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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 on Monday, September 11, 1950. The meeting was called to order by the President, Samuel F. Pierson at 8:15 P.M.

Mr. Pierson gave the invocation.

Roll Call was taken with 29 present and 11 absent, with a final result of 31 present and 9 absent.

The President presented the minutes of the budget meeting-- May 10, 16, 17, 18, 25, 1950. He then called attention to the correction made by Mayor Barret that on Page 14B, the name "Fred White" should be changed to "Fred Smith".

James Harrington, 9th District, MOVED the minutes be accepted as corrected, seconded and CARRIED.

The minutes of the special meetings (two) held on June 26 were presented to the Board. James Mulreed noted a correction on Page 232, third paragraph from bottom, sentence should read: "...by our rescinding the action taken by this Board previously and by holding it in abeyance..."

James Harrington, 9th District, MOVED the minutes be accepted as corrected, seconded and CARRIED.

The minutes of the July 10, 1950 meeting were presented to the Board.

Stephen Kelly, 12th District, noted that his name was omitted from the committee listed on Page 247.

John Cook, 15th District, MOVED the minutes be accepted as corrected, seconded and CARRIED.

1. PETITIONS

1. Petition #81

Representative Patrick Hogan re private use of public parks and facilities.

Representative Patrick Hogan called attention to the Board that Chestnut Hill Park was being reserved by private groups for picnics and in one particular case, a group of citizens were deprived of the use of the area because of such a reservation. He felt the matter should be explained and the Board investigate how and why such reservations were made.

Mr. Pierson reported to the Board that the matter was discussed at the Steering Committee, who suggested it be referred to Recreation Committee, and also called attention to Section 540 of the Charter which outlines the rules and regulations covering the use and conduct of public recreation areas by the Board of Recreation, and suggested that such regulations be requested of the Board of Recreation. Since the Board of Recreation did not have such regulations in writing, he said Mr. Edward Hunt, of the Recreation Department, was asked to be present.

Robert Shepherd, 9th District, MOVED we hear from Mr. Hunt, seconded by John Cook, 15th District, and CARRIED.

Before Mr. Hunt Spoke on the matter, he suggested the Board hear the report of the Recreation Committee who also investigated the matter with him.

Stephen Kelly read the Recreation Committee report which outlined the complaint of the practice of the Board of Recreation in issuing permits for the baseball diamonds and picnic areas. The report concluded that the Board of Recreation,

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appointed after consolidation, was faced with instituting a new set up and getting such rules and regulations into effect that would be of the greatest benefit to all concerned. A committee of that Board is now working out a solution that will take care of such situations, and when completed the rules and regulations will be presented to the Board of Representatives for acceptance.

Mr. Hunt explained that the Board of Recreation felt, since they were so recently given jurisdiction over parks and beaches, that the summer should be spent in studying the conditions which existed, and then during the winter set up the specific rules and regulations which should overcome them. He said he felt it was not fair to refuse industry the use of the parks for picnics since the people who make up the industrial groups are primarily Stamford citizens and families. He called attention to the limited number of private picnic areas throughout Stamford noting that they are often reserved far in advance by industrial and private groups. He said that the groups that do request reservation of the parks are mostly private Stamford groups, but in some cases they are factory representatives. In the case of Chestnut Hill Park only one area is reserved. There is also another area containing several tables where the "first come--first serve" policy is used.

Patrick Hogan, 10th District, asked if Mr. Hunt could give him any assurance that this condition would not exist next year.

Mr. Hunt said he thought he could assure him that there would be a policy, which would have the approval of the Board of Representatives, set up by next year, and while it probably would not please everyone, it would please the majority.

Babette Ransohoff, 15th District, MOVED that any further action on this matter be postponed until such time as the Board of Recreation presents the Board with a proposed set of rules and regulations, seconded by Hunt Sutherland, 17th District, and CARRIED.

2. Petition #82

Public Welfare Commission re use of portion of the Sunset Home property.

