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A regular meeting of the Board of Representatives of the City of Stamford was held at the Burdick Junior High School in the City of Stamford, Connecticut, July 10, 1950, at 8:00 P.M. The meeting was called to order by the President Samuel F. Pierson.

The President gave the invocation.

Roll call was taken with the result, 34 present and 6 absent, as indicated on the attached record sheet.

Mr. Pierson presented the minutes of the May 1st meeting. William Adriance, 18th District, MOVED the minutes be accepted, seconded and CARRIED.

PETITIONS

1. Petition #73

Frank Palmer & Sons regarding dredging of lagoon at Halloween Park.

This project will be done at no cost to the City by Frank Palmer & Sons. The amount to be dredged will be 15,000 yards, and the fill so dredged to become the property of the contractor. Operations would be under the supervision of the Commissioner of Public Works. Dredging would be in the area of the Halloween Yacht Club, starting at the north side of the lagoon and gradually working around to the east side through the swamp. The Steering Committee report pointed out that the matter had been discussed with the Commissioner of Public Works, Mayor Barrett, and the Corporation Counsel who felt it was a good idea, but should have the approval of the Board of Representatives.

Mr. Pierson, in this connection, read a letter to the Board from Edward J. Hunt, Superintendent of the Board of Recreation, who recommended the project be approved with the provision that the Commissioner of Public Works supervise the work.

George Connors, 10th District, MOVED the matter be approved, seconded by Patrick Scarella, 3rd District.

Joseph Zdanowicz, 13th District, AMENDED the motion that some sort of insurance be placed on the man doing the job so that any damage to City property would be taken care of after the completion of the project, seconded and accepted by George Connors and Patrick Scarella.

The Motion as amended was CARRIED.

Petition #74

Patrick Hogan, Representative 10th District, re appreciation of the Board of Representatives of the action taken by the City firemen in postponing the fifty-six hour work week, which was to become effective on July 1, 1950, to August.

Michael Laureno, 3rd District, MOVED the resolution be approved, seconded by Babette S. Ransohoff, 15th District, and CARRIED UNANIMOUSLY.

The resolution was as follows:

RESOLUTION #87

As the Fifty-six hour work week for the City Firemen was to become effective on July 1, 1950, now therefore BE IT RESOLVED BY THE BOARD OF REPRESENTATIVES THAT the Board go on record in appreciation of the action of the City Firemen in postponing the fifty-six hour week and putting the protection of our City and its people above personal consideration.



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3. Petition #75

San Manghese Social Club re feast of St. Theodore to be held on August 26 and 27.

The Steering Committee recommended that permission be granted to: illuminate the San Manghese Social Club and part of West Avenue; procession with music on both days; and fireworks provided they be display only (no explosives), and are within the framework of existing ordinances.

John Canavan, 11th District, MOVED that permission be granted as recommended by the Steering Committee, duly seconded.

Babette Ransohoff, 15th District, pointed out that such approval should be subject to the Police and Fire Departments.

John Cameron, 20th District, said he didn't think we should pass on the type of fireworks which should be provided, and moved an AMENDMENT that permission be granted subject to the approval of the proper authorities, duly seconded.

The motion as amended was CARRIED.

Petition #76

Catholic Campaigners for Christ regarding the use of the Town Hall Plaza on July 17, 18, and 21st.

The Steering Committee recommended that the request not be granted, but the Board communicate with the organization notifying them there are other areas which might be available. It was the feeling that the use of this central area as a meeting place would be setting a precedent and result in a traffic hazard.

Mr. Pierson noted that similar requests have been turned down.

Edward Hogan, 19th District, MOVED the entire matter be referred to Michael Laurenco and Daniel Miller, seconded by Patrick Scarella, 3rd District, and CARRIED.

Petition #77

Representative Hilda Clarke regarding drainage condition on Fahey Street, Springdale. The matter was referred to the Public Works Committee.

COMMUNICATIONS FROM THE MAYOR

1. Appointment of Urban Redevelopment Commission and the increase of allotment under the Urban Redevelopment Act.

Mr. Pierson read the entire letter from the Mayor, dated June 20th, requesting the Board to pass another resolution approving a request for a supplemental allotment of \$150,000, in addition to the \$250,000 already requested under the Urban Redevelopment Act, and also the recommendation of the Mayor that the following men be appointed to the Urban Redevelopment Commission:

Mr. Joseph Dombroski	- five (5) year term
Mr. Alphonse Bach	- Three (3) year term.
Mr. Sherman R. Hoyt	- Four (4) year term.
Mr. Joseph Czescik	- Two (2) year term.
Mr. Frank Lennon	- One (1) year term.

Mr. Pierson asked Counsel Wise for an opinion on whether Mr. Dombroski and Mr.

Hoyt would have to vacate their present offices since such appointment would involve dual office holding.

Mr. Wise stated he would hold the opinion that these men can not hold the positions on the two boards.

Michael Wofsey, 1st District, MOVED, that in view of the ruling the matter be TABLED to give the Mayor an opportunity to recommend two other nominations to replace the men in question, and take the matter later on, seconded by Hilda Clarke, 17th District, and CARRIED.

Daniel Miller, 16th District, MOVED that an appropriate resolution be prepared approving of the request for the supplemental allotment of \$150,000, seconded and CARRIED.

RESOLUTION #388

WHEREAS under title I of the Housing Act of 1949 the City of Stamford, on June 12th, 1950, made application to the Housing and Home Finance Administrator to reserve or earmark the sum of \$250,000.00 for SLUM CLEARANCE AND DEVELOPMENT WORK, and

WHEREAS this sum should have been increased because the former Town of Stamford and former City of Stamford became consolidated into one government on April 15, 1940, as per communication written by Mayor George T. Barrett to the Administrator, under date of June 19, 1950,

NOW THEREFORE, the Administrator is requested to make a supplementary reservation of the sum of \$150,000.00 (making a total of \$400,000.00) as per letter of June 19, 1950 referred to above.

