, I would like to see the final written report. I don't believe I've ever received a copy. Does Mr. Hoffman have one?"

MR. HOFFMAN: "I do not have a final written report on this, no Sir, but I will make a promise that this will be done, Mr. DeRose. I would also say now I think this is a very clear-cut reason why we had to vote for this particular ordinance this evening was full disclosure. Because obviously, we didn't get a full disclosure, Joe. We just couldn't get it. Thank you very much."

MR. DeROSE: "Mr. President, I would just like to add that this report took us approximately five months to get, thank you."

MR. HOFFMAN: "I would like to say, Mr. DeRose, getting information out of that past....No, I'd just like to say it's like pulling teeth and it takes me five months since I'm not a dentist." (laughter)

PRESIDENT MILLER: "Let's go on to item 2, Mr. Hoffman."

- (2) Letter dated 10-7-75 from Joseph DeRose, 15th Dist. Rep., requesting Personnel Committee and/or Parks & Recreation Committee to look into the charges made by John Griffin, former Terry Conners Rink Manager, in his recent letter of resignation

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MR. HOFFMAN: "Mr. DeRose, again I have some bad news for you (great laughter from the Board)...since I have not had an opportunity to get a quorum together for a committee meeting. We were unable to look into your particular request here. However, I think that the things we looked into regarding the appointment of Mr. Griffin, I suspect, and I'm not sure, but I suspect the fact that we were looking into this very possibly led to his resignation. Now whether that was good, bad or indifferent, I really don't know. However, there did seem to be some irregularities there. I think that...."

MR. DeROSE; "POINT OF INFORMATION, Mr. President. What in the world....what bearing does that have on my letter? I fail to understand it."

PRESIDENT MILLER: "Well, I think, Mr. DeRose, we have to accept the fact that the Personnel Committee did not make an investigation of this item #2, or at best a very superficial investigation. It was given also to Parks & Recreation."

MR. DeROSE: "I might add, Mr. President, that I am very patient. I am however, not so sure that I'm going to wait an additional five months to get an answer to this one. Thank you."

MR. HOFFMAN: "Mr. President, I would suggest that what we do is to bring forth perhaps to the full Board a complete report insofar as the appointment itself was concerned; and I think then that when we have brought all that to light, perhaps there would be little reason for us to go into any other questions as to why he resigned. Mr. President, may I do one other thing? May I thank the members of my committee? Mr. Zimble, Mr. Kelly, Mr. Davidoff, Mr. Connors. They did one helluva job and I appreciate all their help and support, as well as yours. Thank you."

EDUCATION, WELFARE & GOVERNMENT COMMITTEE - Jeremiah Livingston

PRESIDENT MILLER: "Education, Welfare and Government? I don't believe there's a report. Planning and Zoning Committee, Mr. Ross?"

PLANNING & ZONING COMMITTEE - Salvan Ross

MR. ROSS: "Yes, Mr. President, Planning and Zoning met Nov. 5, 1975. Present were Reps. Guroian, Tresser, Sainburg and myself. Our meeting of Nov. 5th was a joint meeting with Fiscal in which we had an open meeting to discuss item #1 under Fiscal. Also we discussed item #7 under Legislative & Rules, on which we gave our report. Also under Planning & Zoning, we have seven streets for acceptance, but before I move any of the streets out, at last meeting it was noted that the area representatives wanted to see the streets to verify that the streets were acceptable in their eyes."

MR. ROSS requested approvals from each representative in whose district the streets were located and all gave approval, except that for Winding Brook Lane and Eljay's Lane, Mr. Davidoff was absent, and Mr. Loughran had resigned. Mr. Ross was going to hold these two in Committee, but subsequently brought them out along with the others. Approvals were given; Mr. Martino gave the Board some of his inimitable humorous remarks to substitute for Mr. Davidoff which were met with delighted laughter; and Mrs. Laitman expressed concern that Winding Brook and Eljay not be denied snow removal, etc.

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- 1) HIGHLINE TRAIL - extending from the already accepted portion approx. 280 feet to a permanent turnaround as shown on Map No. 8845.

Length approximately 280 feet. Map No. 8845 - Town Clerks Office.

The above street was approved. Seconded and CARRIED.

- 2) NYSELIUS PLACE - extending westerly from Haig Avenue approx. 978 feet to a temporary turnaround as shown on Map No. 8255.