Joseph H. Sherman, Secretary of the Public Welfare Commission petitioned the Board to use a portion of the Sunset Home property so that the Commission may continue its study and development of plans for a Municipal Nursing Home.

James Harrington, 9th District, MOVED the matter be referred to the Welfare and Recreation Committee to confer with the Public Welfare Commission, seconded and CARRIED.

3. Petition #83

Advertising Federation of America re ordinance on fees for billboard and advertising signs on buildings.

Elton G. Borton of the Advertising Federation of America wrote outlining certain policies used in advertising which, he felt made any tax on advertising illogical and economically unsound.

Mr. Pierson recalled to the Board that the ordinance involved was passed at the meeting of July 10, 1950 (Ordinance #22) and that portion which referred to a fee for advertising on billboards and advertising signs was deleted from the ordinance as enacted.

James Mulreed, 4th District, MOVED the communication be placed on file, seconded by Hunt Sutherland, 17th District, and CARRIED.

4. Petition #84

Ashleigh D. Halliwell re acceptance of portion of Partridge Road and Woodchuck Road.

Joseph Zdanowicz, Chairman of the Planning and Zoning Committee reported that the road was not in condition to be acted upon and the matter has not been before the Committee. He said the Planning Board has acted with a provisional condition.

The matter was referred to the Planning and Zoning Committee.

5. Petition #85

Third Fair Lawn Corporation re acceptance of portion of Seaton Road and Revere Drive.

Inasmuch as this matter has not been reported upon by the Planning Board, it was referred to the Planning and Zoning Committee.

Robert Shepherd, 9th District, called attention to a letter by Mr. Tuttle, City Engineer, which called attention to the fact that the roads in question were not in proper condition for surfacing. In spite of Mr. Tuttle's warning, both sections were surfaced. He thought this matter should be brought to the attention of the Planning and Zoning Committee to try to work out some special consideration of this since Fair Lawn was definitely informed the roads were not acceptable before they were completed.

Mr. Pierson suggested the letter from Mr. Tuttle be referred to the Planning and Zoning Committee.

6. Petition #86

Messrs Terenzio re acceptance of portion of Moore Street.

Inasmuch as this matter has not been reported on by the Planning Board it was referred to the Planning and Zoning Committee.

7. Petition #87

Selectmen re dates for making voters.

Mr. Pierson reported for the Steering Committee that the matter was referred to the Corporation Counsel to determine the days and dates for making voters as provided in the State Statutes and the Charter.

James Mulreed, 4th District, asked that a Selectman or Registrar of Voters, who was in the audience be allowed to speak.

Mr. Haggerty, Registrar of Voters, said if voters were made on October 19th, it would give the printer only 12 days to get the information and print the voting lists. He said they have held 17 sessions and will have held about 20 by the time election day rolls around, and this one day is purely a matter of time element.

There would still be the first and second Saturdays in October, as well as the day before election for those meeting the requirements between the second Saturday in October and election day.

Helen Featt, 16th District, noted the sessions in October would be all day sessions, whereas the others were only half day sessions.

Babette Ransohoff, 15th District, recommended that, assuming the request is granted, sufficient publicity be given to the date changes.

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Babette Ransohoff, 15th District, recommended that, assuming the request is granted, sufficient publicity be given to the date changes.

John Cameron, 20th District, MOVED the petition of the Selectmen of Stamford be granted, seconded and CARRIED.

8. Petition #88

Philip Cain of Bronx, New York, calling attention to the drainage situation that exists on Roxbury Road.

The President referred this matter to the Public Works Committee with a copy to the Mayor and Commissioner of Public Works.

2. COMMUNICATIONS FROM THE MAYOR

1. Speaking Tour of J. V. Smith.

Mr. Pierson read the Steering Committee recommendation that the use of the Town Hall steps, as requested, not be allowed. The Committee suggested that Mr. Smith be given a choice of three or four parks in which to conduct the lecture, and that such lecture be conducted within the framework of existing ordinances.

James Mulreed, 4th District, MOVED that permission not be granted for the use of the Town Hall steps, but Mr. Smith be allowed to use a public park near the center of town, and that his lecture be conducted within the framework of existing ordinances, seconded by John Cook, 15th District, and CARRIED.