GEORGE T. BARRETT, the duly authorized MAYOR of the City of Stamford, Connecticut, is hereby directed to forward to said Administrator three certified copies of this resolution and such other supporting data and information as may be required. This resolution, together with the original resolution, shall constitute the Community's formal request to the Administrator for the reservation of capital grant monies.

2. Appointment of Leonard Kuyin to Planning Board.

Michael Wofsey, 1st District, MOVED this matter be referred to the Appointment Committee, seconded and CARRIED.

3. Appointment of Bennett L. Glazer to the Zoning Commission for a five year term, ending April 15, 1955.

Michael Wofsey, 1st District, MOVED this matter be referred to the Appointments Committee, seconded and CARRIED.

Mr. Pierson read two other communications from the Mayor received after the Steering Committee meeting. The Mayor called attention to Page 213 of the minutes regarding the resolution urging the Mayor to proceed to have an adequate fireworks display for the Fourth of July 1950. He noted there was no appropriation for that purpose and the time was altogether too short to solicit funds from the public. However, he has asked the Board of Recreation to include an appropriation of \$1,200 in next year's budget for that purpose.

James Mulroed, 4th District, said it was the sentiment of the Board at the June 12th meeting that a public subscription be solicited in order to provide fireworks at Cummings Park, and asked why the Mayor had not supported this recommendation.

Mr. Pierson said the Mayor had approved, but the editor of the Stamford Advocate felt it would be unwise to express such an appeal for these funds through the Advocate.

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The other portion of the communication regarded the parking meter contracts as handled by the Board. The Mayor stated it makes it very difficult to draw up a contract without the necessity of having to set up separate accounts and have a lot of extra bookkeeping in order to keep track of the income from all these different meters purchased under these different agreements, and felt it would be most unsatisfactory. He felt the only thing that would have handled the whole matter was a contract which would have equipped the whole City, parking lots and everything else with the same type of meter and the receipts from which could have been kept track of with one set of books.

John Cameron, 20th District, MOVED the letter be placed on file, seconded by Michael Wofsey, 1st District, and CARRIED.

The President also read a copy of a communication from the Mayor to the Board of Finance regarding authority to borrow \$17,443.00 in anticipation of a bond issue to put the South/Bell St. parking lot in condition.

Patrick Hogan, 10th District, said it was difficult for him to see why this was called an emergency noting the lot was approved last spring in plenty of time to be included in the annual budget.

Michael Wofsey, 1st District, pointed out that at one meeting Mr. Bromfield was asked whether such work could be done in the budget, and he stated it could. The budget as presented, was drastically reduced by the Board of Finance, and the work could not be handled with the appropriations in that budget.

Louise Seeley, Chairman of the Fiscal Committee, said she didn't see how we could authorize the issuance of temporary notes in anticipation of bonds when we haven't considered the bonds for such a project. The bonds would have to be approved first. She thought this work should be done from current income and not as a bond issue. Bonds, she thought, should be for permanent improvements such as purchase of lands and permanent buildings.

Michael Wofsey, 1st District, MOVED the matter be referred to the Fiscal Committee, seconded and CARRIED.

COMMUNICATIONS FROM OTHER BOARDS AND INDIVIDUALS

Mr. Pierson read a letter from Mr. Wise in which he gave a decision on the matter regarding appointments to the supernumerary fire force. The opinion was on the following resolution #86 passed at the special meeting of June 23, 1950:

"BE IT RESOLVED BY THE BOARD OF REPRESENTATIVES that the mental and physical requirements for appointees to the Supernumerary Fire Force are amended by striking out paragraph 2 thereof.

Should the Corporation Counsel rule that this resolution may be made retroactive to the date of the adoption of the original rules, May 18, 1950, then this resolution shall be effective as of that date. Should he rule otherwise, this resolution shall be effective after July 1, 1950."

A summary of the opinion, which involved the deletion of paragraph 2 of the requirements for supernumerary fire force, in that a high school education or its equivalent shall no longer be a requirement, and the effective date of the amendment contained in resolution #86 is as follows:

1. Those applicants who have already taken the examination have acquired a vested right to the extent they cannot be made to take another examination.
2. Their names must be placed on the eligible list in the order of their respective grades.

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3. The Personnel Director may hold a subsequent examination and the names of the applicants shall be added to the list and the order on the augmented list shall be determined by the grade of the applicants of both examinations.
4. The Personnel Director cannot be compelled to hold a second examination so long as there are sufficient names to certify for appointment from the applicants who have already taken the examination.
5. The Board of Public Safety can at this time request the Personnel Director to certify to it names from the list of applicants who have already taken the examination and make appointment.

James Mulreed, 4th District, asked if Mr. Weathers was present to answer as to whether or not he intended to give another examination so as to make other people eligible for appointment. Since Mr. Weathers was not available, Mr. Mulreed MOVED that we test the opinion of the Corporation Counsel through the regular legal procedure in order to determine whether or not the men who are barred because of the high school diploma shall not be given an opportunity to take the examination, seconded by Stephen Kelly.

William Adriance, 18th District, pointed out that at the special meeting, the matter was left to the Corporation Counsel as to whether or not it would be retroactive, and he has rendered his decision.

John Cameron, 20th District, remarked that if the Board of Public Safety does not ask for employees to be certified from the present list before an examination is given, the new people will be placed in accordance to their grades. The question is whether the people who are now in control will go along with as to the expressed opinion of this Board. He pointed out that the courts are now in adjournment. He said he thought, if properly approached, the Personnel Commission and the Board of Public Safety would carry out the wishes of this Board.

Patrick Hogan, 10th District, reminded the Board that in view of the fact the Corporation Counsel tests all our cases, he wondered how he can go to court for us.

John Cameron, 20th District, said on that basis he thought the Chair should move the motion out of order.