Length approximately 978 feet. Map No. 8255 - Town Clerk's Office.

The above street was approved. Seconded and CARRIED.

- 3) DAGMAR ROAD - extending southerly from the already accepted portion approx. 204 feet to Nyselius Place as shown on Map No. 8255.

Length approximately 204 feet. Map No. 8255 - Town Clerk's Office.

The above street was approved. Seconded and CARRIED.

- 4) DAD'S LANE - extending westerly from East Hunting Ridge Road approx. 509 feet to a permanent turnaround as shown on Map No. 9559.

Length approximately 509 feet. Map No. 9559 - Town Clerk's Office.

The above street was approved. Seconded and CARRIED.

- 5) WINDING BROOK LANE - extending easterly and southerly from Westover Rd. approx. 1,322 feet to a temporary turnaround as shown on Map No. 8532.

Length approximately 1,322 feet. Map No. 8532 - Town Clerk's Office.

The above street was approved. Seconded and CARRIED.

- 6) ELJAY'S LANE - extending northerly from Winding Brook Lane approx. 334' to a permanent turnaround as shown on Map No. 8637.

Length approximately 334 feet. Map No. 8637 - Town Clerk's Office.

The above street was approved. Seconded and CARRIED.

- 7) MIRAMAR LANE - extending northwesterly from Ocean Drive East approx. 418 feet to a temporary turnaround as shown on Map No. 9488.

Length approximately 418 feet. Map No. 9488 - Town Clerk's Office.

MR. ROSS: "That concludes my report but I'd like to thank my committee for all the work they have done for the last two years, and I'd like to state that the committee's policy has always been an open door policy and we've never gone behind closed doors. Thank you."

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MR. TRUGLIA asked about Madison Place but was advised that Planning and Zoning not received it from the Engineering Department of the City.

PUBLIC HOUSING AND GENERAL RELOCATION COMMITTEE - Handy Dixon -- No report.

URBAN RENEWAL COMMITTEE

MR. FLANAGAN: "Thank you, Mr. President. The hour is late but I would just like to say a couple of words. During the past two years, there has been a great deal of progress within the Urban Renewal Quadrant. Some of its visible. Some of its invisible. New Hope Towers has been opened and is occupied. Broad Street extension has been completed. The east and west buildings around Landmark Tower has been completed. Bell Street Garage is about to be opened. It's opened to a limited extent right now. This has sparked the redevelopment of the old C.O. Miller building and over a million dollars is being spent on that.

"The Marriott Hotel foundations have been put in, and Elm Street will probably be done in the early spring. Most of the relocation has now taken place; and at this time, the City has virtually completed all of the work they are required to do, and any delays that are in the project that occur over the next several years will be due to the redeveloper, not to the City. This has not been the case in the past because of the problems of re-location. The City has been the one that has held the thing up. Thank you."

SPECIAL COMMITTEES

HOUSE COMMITTEE - Gerald Rybnick --- No report.

DRUG & ALCOHOL ABUSE COMMITTEE - Lynn Lowden and Michael Tresser

Dr. Lowden: "No report, but I would like to say it's been a pleasure to serve on this one. We have a fine drug rehabilitation program and I'm sure it will continue that way."

ENVIRONMENTAL PROTECTION COMMITTEE - Richard Sainburg

- (1) RESOLUTION NO. 1033 - AUTHORIZING TRANSFER OF JURISDICTION OVER MUNICIPALLY-OWNED PROPERTY KNOWN AS THE "FINCH ACRES" TO THE ENVIRONMENTAL PROTECTION BOARD - (Letter 9-9-75 from Eugene Connolly, then Chairman, Environmental Protection Board) - (Letter 9-8-75 from Edward A. Connel, member of EPB) (Held in Committee 10-6-75)

MR. SAINBURG: "Yes, Mr. President, The Environmental Protection Committee did meet and did discuss the matter of the Finch Acres that is on the agenda, and we subsequently polled the members of the Committee, and a majority have recommended the resolution which is on your desk tonight. Should I read this, Mr. President? Should I read this resolution?"

PRESIDENT MILLER: "We all have copies, I believe, Mr. Sainburg."

MR. SAINBURG: "The vote of the committee was 3 in favor of this particular resolution and I SO MOVE."

PRESIDENT MILLER: "This was also given to Legislative & Rules, Mr. Flanagan?"