Patrick Scarella, 3rd District, called attention to the fact that lecturing out of doors may disturb the peace of the neighborhood.

Mr. Pierson noted that was the reason for "within framework of existing ordinances".

The motion was PUT and CARRIED.

2. Rent Control.

Mr. Pierson read the following resolution offered by Representative James Harrington, 9th District:

RESOLVED BY THE BOARD OF REPRESENTATIVES OF THE CITY OF STAMFORD:

WHEREAS, a shortage of rental housing accommodationsexist at the present time within the City of Stamford and

WHEREAS, there is no likelihood that such a shortage of rental housing accommodations will change within the next year, and

WHEREAS, by virtue of such shortage of rental housing accommodations it is necessary and expedient to continue Federal Rent Control until June 30, 1951.

IT IS HEREBY RESOLVED that the Board of Representatives of the City of Stamford, continue Federal Rent Control, the same to continue subsequent to December 31, 1950 and to continue until June 30, 1951, and the same shall apply to all rental housing accommodationslocated within the confines of the City of Stamford

AND BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Federal Housing Expediter and any other Federal official necessary to make this resolution effective.

George Lockwood, 14th District, MOVED the adoption of the resolution, seconded by John Cook, 15th District.

Mr. Pierson read the Mayor's letter and the one from the Housing Expediter in

this respect, that the Clerk correspond with the various housing authorities--state and local--to get the survey data, and the Steering Committee study the results of the investigation and submit them to the entire Board.

Hunt Sutherland, 17th District, recommended the motion be defeated so we could get some data together to make an intelligent vote.

John Cameron, 20th District, said that this was by no means a routine thing, and that the Steering Committee should consider holding a public hearing. He said he felt the motion should be substituted by tabling the matter until the next meeting in order that the Steering Committee might take whatever action necessary in getting the facts, and then the public should be given a chance to express their opinion at a public hearing.

James Mulreed, 4th District, said he was not opposed to rent control, but he wanted to be sure we take the right type of action. He said he thought we should consult the Corporation Counsel first.

Catherine Cleary, 8th District, noted that she was not opposed to rent control, but wanted to see it taken care of in the most correct way. She thought it should be referred to the Steering Committee at this meeting for final action by the entire Board at the October meeting.

John Cameron, 20th District, MOVED the Board postpone consideration of the resolution until the next regular meeting, with the request that the Steering Committee get the facts and hold a public hearing if they consider it necessary, seconded by Daniel Miller, 16th District, and John Canavan, 11th District.

A rising vote was taken on the motion with the result of 28 in favor and 3 against.

3. Leases on City-owned property.

The Mayor, in his communication, asked the Board for an expression of opinion in drawing up leases. Mr. Pierson reported for the Steering Committee that the City offer five year contracts, with 90 day cancellation privileges, for rentals determined by the advisory committee of the Stamford Board of Realtors, and that such leases be offered to those people prepared to pay, and who agree to pay, any back rent. Those who do not agree to pay back rent are to be evicted.

Helen Bromley, 20th District, questioned the proposal in that it did not give any length of time in which the back rent must be paid. She said that we, as the governing Board, should give the people plenty of time to pay the back rent, noting that some of the former leases expired in 1947. Eviction on short notice was not fair. She continued that she thought the sentiment of the people in general was that any land given to the City for park purposes should be used for that purpose.

Mr. Pierson explained to the Board the operations of the Stamford Board of Realtors in regard to getting fair rentals. He said there was an impartial committee appointed who would investigate and come up with a fair rental, in this case, and would also handle other problems of the City in regard to valuations of real estate, etc. As for the 90 day cancellation clause, he said it was a standard clause in leases to protect the City in the event it required the land for a specific purpose. He disagreed, however, to the tying up of property beyond any practical use by old deed restrictions. He gave examples where parcels of land were restricted as residential only, but were located in industrial tracts. That land, he said, could not be used for any other purpose except residential, and it was therefore useless.