Mr. Pierson said he thought the motion out of order for the reason that it was improbable to ask the Corporation Counsel to argue against himself in the court of common pleas.

James Mulreed, 4th District, said he appealed the decision of the Chair, and asked that the Chair step down in order that he may debate the motion. He then explained that this Board, according to the Charter, has the right to appeal a decision of the Corporation Counsel to the Court of Common Pleas. He said he was asking this body to do such a thing.

Mr. Pierson stepped down from the Chair and asked Babette Ransohoff, Clerk, to act as President.

Michael Wofsey said he respectfully suggested that a ruling of the Chair is not the subject of debate--it is the question of sustaining or not sustaining the ruling of the Chair. He proposed that the motion be placed.

Michael Wofsey, 1st District, MOVED that the ruling of the Chair be sustained, seconded by Edward Hogan, 10th District.

The motion was put and CARRIED by a rising vote of 23 in favor and 10 opposed.

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Patrick Scarella, 3rd District, MOVED that we reconsider the original resolution of June 23rd in which the high school requirement was removed, since there would be no examination until 1952. If the men without high school diploma cannot now be put on the list, he said, he would like to see the requirement put back in. The fact remains, he said, there are enough appointees now who have taken the examination that will be put in. It is almost a known fact, he said, there won't be another examination. Seconded by Louise Seeley, 1st District.

Helen Bromley, 20th District, reminded the Board it was our fault the high school requirement was put in originally. She said she thought the matter could be resolved by this body asking--not requesting--the Board of Public Safety and the Personnel Director to reconsider. She said she thought they would be willing to give another examination if we asked them to do so formally.

James Mulreed, 4th District, pointed out to the Corporation Counsel that he made a ruling on appointments to the police department which is along similar lines. At the time of the examination, he said, we did have a staff of supernumerary policemen. The Corporation Counsel ruled that it was necessary for that staff of supernumerary to take another examination. If these people who have taken the examination with the requirements that they had a high school diploma or equivalent have vested rights, then the supernumerary policemen who have been accepted by the City prior to consolidation had vested rights.

Mr. Wise said that if he understood the import of the question, he thought that was gone into thoroughly at the time certain appointments were made by the Board of Public Safety, and did not think he ought to be required to answer it again in detail except to say what was done was done prior to the appointment of a personnel director and prior to the promulgation of rules and regulations by the personnel director.

To Mr. Scarella, Mr. Wise remarked that the result of his opinion does not preclude the Personnel Director from holding another examination as soon as he can possibly hold one. He said he didn't know, nor is it his province to say if there will be another examination. If there should be another examination on the basis of the sentiments of this Board, and then if the motion made by Mr. Scarella is considered and passed, it would be eliminating the very group that he wanted to have permission to take the examination.

Patrick Scarella: These men who have already taken the examination--have they a vested right?

Mr. Wise: No--not to a job. They have a vested right to stay on the list.

John Cameron, 20th District, said we are trying to get the examination before people are appointed from the original list. Mr. Mulreed, he said, has information that there is no intention of giving another test. He said he felt that if this is stressed strongly enough on record that another examination should be given before the Board of Public Safety requests filling the vacancies, it could possibly carry some weight.

John Cameron, 20th District, MOVED the President appoint a committee to make strong recommendations to the Board of Public Safety, the Personnel Commission and the Personnel Director, that an additional examination be given under our present rules before any appointments are made to the supernumerary fire force, seconded by Walter Seely, 6th District.

James Mulreed, 4th District, said that was exactly what he wanted--that others be given the same opportunity as the previous applicant.

Michael Laureno and Stephen Kelly also expressed sentiments in favor of the motion.

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The motion was CARRIED.

The President then called the attention of the members to the Mayor's Annual Message, copies of which were distributed to each of the members present. He noted there were two corrections: On Page 22, second last paragraph it should read "...a per capita loss of \$2.5097" instead of "...a per capita loss of \$2.3926", and on Page 25, second last paragraph, the remark "The City Engineer has been spending over fifty percent of his time assisting the Plan Commission. This cannot continue." could be misinterpreted. He said that Mr. Hoyt called him on it and he spoke to the Mayor regarding the matter. As the section reads, it would appear that the City Engineer is spending time on Planning Board matters. That is not so. The City Engineer is spending the time on engineering matters at the request of the Planning Board. It was mainly to point out that the engineer could use more men rather than that the Planning Board was usurping their privilege.

Mayor Barrett pointed out there were a few minor errors--on Page 26, "injustifiable" should be spelled "unjustifiable". The same on Page 25. Also, on Page 27, the 3rd paragraph from the bottom should be "We are, already, starting the preparation of our operating budget for the fiscal year July 1st, 1951 to July 1st, 1952" instead of "July 1st, 1950 to July 1st, 1951."

James Mulreed, 4th District, said that last year the Board had the pleasure of listening to an "off the cuff" expression from the Mayor, and thought, since the Mayor was present he could give a similar talk.

Mr. Pierson pointed out that the members have still not had a chance to look over the report and there would probably be no question in that respect. Also, that the Mayor agreed to come to the next meeting to answer questions. He asked the Mayor if he did want to give an "off the cuff" talk.

The Mayor complimented the Board of Representatives on their work over the past year.

The Mayor commented to some extent on the time allocations in the Charter, stating there was not enough time given to the various Boards to thoroughly study all appropriations. He said he thought the Board of Representatives should have a provision somewhere that they can overrule the decision of the Board of Finance. He is opposed to the idea of setting up a tax rate before the fiscal year starts and opposes elections in the spring. He said he thought the Board should consider having a Charter Revision Committee. The Committee should have representatives from this Board, and the Community should be represented. In pointing out mistakes that were made in the budget, the Mayor noted the Board of Finance stated that it regretted the incinerator was not made available to all the people of Stamford. He said the incinerator was not big enough to take care of the entire City and in fact, when they had the scrap paper drive they had to keep it open night and day to take care of it. He also noted that the City of Dallas is using the land-fill system which we use in the Town, and have done away with incinerators since the former method is cheaper and would do away with using a large number of personnel as well as reducing soot, smoke and odors. As far as finances go, he said, we are better off than we have been in many years.