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MR. FLANAGAN: "Thank you, Mr. President. Legislative & Rules met on this item this evening with a vote of 5 in favor and one abstention, we recommend that the jurisdiction be given to the Park Department rather than the Environmental Protection Board. And I wish to offer an amendment to the resolution changing the "EPB" to "PARK DEPARTMENT." in the two areas....the first paragraph and the last paragraph....and deletion of the fourth from the last paragraph."

PRESIDENT MILLER: "All right, Mr. Flanagan is making an amendment here. Is there a second to his amendment. (seconded by Mrs. Laitman) This was given also to Public Works. Mr. Rybnick?"

MR. RYBNICK: "We voted to hold this into the Public Works Committee."

PRESIDENT MILLER: "We have a report by the Environmental Protection Committee which wants Finch Acres to go under the EPB. Mr. Flanagan has offered an amendment and his motion has been seconded to instead give this property to the jurisdiction of the Park Commission. We will now discuss Mr. Flanagan's motion. Mr. Flanagan?"

MR. FLANAGAN: "The reason for this, Mr. President, is that there will be some maintenance required on this property regardless of which department has it, and since the Park Department has the equipment and the personnel to mow the hay, and keep it in good repair, and since the EPB does not have staff or equipment, we don't feel that there should be another department with maintenance facilities established at this time. I think that the Parks Department can do all the work required; and the fact that this is a designated wetland still keeps the development within the province of the EPB."

MRS. HANDLEY: "I concur with Mr. Flanagan."

MRS. LAITMAN: "Mr. Flanagan, could you explain that last statement? I don't understand. You are suggesting that this go into the Parks Department but since we know it is designated as a flood plain, how would the EPB oversee, what would be the role of the EPB if we transferred into Parks?"

MR. FLANAGAN: "As you know, if it goes into the Parks land, it is forever held as a Park, unless a referendum or a state statute changes it. Which gives it a degree of protection which we don't have any other way. The EPB would prevent any asphaltting of parking areas, any development which would change its character as an inland-wetland. At this time it is not truly a flood plain because to be a flood plain under State statutes, you need eleven acres. But to fulfill its purpose that we want, and the reason that we bought this three years ago was to have an area that would soak up water. And the Park Dept. would just keep it clean and tidy, cut the hay and see that its used just for passive enjoyment."

"The EPB does not have any facilities and any personnel to maintain it in good order and we're leery of setting up another department, with another maintenance staff, or either contract it or they do it, it's just another layer of bureaucracy that we prefer not to fund."

MRS. LAITMAN: "What could be written into the resolution that would offer some degree of protection that before any changes are made at all, they would be made with the concurrence of the EPB?"

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MR. FLANAGAN: "This has been discussed but actually under the inland-wetland laws, they would have to concur. It's a de facto control they have because it has been designated as a wetland and nothing can be done without their permission. Without it being in the resolution, they have it within the State statutes and our own laws. I think we're amply protected because the last thing in the world anyone wants to do is to misuse this land."

MR. ZIMBLER: "Thank you, Mr. President. On the Finch property, we're talking now about something that's near and dear to my heart, as much if not more so than Toilsome Brook. This is one that I've been playing with since before I got on this Board, because as President of the Castlewood Park Homeowner's Assn., I started or at least was one of the ones involved in the movement in getting this property acquired by the City to begin with. It was prompted by the sever flooding of the Rippowam River four years ago.

"Now, I'm, and I think Mr. Crosby concurs with me on this, I think we're willing to buy about 90% of Mr. Flanagan's resolution, but through the Chair, I'd like to ask one question that so far hasn't been answered. The original communication that we got from EPB stated that the first thing that EPB would do would be to dredge it back to remove all the fill that has been put in by Dr. Levine. To remove this fill and bring it back to its original level so that it could properly function as a flood plain which it can't right now, I think in their letter they stated it would be in effect, nine acres of blotting paper to catch the overflow of the Rippowam River at such times as flooding conditions occurred. So through the Chair, I'd like to ask Mr. Flanagan if the Park Department would be willing to do that, to remove the fill and bring it back to its original level so that it could adequately serve as a flood plain?"

MR. FLANAGAN: "I did not discuss this with the one member of the Park Department that called me on this matter. However, to remove the fill would require a substantial appropriation of funds. I think that, as you well know, Kurt, the principal cause of flooding in that area is the bridge on Long Ridge Road as that acts as an effective choke during a flooding...a period of flooding where the water will actually run one or two feet higher on the upstream side of the bridge. But as far as the expenditure of money to remove all the fill that was put in there, I don't think they're going to do it. I don't see in this resolution where the EPB will do it either."