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Reference was made to a list of rents, which was a part of this general subject, and submitted by the Commissioner of Finance as requested by the Board at the last meeting.

Louise Seeley, Chairman of the Fiscal Committee, said the matter had been referred to the Fiscal Committee however they did not have sufficient data to make a recommendation. The suggestion made by the Steering Committee, she said, affected only the Greenwich Avenue property. There is other property for which this whole lease question comes up and she thought we should make no specific recommendation until the matter is studied and a full list comes in.

George Lockwood, 14th District, said he agreed with Mrs. Seeley that the matter should be referred to a committee, noting there were members who were not familiar with the properties in question.

Helen Bromley, 20th District, said she thought the Committee, in studying this, should consult with Judge Fuller who was familiar with the entire case involving the enabling act on the Greenwich property.

James Mulreed, 4th District, commenting on the subject noted that this entire matter is just a request from the Mayor asking for an expression of opinion as to whether the Board was in favor of a lease. If a lease is to be drawn up, he said, it would of course be drawn by the Corporation Counsel since it must be a legal document.

John Cameron, 20th District, recommended that the matter remain in the hands of a committee, and since it was now in the Fiscal Committee, they keep it for another month and find out the facts.

William Adriance, 18th District MOVED the matter be referred back to the Fiscal Committee for further study and report at the next meeting, seconded by Edward Hogan, 19th District, and CARRIED.

4. Reply by the Mayor to recommendation of Public Works Committee regarding drainage on Dunn Avenue; drainage on Fahey Street; drainage condition in Seaside Avenue area; improving Ridge Place. The letter was placed on file.

5. Nomination of Joseph T. Greaney to Board of Tax Relief.

The recommendation of the Mayor was read and referred to the Appointments Committee.

6. COMMUNICATIONS FROM OTHER BOARDS AND INDIVIDUALS.

1. Planning Board.

a. Recommendation on proposed John Poltrack Lease.

The President read the letter from the Planning Board recommending the lease be approved, and also gave the Board a summary of the lease noting it automatically renews itself unless the City exercises the cancellation privileges.

Patrick Hogan, 10th District, asked for the valuation of the property, which was reported at \$11,730.00 by Louise Seeley.

John Cameron, 20th District, MOVED that action be deferred until the Board of Finance acts and submits their recommendation, commenting that he did not think, off hand, that \$50.00 was enough rent, seconded by Babette Ransohoff and CARRIED.

b. Recommendation on acceptance of West View Lane.

Included with the above recommendation was a second petition from Mr. Harry

Richmond. The President read the recommendation and called attention to the petition.

Joseph Zdanowicz, Chairman of the Planning and Zoning Committee, reported his committee recommended that West View Lane be accepted as a public highway. It was MOVED, seconded and CARRIED.

c. Recommendation on acceptance of Westcott Road.

Included with the above recommendation of the Planning Board was a petition from Mr. James Fox of the Zoe Renting Corporation.

Joseph Zdanowicz, in reading the report of the Planning and Zoning Committee, recommended the matter go through regular procedure, which is for the request to go to the Committee through the Board at a regular meeting. He called attention to the fact that West View Lane was introduced at the July meeting and his committee is now reporting on it, but the recommendation to accept Westcott Road was only received by the Steering Committee on September 5th and was not referred to the Planning and Zoning Committee by the entire Board.

Mr. Pierson called attention to the fact that the rules authorized the President to refer matters direct to the proper committee if he thought it would be more expeditious. He said that the only thing he questioned in this case was that the season for oiling roads would soon be over, and the Steering Committee felt if the Planning and Zoning Committee had time to study the recommendation, they would probably give a definite recommendation at this meeting.

Leon Staples, 7th District, MOVED the road be accepted as a public highway, seconded by Babette Ransohoff, 15th District.

Catherine Cleary, a member of the Planning and Zoning Committee, said the Committee took no action because there was no construction of buildings on the road and it was not being used. She said the Committee could see no hardship being imposed by not reporting for another month.