Michael Wofsey, 1st District, MOVED a ten minute recess, seconded and CARRIED. The Board was called to order at 10:30 p.m.

REPORTS OF COMMITTEES

1. Steering Committee

The President read the following communications to the Board and noted the

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the action taken:

a. Petition submitted by William Adriance, 18th District, regarding a complaint by residents in the Dunn Avenue area on conditions existing in that area and requesting adequate means of eliminating the stagnant water that stands in several sections of the area. Referred to the Public Works Committee and the Health and Safety Committee.

b. Petition from Disabled American Veterans regarding the showing of mobile exhibit in Stamford. Referred to Daniel Miller and Michael Laurenco to confer with the Chief of Police as to a proper location for such an exhibit and report to the Board.

c. Willard Hoyt PTA regarding completion of the playgrounds at Willard School through Public Works Department. Referred to the Welfare & Recreation Committee.

d. Fred Hunt regarding oiling of Ridge Place. Referred to the Planning and Zoning Committee, Public Works Committee and Planning Board.

e. Norman Finkelstein and Joseph Drucker regarding the acceptance of Gray Farms Road. Referred to the Planning and Zoning Committee. It was noted the Planning Board recommended non-acceptance of this road on November 15th since it was not up to their standards. The Planning Board has recently been re-petitioned and the matter is now under investigation.

f. Communication from the Mayor regarding an appropriation of \$5,200 to allow the Health Department to move to new quarters. Referred to the Fiscal Committee and Health and Safety Committee.

g. Communications from the Mayor regarding suggested ordinances on sound trucks and unattended automobiles. Referred to the Legislative and Rules Committee.

h. Communication from the Mayor regarding Resolution no. 85 - \$1,000 appropriation for Black Swamp. The letter was read to the Board and filed. This resolution was for action by the Planning and Zoning Committee to whom a copy of the letter was sent.

i. Communication from the Mayor regarding Parking Meter contracts. The letter was read to the Board and placed on file.

j. Communication from the Mayor regarding advertising on Parking Meters. The President will write to the Chamber of Commerce, Board of Public Safety and Retail Merchants Council regarding the matter.

k. Communication from the Mayor regarding the purchase of property in Glenbrook formerly known as the White Estate. There were two letters on this subject which were read to the Board and referred to the Planning and Zoning Committee. It was noted this matter is now under investigation by the Planning Board.

l. Communication from the Mayor regarding transfer of \$1,174.45 from 416CE Ladies Lavatory to 416A.18, Town Hall Maintenance. It was noted the transfer was disapproved by the Board of Finance. The letter was therefore put on file.

m. Copy of a letter from Walter Hedges, Building Code Engineer, Hartford, to Mayor Barrett regarding date of distribution of new building code. The letter was read to the Board for information and referred to the Legislative and Rules Committee.

n. Communication from Planning Board recommending non-acceptance of VanBuren Circle since the road was not up to specifications. Referred to the Planning and Zoning Committee.

2. Fiscal Committee

Louise T. Seeley, Chairman, read the report of the Fiscal Committee, copy of which is attached.

Louise Seeley noted that the report was written before the Mayor's talk to the Board in which he said that the incinerator was not big enough to take care of the entire City. She said it was her understanding that at the time the incinerator was built, it was calculated to work on three shifts, if necessary, which is the most economical way to take care of a population of 100,000 people. She said she did not know whether the present operators of the incinerator still agree, but that she did know that was the basis on which the incinerator was constructed.

In regard to the Mayor's letter of June 28, 1950 relative to a certification of a bond issue for capital improvements, Louise Seeley said she discussed the matter with the Controller and the Corporation Counsel as it was obvious that we could present no resolution at this meeting because we did not have them in proper form from the Department of Finance and we cannot make up our resolutions since they have to come through on the form of the Bank and the Department of Finance. She said she would like to make it clear that any delay does not fall on the Board of Representatives. We will act, she said, as soon as they are presented in proper form.

In relation to the report of the Fiscal Committee regarding a possible discrepancy in the tax rate, Robert Shepherd, 9th District, said he wanted to clarify the statement he made at the last meeting and emphasize it if possible. There is no discretion, he said, allowed in the Charter to anyone in setting the tax rate item by item. When any discretion is exercised, it is done according to Section 627. We got a last minute calculation of the tax rate from the Department of Finance, he said, which was not the basis used to calculate the present tax rate. We acted on the tax rate furnished to us under Section 616. If you will recall, he went on, specific questions were directed to Mr. Bromfield in regard to the incinerator. He categorically stated there was nothing brought from outside the sanitation district with his knowledge--it is in the transcript of the minutes, and supposedly the tax rate was done in accordance with his calculations. As far as the change of the tax rate and the correction is concerned, he said he thought it a poor excuse that the bills have been sent out. It gives people the impression that the city government is "some unattackable beast" unless you go to court and fight it out. He pointed out the question was made that reprinting could not be done with the present staff. The Board and outside experts have agreed that the Tax Collector and Assessor's Departments are overstaffed, he said. This took 15½ days, and could be duplicated if the correction were going to be recognized by the administration. He recalled that at the last meeting a specific question was directed to the Corporation Counsel in connection with this matter, and he asked the Corporation Counsel, through the Chair, whether the tax rate as now laid is legal according to Section 627 of the Charter. George Wise, Corporation Counsel, said that once the tax rate is laid, there is no basis on which you can change the rate. The tax payer must challenge it. The Board of Finance solely is to fix the tax rate. "My answer to you is that the tax rate is legal".