MR. ZIMBLER: "I didn't see it in the resolution, but in the letter we got from the EPB, they did state that that would be their first intention; because after all the reason it floods is obvious the bank, the same as the Genovese property on Toilsome Brook, the bank is quite a bit higher there than the bank on the corresponding side where the houses are, so that when the river overflows, obviously it's going to overflow on the lower side which is towards the houses. And at one time this wasn't the case until all that fill was put in. I think the whole reason the City acquired this property, Bill, was to dredge it back to its original level and let it serve as a flood plain. In addition of course, as serving as park land."

MR. SAINBURG: "I'm a little bit sorry now I didn't read the resolution, because there are statements here which spell out what we would want to do with this property. "And that it is for the best interests, welfare, and general well-being of the citizens of Stamford that this natural resource be restored, protected and preserved. And whereas the restoration, protection and preservation of the above-described land as a flood plain and water-retention basin, etc.." we specifically do have in here "restoration".

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"Now, no matter who gets it, whether the EPB gets it, or the Park Department gets it, they still have to get money for it. But we have stated the reason that we are giving it, either to the EPB or the Parks Department. I don't think we can go any further than that at this time. Thank you."

MR. FLANAGAN: "Yes, it still contains the same language. It's gonna be a matter of funding."

DR. LOWDEN: "I'll ask anyone who might know. Is there any reason, in this resolution, why we can't recommend dual jurisdiction, of both boards, so that they would have to agree on anything that might be done on that property?"

PRESIDENT MILLER: "Mrs. Handley wants to jump into this."

MRS. HANDLEY: "The dual jurisdiction is there because of the inland-wetland regulations, and we've got a very similar situation in Springdale in Sleepy Hollow Park where it is under the jurisdiction of the Parks Department where they do maintain it and we requested funds for dredging and improving the flood plain area and EPB has come, or will come, to the Planning Board for the funds."

"The funds will be allocated to EPB but the land itself is in Parks and it seems to have worked out pretty well."

MR. ZIMBLER: "In keeping with what Mr. Flanagan said, as long as the resolution as he has it now, makes reference to restoration, I would certainly have no objection to this. I'd be happy for Parks to be in charge of physically doing the work there since they do have the expertise and the facilities; and by the same token, since EPB would have final veto powers, as it be, on anything that would be done with the property, I think speaking for Mr. Crosby and myself, I think we would be very satisfied with the resolution."

MRS. MCINERNEY: "I'd like to move the question."

PRESIDENT MILLER: "Vote on MOVING THE QUESTION. All those in favor say Aye; all those opposed, No. The MOTION IS CARRIED."

"We'll now vote on Mr. Flanagan's proposed amendment. All those in favor say Aye; all those opposed, No. The MOTION IS CARRIED."

"We'll now vote on the main motion, which means that now that we've adopted the amendment, that the jurisdiction is going to the Park Commission rather than the EPB. All those in favor say Aye, all those opposed, No.. The MOTION IS CARRIED."

RESOLUTION NO. 1033

AUTHORIZING THE TRANSFER OF JURISDICTION OF CITY-OWNED LAND, COMMONLY KNOWN AS "FINCH ACRES" TO THE DEPARTMENT OF PARKS, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 6-37 OF THE CODE OF ORDINANCES OF THE CITY OF STAMFORD, CONNECTICUT

WHEREAS, the City of Stamford is the owner of all that certain tract of land situated in the City of Stamford, County of Fairfield, and State of Connecticut, commonly known as "Finch Acres" in quantity 9.7339 acres, more or less, which said premises are bounded and described as follows:

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Northerly, by Buckingham Drive and land of the City of Stamford, then northeasterly by land of Robert L. W. Foshay, Jr. and Geraldine S. Foshay, land of George A. Reiss and Shirley Reiss and land of Ernest N. McLellan and Ruth B. McLellan, then northerly by land of Ernest N. McLellan and Ruth B. McLellan, then easterly, northeasterly and again easterly all by land of Doris C. Mammana, land of Patricia Ann Smyth, land of Charles J. Atkinson and Antoinette C. Atkinson, land of Dean L. Karraker and Viola Karraker, land of Gilbert Zweig and Eileen Zweig, land of Anthony Rascona and Esther Rascona land of James J. Conditto and Anny Y. Conditto, land of James Palumbo and Dolores Napolitano, land of Henry M. Wallfesh and Suzanne K. Wallfesh, and of Irma Kim Varney, land of Frank A. Guglielmo and Mary J. Guglielmo, land of Theodore A. Kehle, Jr. and Nancy J. Kehle, land of Samuel P. Cooper and Phyllis Cooper and land of James P. Murphy and Diana H. Murphy, then southeasterly by land of Dorothy C. DeCrescenzo and land of the City of Stamford, then northeasterly by said land of the City of Stamford, then for a short distance southeasterly and then westerly by Long Ridge Road as the same is now laid out; and

WHEREAS, Section 6-37 of the Code of Ordinances of the City of Stamford, Connecticut, provides that the transfer of jurisdiction over land owned by the City shall be accomplished only after approval by the Stamford Board of Representatives;

NOW, THEREFORE, BE IT RESOLVED BY THE Board of Representatives of the City of Stamford as follows:

The jurisdiction of the above property is hereby transferred to the Park Department of the City of Stamford, in accordance with the provisions of Section 6-37 of the Code of Ordinances, City of Stamford, Connecticut.

PRESIDENT MILLER: "Anything else on Environmental Protection, Mr. Sainburg?"

MR. SAINBURG: "That ends my report. Thank you."

COMMITTEE ON RE-NAMING OF MUNICIPAL FACILITIES - Algird Cibulskas (Absent)

MRS. CLARK: "No report."

COMMUNICATIONS FROM THE MAYOR

PRESIDENT MILLER: "You have all received a copy of the final report from Mr. Lenz on the civil service problem."

PETITIONS

MR. HOFFMAN: "Mr. Miller, I would just like to take this opportunity to compliment you, Sir, on your conduct throughout the entire session of the 13th Board. I thought you were always very fair to both sides of the aisle. I think you demonstrated a very, very comprehensive knowledge of that particular position.

"I think you served the Board very, very well. I know that for myself on almost all occasions when I came down here to a committee meeting, with very few exceptions, I would see you here looking in on the meetings and sort of

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acting as the Daddy of us all, and sort of urging us on, and helping us where you could. And I do think that you deserve a great big round of applause and a lot of praise from us." (Loads and loads of applause and cheers).

PRESIDENT MILLER: "I was going to say, Mr. Hoffman, before you started, I wish to thank you...(end of tape)

MRS. FORMAN: "Before we adjourn, does this Board have the power to change the date of the next meeting? Or is that? What is the procedure of that because December 1st is on a Monday?"

PRESIDENT MILLER: "I don't think you have the power to do it, and it's really no problem because what will occur is that on Dec. 1st, we will have the Organizational meeting of the Board and then after the adjournment of the Organizational meeting, the regular December meeting of the Board will begin. We have to begin the meeting on that date, and then there can be an adjournment to the following Monday. As a practical matter, it's very similar to the situation we had two years ago, and it doesn't present any great problem.

"And then after the adjournment on December 1st of the regular meeting, then the Steering Committee can meet and set up an agenda for the following Monday."

MR. TRESSER: "Mr. President, as the other member of the 11th District, this is my swan song. I'm not coming back. But I want to congratulate you. Any man that can take care of forty dispositions in one evening deserves credit."

MR. RYBNICK: "On behalf of Mr. Perillo and myself, I want to thank the members of the Public Works Committee. Thank you."

PRESIDENT MILLER: "I'd like to also state before we leave tonight that I had very good cooperation from Velma Farrell, then Sally Flaherty, and now in a short period of time since she came to work for the Board, from Helen McEvoy. Miss DeBrisco and Miss Maciejczyk who also worked in the office were very cooperative.

"We had a very good staff and I might say we had very good cooperation, by and large, from the various City departments, including the Law Department with which we worked quite closely.

"I do have one announcement. I will have to meet with the members of the Personnel Board of Appeals to distribute some papers tonight. We can have a MOTION TO ADJOURN."

ADJOURNMENT

There being no further business to come before the Board, on motion, duly seconded and CARRIED, the meeting adjourned at 12:37 a.m.

HMM/dm

Helen M. McEvoy

Helen M. McEvoy
Administrative Assistant and (Recording Secretary)

APPROVED:

Frederick E. Miller, Jr.

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

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