Mr. Pierson said he was informed that no building permits would be issued until the road was accepted.

Louise Seeley, 1st District, said there would be a definite hardship by postponing action. She noted that the City Engineer had already approved the road. Also, she said, there were several people who wanted to start their buildings to get as much as possible under ground before the winter weather starts.

James Mulreed, 4th District, said he thought the report of the Committee was more or less of a protest because sufficient time had not been granted them to accept the road. He thought that the remarks made so far were sufficient protest, and he suggested since members of the Committee have expressed their individual willingness to accept the road the Committee now recommend its acceptance.

George Lockwood, 14th District, asked for the clarification of the remark that no homes could be built on roads unless they were first accepted.

Mr. Pierson said that the Charter gave that provision.

Edward Hogan, 19th District, as a member of the Committee involved, noted that he, Mr. Canavan, Mr. Zdanowicz, and Mrs. Cleary all considered the road acceptable. He thought it should be taken out of Committee and passed for acceptance.

James Harrington, 9th District, MOVED for a five minute recess, seconded and CARRIED.

The meeting was called back to order at 10:20 P.M.

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Edward Hogan, speaking for the Planning and Zoning Committee, said that Committee had a short meeting during the recess on the question of Westcott Road. The Committee thought it wise on the part of the Board if the Chair ask that the motion now before the Board be withdrawn, and the Planning and Zoning Committee would then act favorably since four of its five members were present. He said he did not think it would be good procedure for us to make a habit of overriding a motion. He suggested the Chair entertain the motion that the motion now before the floor be withdrawn and then the Board could act on the favorable report of the Planning and Zoning Committee.

Leon Staples, 7th District, withdrew his motion, and Babette Ransohoff, 15th District, withdrew her second.

Joseph Zdanowicz, Chairman of the Planning and Zoning Committee, in giving a report, stated that at the second meeting of the Planning and Zoning Committee it was recommended that Westcott Road be accepted. He therefore MOVED that Westcott Road be accepted by the City of Stamford as a public highway, seconded by William Adriance, 18th District, and CARRIED.

George Connors, 10th District, questioned if we had to accept all roads before they were built upon.

Louise Seeley, 1st District, said it applied only to new roads and new subdivisions. It has nothing to do with roads that are of record or streets open for vehicular traffic before the new charter.

2. Board of Finance

a. Recommendations of emergency appropriation of \$750.00 to Musicians' Band Concert Fund.

Louise Seeley, Fiscal Committee, gave the report of that Committee, which did not recommend approval of that item. The reason that approval was not recommended was that they could find no possible way in which this request could come under Section 619 of the Charter which states: "No additional appropriations shall be granted to any departments, board or agency, unless the mayor shall in his request therefor, certify that an emergency has arisen which was not foreseen when the budget was prepared". She said she spoke to Mr. LiVolsi of the Union who told her that back in March he understood this was to be a part of the recreation budget. She continued that she thought that during the first fiscal year of the new government we were very lenient about granting money beyond the original budget. She said that requests for emergencies this year will be carefully scrutinized to be certain they are emergencies. If we continue to pass all sorts of amounts as emergencies, she said, the tax payers would have no idea what they were paying for. She MOVED the appropriation NOT BE GRANTED, seconded by Robert Shepherd, 9th District.

Michael Laureno, Fiscal Committee, said he was unable to attend the meeting of the Fiscal Committee in which this matter was discussed, but he knew that the Musicians did write a letter in March requesting that amount be put in the budget, but it did not appear in the budget. By accident, he said, it could have been left out, and if such is the case, he did believe an emergency existed. He pointed out that some of the men gave time where they weren't reimbursed for performing. "If the Mayor or the head of any given department whose charge it was to put it in the budget omits it--let's say through error--I think it does become an emergency."

Hilda Clark, 17th District, asked if not granting this appropriation would eliminate the band concerts completely.