John Cameron, a member of the Fiscal Committee, in speaking on this subject pointed out that all the facts of the case were taken into consideration by that Committee. He referred to Section 622 of the Charter noting the interpretation of that Section which states the charges for sanitation shall be assessed against property served or to which services are available and the Board of Finance did lay the tax in good faith based on their judgment as to what particular properties are served or to what extent those services are available. No one has spoken to Section 627 at all, he said. He went on to say that most of the members are familiar with the history of Section 627 which was put in as a protection to country districts to assure them that they could never have public works imposed upon them. Now, he went on, it is being used just in reverse in that any other district that decides they don't want to pay for something they have, it becomes a general tax against the whole city. In interpreting Section 627, it will not be

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used in the way it seems to be implied in this particular case, and he said he thought Section 622 is reasonably clear and the Board of Finance had the right to interpret that particular section. In the absence of a charge of lack of good faith, he said, he would think the tax rate would have to stand.

James Mulreed, 4th District, said he believed Mr. Shepherd's talk was based on the premise that B Tax District is not using the incinerator. He said he happened to know for a fact that the garbage from the Shippan area is being disposed of in the incinerator, but he was not familiar with what happened to the garbage from the former town area.

Robert Shepherd, 9th District, said whether the incinerator is being used by those districts has nothing to do with the real important point, and that is whether Section 627 has any meaning whatsoever. He asked if the B District is a restricted area of the town calling attention to Section 30 of the Charter which defines the town as the entire former city and town. "The only point I was raising is if we are going to exercise any power that was granted by Section 627, it seems now is the time. This matter of a B Tax District brought it to a head, but I think that particular section ought to be settled now."

Corporation Counsel Wise in reply to the question as to whether the word "limited areas" refer to a complete tax district or something smaller or larger, said he did not think it in the best interest of the City to discuss it with the possibility of illegal suits, etc. He pointed out that the difference in taxes would be a few dollars as compared to what the individual garbage collector would probably charge if he were made responsible for paying the incinerator on a load basis. "The obligation of fixing the tax rate rests with the Board of Finance, and they have fixed it. There is no power vested in any Board to change that tax rate once it is established."

Babette Ransohoff, 15th District, MOVED the Fiscal Committee report be accepted and placed on file, seconded and CARRIED.

3. Planning and Zoning Committee

Joseph Zdanowicz, Chairman, gave the report of the Committee.

In regard to Resolution #85 which called for the \$1,000 appropriation for Black Swamp to be used to lower the water level, it was stated the money as allotted ~~could not be~~ used for the purpose as outlined as evidenced by the Mayor's letter to the Board. Joseph Zdanowicz, MOVED the resolution be filed until an appropriation is made for this purpose, seconded by Helen Bromley, 20th District, and CARRIED.

The Committee examined the performance bonds covering the construction of Seaton Road and Standish Road to see whether the contractor is not responsible for reconstruction, as instructed by the Board, and found no performance bonds were required at the time. Since examination was not possible, it was MOVED the motion be placed on file, seconded by Edward Hogan, 10th District, and CARRIED.

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On Van Buren Circle, Joseph Zdanowicz called attention to the Planning Board letter which recommended nonacceptance since the Road was not brought up to their standards. He therefore MOVED the request of Mr. Mayer Gibor requesting the acceptance of Van Buren Circle be placed on file, seconded by William Adriance, 18th District, and CARRIED.

On John's Road, he stated that Committee contact owners of property on that road regarding the suggested change in name to Vineyard Lane by the Planning Board. Inasmuch as authorization for the change was received, he MOVED the name of John's Road be changed to Vineyard Lane, seconded by Edward Hogan, 19th District, and CARRIED.

In regard to the motion of the Board that the entire membership of the Planning and Zoning Committee and Legislative and Rules Committee sit with the Planning Board to prepare the regulations covering the acceptance of Streets, the Planning Board approves and will notify the two committees as to the date of the future meeting.

The following is quoted from the Planning and Zoning Committee report:

"In reference to Lawton Avenue, this Committee has now fully investigated the subject as to the acceptance of Lawton Avenue Extension (Knapp Street to end of lots 15 & 16) and has confirmed its previous opinion that the street in question

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does not meet the basic requirements as to the acceptance of streets as per regulations adopted by Planning Commission. The following discrepancies exist: (1) the street as laid out is not graded to its full width, (2) the travelled portion of 23 feet does not meet the minimum requirements of 30 feet (3) the sub-grade of the street is not properly drained (4) rock excavation of the side slope is steeper than the required limit (5) no monuments are set at the termination of the street (6) the gradient of 16.5% exceeds the maximum allowable of 12% (7) the street has no turn-around roadway at the dead end (8) there are approximately 1,000 cubic feet of ledge rock unexcavated in the street. In view of the discrepancies, the committee of this board cannot accept the Lawton Avenue Extension as recommended by the Planning Board at its meeting of February 16, 1950. However in view of the fact that there has been an untold amount of confusion as to the acceptance of this particular street by all concerned, and inasmuch as its continued non-acceptance is effecting serious and undue hardship on the part of the present owner-residents, your Committee requests that it be permitted to refer this subject back to the Board of Representatives for possible favorable action with the clear understanding that such action does not in any way establish a precedent in general or in detail as to future acceptance of any public ways in the city of Stamford."

Edward Hogan, 19th District, MOVED that the Planning and Zoning Committee be permitted to refer the subject back to the Board of Representatives for possible favorable action with the clear understanding that such action does not in any way establish a precedent in general or in detail as to future acceptance of any highway in the City of Stamford, seconded by John Cameron, 20th District, and CARRIED.

Hunt Sutherland, 17th District, MOVED that Lawton Avenue be accepted, duly seconded.

In reply to Michael Wofsey's question as to whether the acceptance of Lawton Avenue as recommended by the Planning and Zoning Committee would set a precedent, Mr. Wise, noting that the Planning Board had recommended acceptance, said he did not believe it would necessarily establish a precedent.

Hunt Sutherland, 17th District, said he wanted to point out that a year ago this Board approved the acceptance of Lawton Avenue on the condition that the Planning Board approve it--and the Planning Board had approved it. There is, in the records, some confusion as to what 200 feet of the road had been accepted. In order to absorb that confusion, he went on, we have to accept the whole street.

Patrick Hogan, 10th District, said he thought the acceptance of this road should be upheld since we would be liable for suits.

George Lockwood, 14th District, compared this particular case with Standish Road stating we were critical about the way the roads were built. He said he couldn't see why we should reverse our opinion on this particular street.

Michael Laurenco, 3rd District, reminded the Board that this street was built up before we had a Planning Board or the restrictions. You could not expect the builder to change plans made under the old set-up overnight.

Mr. Sutherland's motion was put and CARRIED.

Helen Bromley, 20th District, MOVED that portion of the Planning and Zoning Committee report referring to this subject be placed on the record, seconded and CARRIED.

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4. Recreation Committee

Helen Bromley, Chairman, reported that the only thing referred to her Committee was a copy of a letter sent to Mayor Barrett from William Cookman regarding assistance of the Public Works Commission in completing the playgrounds at the Willard School. There was no action required by the Committee.

5. Health and Protection Committee

Edward Wojciechowski reported for the Committee in the absence of Leon Staples, Chairman. He said he had a written report, but since the other members were not consulted, it was not ready to be delivered to the Board.

6. Public Works

Stearns Woodman, Chairman, reported in regard to the petition on Hendrie Court urging prompt improvements to that roadway. He noted the Public Works Department had already completed the resurfacing of the road and brought it entirely up to City standards.

BUSINESS ON THE CALENDAR

* 1 Supplement

1. Proposed Ordinance regarding fees for building permits.

The entire ordinance regarding the above subject matter was read to the Board by Robert Shepherd, 9th District, who MOVED its adoption, duly seconded.

Babette Ransohoff, 15th District, asked if the present building inspector was responsible for its enforcement.

Robert Shepherd, 9th District, stated that permits are now being granted, but no charge is being made for permits issued to the former town area.

William Adriance, 18th District, questioned Section D of the proposed ordinance which reads:

"d. For a permit for a display-sign the fee shall be ten cents per square foot of display surface, but not less than one dollar in any case. To relocate a display-sign the fee shall be one dollar; to repaint a display-sign the fee shall be one dollar. In addition an annual fee of one dollar, payable in advance, shall be paid for the continuance of such display-sign until the same has been removed."

He asked the definition of a display sign and thought it should be stated.

Ralph Nau, 10th District, MOVED the ordinance be tabled until the next meeting because there was not sufficient time to study the ordinance, seconded by Hilda Clarke.

Robert Shepherd, 9th District, said the ordinance was introduced at the last meeting and permission was granted to advertise. This ordinance, he said, covers a set of regulations now in effect for the City area, and similar regulations are in effect in all other communities. The Building Department calculates that between \$2,000 and \$2,500 had been lost through not having a fee system apply to all areas. With the present boom going, the application of these fees will bring in revenue for services that the Building Department is now performing. There is no controversy as to inspection or lack of inspection as to the building code, licenses, etc. This is to make everybody in Stamford who gets service pay the same proportion. Those permits are now being issued in the town and each one noted "no charge", and in the City limits there is a charge.

Patrick Scarella, 3rd District, spoke against postponement.

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James Mulreed, 4th District, said he was not in favor of the fees specified in the ordinance since he believed they are entirely inadequate and we should have an inspection fee and we should have an inspection service. However, he noted the City is being deprived of revenue we are entitled to. He said he was in favor of preparing a schedule of inspection fees which will give us the proper inspection service. He said he was in favor of adequate permit fees which would enable the offices of the building inspector to function properly.

Mr. Nau's motion was put and DEFEATED.

Helen Bromley, 20th District, AMENDED the original motion that the ordinance be approved in that section "d" be deleted because "this is only a stop-gap measure until the building code is adopted", seconded by George Connors, 10th District.

Robert Shepherd, 9th District, pointed out that Section "d" was copied from the building code as was the rest of the ordinance. He said that as he understands it, the last sentence was never set up, and he didn't see any particular point in it. He noted the Chamber of Commerce had some objection to the display signs all over town, and wondered if perhaps it should be changed to "bill boards", and delete the last sentence.

Helen Bromley, 20th District, said she didn't believe in putting something on the books that was not going to be enforced. She said she still thought the entire section should be deleted.

Robert Shepherd, 9th District, accepted the amendment, as did William Adriance who seconded the original motion.

Michael Laureno, 3rd District, pointed out that such an amendment would be throwing a large sum out the window since such companies as the Pepsi-Cola company pay a large fee for the installation of various signs. He amended the motion that the wording in the section be changed to perhaps "bill-boards". He noted when we do get in a consolidated building code, there may be no provision covering this. He said the large signs that are not part of a building petition should be inspected after the installation. The only way to do that is by charging for permits. He noted the Department had refused a number of signs that were poorly placed and created a hazard.

James Mulreed, 4th District, said that he was hopeful that within 30 or 60 days the Legislative and Rules Committee will come in with a permanent set of fees. He said he was in favor of treating it in its entirety since it will only be 30 or 60 days when the Board will be faced again with the question of permit fees.

The motion that the ordinance be accepted, as amended in that section "d" be deleted, was CARRIED UNANIMOUSLY by a rising vote. A copy of the ordinance as passed, is attached.

The President appointed the following Committee to make stringent recommendations to the Board of Public Safety, Personnel Commission and Personnel Director that an additional examination be given under present rules before appointments are made to the supernumerary fire force:

John Cameron, Chairman
Helen Bromley
George Connors
Patrick Scarella

Michael Wofsey, 1st District, MOVED the removal from the table of the Urban Redevelopment Commission, seconded by Daniel Miller, 10th District, and CARRIED.