Louise Seeley said it was her understanding that the Petrillo Union gives one

half the money and the municipality gives the other half. She said she believed they had five concerts. The union funds have paid for three of them. The other two which they have played are supposed to be paid by this appropriation as well as for the concert during the Christmas Holidays. She said she had no objection for granting the money for that purpose, but didn't think it should be granted to the Musician's Union but to the Recreation Department. There were two things that were wrong, she said. One was that the appropriation should have been in the budget, and the other was that the men have already played the concert for which there was no appropriation.

Hilda Clark, 17th District, said she felt sure this small amount was not left out of the budget intentionally. She asked that Mr. Hunt be given an opportunity to explain.

Patrick Hogan, 10th District, said the members of the Fiscal Committee cannot be guided by sentiment. In this instance their opinion was based on two sections of the Charter--619 and 619.1

Babette Ransohoff, 15th District, said she spoke to a member of the Board of Recreation who felt the concerts contributed to the recreation facilities, and she thought since the concerts have already been given we be lenient. However, she said she thought the precedent was dangerous to allow persons to perform for which there is no item in the budget. If we should pass on this and reverse the decision of the Fiscal Committee, she said, it should be stated that we would not act favorably on such recommendations in the future.

James Mulreed, 4th District, said it was inexcusable for the Mayor to wait until now when he knew prior to the first concert that no money was available and I agree that it should appear on our minutes that we are opposed to this method of doing business.

Hunt Sutherland, 17th District, said that every now and then something comes up and we protest loudly and then give the request our rubber stamp. Sometime we are going to have to make up our minds and insist on the proper procedure, and "I will vote against the appropriation on that basis".

Helen Bromley, 20th District, called attention to the appropriation of last year which was \$600. The Band was given a total of \$1200 to conduct last year's concerts. This year, the municipality's share is \$750. She also felt the concerts should be under the auspices of the Board of Recreation, and if the appropriation is granted it should be to the Board of Recreation.

John Canavan, 11th District, said he would vote against the appropriation.

Patrick Scarella, 3rd District, said he could not vote until he heard from Mr. Hunt.

Michael Laureno, 3rd District, answered the question of the date on which the request was made. It was declared an emergency by the Mayor, he said, on July 11th, and that is two months ago. He said he felt we were legally obligated to pay the men for their performance.

Daniel Miller MOVED we hear from Mr. Hunt on the matter, seconded and CARRIED.

Ed Hunt, Superintendent of Recreation, said the only thing the Mayor had to do with this request was to present it to the Board of Finance. The request would have been in the Board of Recreation budget had an appropriation been made last year and the amount turned over to the Department instead of the Musicians. He said when the Board of Finance met they made it clear, he thought, that the money would go in the budget of the Board of Recreation who would make out the payroll and pay the musicians. The delay was due primarily to having this matter

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straightened out. Mr. Hunt then continued to speak on the good work the musicians are doing and the various programs they have scheduled where they are performing without being reimbursed.

Mr. Mulreed: Has the Musicians' Union been assured that they would be paid the \$750.00?

Mr. Hunt: The only assurance they had was that we would make a request for \$750.00.

James Mulreed, 4th District, said if they were not assured of receiving the money, they played the concerts not knowing they would ever be paid for them. He said he didn't think there was anyone in the room who was not mindful of the good work of the musicians, or who felt the concerts were not beneficial. But, he said, we are opposed to the idea of anyone contracting with a firm or group to spend money before that money is available.

Leon Staples, 7th District, said he thought that as a result of this meeting it is quite clear that requests of this nature would not be approved as emergencies in the future. He went on to say that in his heart he could not turn down these men to whom, he thought, we owed the money. He praised the work of the musicians.

Edward Hogan, 19th District, pointed out that this is the second year this item was handled as an emergency. Last year such a basis might have been justified, but when it happens two years in a row, it looks like standard operating procedure, and if a motion is made to override the fiscal committee, he said it certainly should be done with a clear cut amendment that next year no such emergency will be encountered.