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Michael Wofsey, 1st District, informed the Board that Joseph Dombroski, whose appointment to the Commission was questioned due to the fact that he was already holding a position with the Town Housing Authority, would resign his position on the Authority if appointed to the Commission, which would make four of the men eligible. The name of Sherman Hoyt was withheld.

Michael Wofsey, 1st District, MOVED the four names:

- Mr. Joseph Dombroski
- Mr. Alphonse Each
- Mr. Joseph Czescik
- Mr. Frank Lennon

be referred to the Appointments Committee, seconded by Patrick Scarella, 3rd District, and CARRIED.

Michael Wofsey MOVED the meeting be adjourned, seconded by Ralph Nau, 19th District, and CARRIED. The meeting was adjourned at 12:00 midnight.

Respectfully submitted,

Babette S. Ransohoff, Clerk

NOTES

- | | |
|----------------------------------|--|
| Public Works Committee | - Drainage condition on Fahey St. |
| | - Petition re Dunn Avenue area. |
| | - Petition re oiling of Ridge Place. |
| Appointments Committee | - Urban Redevelopment Commission. |
| | - Leonard Kuvin to Planning Board. |
| | - Bennett Glazer to Zoning Commission. |
| Fiscal Committee | - Appropriation of \$17,443 for South/Bell St. Parking lots. |
| | - Appropriation of \$5,200 for Health Dept. quarters. |
| Planning and Zoning Committee | - Petition re oiling of Ridge Place (also to Planning Board). |
| | - Petition re acceptance of Gray Farms Road. |
| | - Communication re purchase of former White Estate |
| Legislative and Rules Committee: | - Suggested ordinances on sound trucks and unlocked automobiles (3). |
| | - Copy of letter from Walter Hedges to Mayor re Building Code. |
| Health & Safety Committee | - Petition re Dunn Avenue area. |
| | - Appropriation of \$5,200 for Health Dept. quarters. |

Report of the Fiscal Committee
of the
Board of Representatives
Stamford, Conn.
July 10, 1950

The Fiscal Committee of the Board of Representatives has held two meetings of the Committee and one joint meeting with the Board of Finance, the Commissioner of Finance, and the Corporation Counsel, to consider the resolutions passed by the Board at its June 12th meeting concerning the 1950-51 tax distribution, and the mayor's request for a lump sum bond issue for permanent improvements, in the amount of \$3,950,000.

(1) Your Committee finds that the allocation of appropriations to the three tax districts is correct for all departments except that of public works. In that department there are four items which are questioned as to their violation of Chapter 62 of the Charter relating to Taxation. Three of these items, the Crosby Street Pumping Station for \$2,500, and the maintenance of the Town Dump, \$5,034.64 which are charged to Tax District A, and the Storm Sewer maintenance, \$11,086.26 charged to the City B district, belong under the Base tax, or column C. These are acknowledged errors in the Department of Finance, but are too small a part of the entire budget to have any appreciable effect on the tax rate.

The sanitation charge of \$85,032.09, the estimated cost of incinerator maintenance, which is allocated to the former City or B district, is open to question. Section 622 provides that all property served or to which services are available shall be liable for taxation for the bonded indebtedness for sanitation facilities and the net appropriation for operating expenses for sanitation. If the incinerator is available for the taxpayers of the entire consolidated City, this charge should be against the base tax, or C Column. If it is available to the taxpayers of the former City only, it is argued that the tax is properly laid. Last year the tax was levied only against the sanitation district, or column A. Last year your Committee recommended that if the incinerator were charged to only this one tax district, that garbage originating outside this A district be charged on a per load basis, and that the A District be taxed only for the net cost of maintenance. There are two sections which are applicable to the procedure of charging the B or former City Tax district for this sanitation service. Section 621, provides that the City Tax District, B Column, shall have only the net cost of the former City debt, and the net appropriations and pensions for the City Fire Department. Section 627 provides that no appropriation for Public Works shall be levied against any limited area without the affirmative vote of all the representatives from the election districts in such limited area.

A copy of the changes effected by placing these appropriations in either the C, or base tax, or the A, or sanitation tax is appended. It is well to point out that this Board has no control over the laying of the tax rate or any adjustment thereon. That is the responsibility of the Board of Finance and the Department of Finance. We have only the privilege of commenting on the procedures followed and the results arrived at. Pending a court decision, and having in mind the fact that the tax bills are nearly finished on the rates determined by the Board of Finance, and Department of Finance and the printing of new bills would involve additional expense and additional personnel in the Tax

office, we suggest that proper allocations be made in next year's rate. We recommend that in the next and following budgets that the cost of the debt retirement and operation of the incinerator be charged against the entire City, or column C, and that the dumping of raw garbage on the Town Dump on Scofieldtown Road be discontinued.

(2) Your Committee, at the meeting on June 12, made the following recommendation: "that the Department of Finance as soon as possible prepare all the necessary information and resolutions in proper form, so that the bonds for Capital improvements authorized for the fiscal year 1950-51 may be approved as soon as possible after July 1st, to expedite the start of actual work on these improvements." Your Committee subsequently made a suggestion for grouping these appropriation into three bonds, since they were to be charged to three tax districts. This suggestion was discussed at the joint meeting of the Board of Finance and your Committee on the night of July 7th, but no conclusions were reached, as the Department of Finance had not yet received all the information necessary from the First National Bank of Boston. As soon as the resolutions are received in proper form, your Committee will be delighted to recommend their approval.

(3) There were no outstanding Tax Anticipation Notes as of this morning, July 10th. The Comptroller reported that only such amounts would be borrowed as were needed to cover immediate charges until the first half of the 1950-51 tax is due in September.