Louise Seeley, Fiscal Committee, spoke of the term "emergency". The Charter, she said, states "...the mayor shall...certify that an emergency has arisen which was not foreseen when the budget was prepared". The Mayor's statement in his letter stated "I declare this an emergency because it was not proposed in the original budget, and I did not know about the request until very recently." She called attention again to the fact that we had the same thing last year, and this appropriation was foreseen last spring. It is quite true, she continued, that we have passed over \$200,000.00 worth of things that were emergency. The emergency could be argued because the people who made the budget were unfamiliar with it. The only emergency appropriation passed this year to date was the \$100 for Civilian Defense. That is an emergency. For the rest of this fiscal year she would do the best she could to have us live within the appropriation upon which our taxes are laid. She said she had in mind about this particular item that we recommend a transfer of some of the funds in the recreation budget, but in going through that budget they couldn't find any money to transfer.

Babette Ransohoff, 15th District, said she was going to vote against the recommendation of the Fiscal Committee. The only way we could provide the funds, under the Charter, was to declare this an emergency.

Hilda Clark, 17th District, said she thought we impressed Mr. Hunt and the others that we should not go against the fiscal committee, but she thought she wanted to vote for the appropriation since so many people have received enjoyment.

Patrick Hogan, 10th District, asked if we are going to abide by the Charter or not.

A rising vote was taken on the motion of the Fiscal Committee that the appropriation be disapproved with the result of 11 in favor and 19 against. The motion was therefore declared DEFEATED.

John Cameron, 20th District, MOVED the appropriation be granted, seconded by Michael Laureno, 3rd District.

James Mulreed, 4th District, said he was voting in favor of the appropriation but is still protesting the manner in which this was handled.

Patrick Hogan, 10th District, said he did not find a section yet that gave this Board the power to override the action of any other section in the Charter.

John Cameron, 20th District, said we were not overriding the Charter. However he thought we should insist on a certification from now on that an emergency has arisen which was not foreseen at the time the budget was prepared. Technically he didn't think we violated the Charter.

Hunt Sutherland, 17th District, said in a democracy the difference is how you vote, and if you protest one way and vote the other, you never accomplish a thing.

A rising vote was taken on the motion to approve the appropriation with the result of 22 in favor and 8 opposed. The motion was declared CARRIED.

Helen Bromley, 20th District, MOVED that the clerk send a gist of the discussion on this matter to the Board of Recreation and to the Musicians' Union, seconded and CARRIED.

b. Recommendation of emergency appropriation of \$8,891.00 for preparation of Bell-South Streets Parking Lot.

Louise Seeley reported the Fiscal Committee recommended an appropriation of \$4,591 to pay for paving and drainage, but requested further information as to items for fencing and lighting. She MOVED that an emergency appropriation of \$4,591 be approved and that action be taken on the other two items aggregating \$4300, seconded by John Cook.

A rising vote was taken for approval of the emergency appropriation of \$4,591, with the result of 27 for and 2 against. (Ralph Nau had left the meeting and Mr. Pierson abstained from voting).

Louise Seeley, 1st District, MOVED that \$2,200 be approved as an emergency appropriation for fencing, and \$2,100.00 be approved for lighting installation, seconded by John Cook, 15th District.

Hunt Sutherland, 17th District, said he thought the Fiscal Committee was unanimous in that there they could see no use for a fence, since the Mayor proposed putting in parking meters.

Helen Bromley, 20th District, agreed.

Catherine Cleary, 8th District, asked how the lot was to be run. She felt that the use of parking meters was expensive since they go out of order so easily and in addition a policeman is needed to enforce the law. She said she felt she could not vote on the appropriation until she knew what was going to be done and what we would get out of it, since there is such confusion down there now.

Mr. Pierson said this Board gave the Mayor the authorization to install meters.

Catherine Cleary opposed that type of parking as being unsatisfactory and expensive.

Stephen Kelly, 12th District, said it was the intention of Mr. Brennan of the Board of Finance to have the Mayor put in one parking meter at the entrance. Then

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the discussion came up about whether one attendant was enough or if two were needed. He said it was the intent and thought of the Board of Finance that one meter would suffice to take the money at the gate.