(4) Your Committee recommends to the Board that it ask the Department of Finance to compile a list of all properties owned by the City, the terms of lease, if any, and the rent received by the City for the past fiscal year from each parcel not occupied by the City government, but by other persons or person.

Respectfully submitted,

Louise Talbot Seeley
John L. Cameron
Hunt Sutherland
Patrick Hogan
Michael E. Laureno

	<u>Base Tax C</u>	<u>City Tax B</u>	<u>City Tax A</u>	<u>15th-20th District</u>
Dept. Finance net				
Total Approp'n...	\$5,585,507.26	\$786,207.93	\$353,663.97	\$57,034.00
Town Dump..add...	5,034.64	-	5,034.64	
Incinerator..add.	85,032.09	- 85,032.09		
Crosby St. Pump.add)	2,500.00)		2,500.00	
Storm sewer maint."}	11,086.26}	- 11,086.26		
Corrected Net				
Appropriations...	\$5,689,160.25	\$690,089.58	\$346,129.33	\$57,034.00
Additions 1949-50.	183,378.95	5,700.00		
Total	\$5,872,539.20	\$695,789.58		
Less City Fund		45,000.00		
	\$5,872,539.20	\$650,789.58	\$346,129.33	\$57,034.00
To Be Raised by Tax-				
ation this would				
give a tax rate of	30.04 mills	4.92 mills	3.28 mills	.9 mills
or for the 3 districts		34.96 mills	38.23 mills	30.94 "
which would raise	\$5,873,715.67	\$650,908.57	\$345,696.55	\$56,908.19

II. If the appropriation for the incinerator is charged to the sanitation district-

Finance Dept.				
net total app'ns.	\$5,585,507.26	\$786,207.93	\$353,663.97	\$57,034.00
Town Dump...add..	5,034.64		- 5,034.64	
Incinerator		- 85,032.09	add 85,032.09	
Crosby St. pump add	2,500.00		- 2,500.00	
Storm sewer maint."	11,086.26	- 11,086.26		
Corrected Net				
Appropriations...	\$5,604,128.16	\$690,089.58	\$431,161.42	\$57,034.00
Additions 1949-50.	183,378.95	5,700.00		
Total	\$5,787,507.11	\$695,789.58		
Less City Fund		45,000.00		
To be Raised by				
Taxation	\$5,787,507.11	\$650,789.58	\$431,161.42	\$57,034.00
which gives tax				
rates of	29.6 mills	4.92 mills	4.10 mills	.9 mills
or for the 3 tax				
districts		34.52 mills	38.62 mills	30.5 mills
which would raise	\$5,787,682.55	\$650,908.57	\$432,120.72	\$56,908.19

The total amount raised by these tax rates would not give much margin, but any margin for safety should be added to the base tax, not as the Department of Finance has distributed it:

Base tax overage....	\$18,796.34	This overage is actually paid about
City Tax B "	7,193.46	this way:
City Tax A "	4,680.04	City A....
Total Overage....	\$30,669.84	\$20,000.00 Approximate
		City B....
		4,000.00 "
		15th-20th..
		6,000.00 "

ORDINANCE #22

An Ordinance Concerning Fees for Building Permits

BE IT ORDAINED BY STAMFORD THAT the following schedule of fees shall hereafter apply to all permits issued by the Building Department and, further, that no permit shall be issued until the fees prescribed in this ordinance have been paid to the Building Inspector.

a. For a permit for a new building or structure or the alteration of an existing one, when the estimated cost does not exceed five hundred dollars, the fee shall be one dollar; when the estimated cost exceeds five hundred dollars but does not exceed two thousand dollars the fee shall be two dollars; when the estimated cost exceeds two thousand dollars the fee shall be two dollars plus one dollar additional for each one thousand dollars or fraction thereof in excess of two thousand dollars.

b. For a permit to move a building or structure through or across the street the fee shall be ten dollars.

c. For a permit for the demolition of a building or structure or part thereof, the fee shall be one dollar, provided that is the demolition is a necessary part of an alteration for which a permit has been issued no fee shall be required for such demolition.

d. For a permit for the installation of one or more elevators in or in connection with a building or structure, the fee shall be one dollar plus fifty cents for each elevator in excess of one included in the permit, provided that, if such elevator or elevators are part of a new building or alteration for which a permit has been issued, no fee shall be charged.

e. The fee for a permit to install an oil burner shall be one dollar if the cost of the unit does not exceed five hundred dollars; when the unit cost exceeds five hundred dollars the fee shall be one dollar plus one dollar additional for each one thousand dollars or fraction thereof in excess of five hundred dollars. The fee for a permit covering the electrical installation of an oil burner shall be one dollar.

f. For a roofing permit, the fee shall be the same as described in section a.

g. The fee for a permit to install electrical circuits shall be one dollar for the first four circuits and one dollar for each additional two circuits or fraction thereof. The fee for a permit to install electrical fixtures shall be one dollar.

h. The fee for a permit to cover additional plumbing shall be one dollar plus fifty cents for each additional stack.

i. The estimated cost herein referred to means the amount of money that would ordinarily be expended for good safe construction in the erection of the complete building or structure exclusive of the foundation and of interior decoration.

j. The Building Inspector is authorized to fix by regulation a schedule of cubic foot values for buildings and structures of varying types of construction and classes of occupancy to serve as the basis for determining estimated costs. In the absence of such regulations, the Building Inspector shall fix estimated costs according to his best judgment.

k. The payment of a fee as provided in this ordinance shall in no way relieve the applicant or holder of the permit from the payment of other fees that may be prescribed by law or ordinance, for inspections, certifications, sewer connections, water taps, or other privileges or requirements.

l. No fees as in this ordinance provided shall be refunded after a permit has been issued by reason of abandonment of the project, revocation of the permit, or otherwise.

This ordinance to take effect upon passage.

Samuel F. Pierson, President

Babette S. Ransohoff, Clerk

George T. Barrett, Mayor

Dated this 13th day of July, 1950.