Hunt Sutherland, 17th District, said if the fence was only to confine the automobiles, he thought it would be cheaper to confine them in other ways, such as a six inch curb.

Edward Hogan, 19th District, said he thought the City was overrun with broken fences in need of repair. He felt it would be perfectly adequate if they have the meters and have an officer around to check them. He opposed the expenditure of money for the fences.

John Cameron, 20th District, suggested the motion be broken in two parts-- one for fences and the other for lighting.

Louise Seeley, 1st District, AMENDED the motion that the emergency appropriation of \$2,100 for the lighting installation be approved, agreed to by John Cook, 15th District.

Robert Shepherd, 9th District, noted that the principal use of the parking lot will be in the day time, and asked just how fancy a lighting system would be called for.

Patrick Hogan, 10th District, recalled that the Connecticut Power Company was the cheaper of three bids. He said he did not recall seeing any advertising for bids.

Michael Laureno, 3rd District, said the gravel was not put up for bid either. He said if it was investigated it would be found the gravel came from a yard that sells it at \$1.50 a yard. He said he thought it would be worth checking since he didn't think bids were taken.

Patrick Scarella, 3rd District, said he thought lights were needed.

Mr. Pierson, when asked the type of meter to be installed, said it was his understanding the parking meters would be for periods from 1 to 3 hours.

Robert Shepherd, 9th District, said he wanted to restate his question. He said for an area that size, it seems like a terrific amount of money for lighting, and he wondered if the Fiscal Committee had looked into the nature of the system that was involved there.

Louise Seeley, Fiscal Committee, said they did not.

Hunt Sutherland, 17th District, MOVED the motion before the Board be tabled until the next meeting, seconded.

Louise Seeley, 1st District, said she was willing to postpone the matter of fences because they didn't interfere with the rest of the business, but did not believe they could put on the surfacing until the lights are installed. She noted there was a great deal of money invested in the lot, and we would like very much to see it get underway. She was opposed to having the matter of the lighting appropriation postponed.

The motion was put to postpone action on this matter, and DEFEATED.

The motion was put for an emergency appropriation of \$2,100 for the lighting installation, and upon rising vote it was CARRIED 25 for and 4 against.

John Cameron, 20th District, MOVED the matter of an emergency appropriation of \$2,200 for fences be postponed until the next meeting, duly seconded.

Edward Hogan, 19th District, opposed the motion.

The president put the matter of voting the question of the motion, and it was CARRIED.

Upon rising vote, the MOTION to postpone action was CARRIED by 16 for and 12 against.

3. Personnel Commission.

Re Resolution #90 regarding permanent appointments of classified employees not covered by Section 737 of the Charter. (p. 260, August 7th minutes).

The President read from the August 17th letter of the Personnel Director: "We (the Personnel Commission) are not in accord with the construction made of Section 735 that examinations be held for all positions in the classified service not specifically exempt by Section 737" and that "The Personnel Commission gave consideration to this matter at several of its meetings and it was decided to leave it in status quo unless requested by department officials for competitive examinations of the type contemplated in resolution #90, or until the establishment of service ratings as provided in Section 735 (11)."

The President went on to explain that the Personnel Director and Mr. Hinman of the Personnel Commission were present at the Steering Committee meeting, where there was a long discussion on the interpretations of that Commission as well as those of the Board. The Personnel Commission was asked if they had received an opinion from the Corporation Counsel on this matter, and since they had not, the Steering Committee said they would request one. It was agreed that the Personnel Commission would give the views of the Board at their pending meeting and would write another letter if necessary.

On September 7th Mr. Pierson wrote to the Corporation Counsel referring to Resolution #90, of which the Corporation Counsel also received a copy, and asked an opinion on the following:

1. Is it mandatory that competitive examination be given to employees now holding classified positions who were employed by the City subsequent to April 15, 1947?
2. Is it mandatory that competitive examinations be given to employees who were employed by the City prior to April 15, 1947, but were promoted or transferred after that date?

On September 7, 1950, the Personnel Director again wrote the Board that "The Personnel Commission has reconsidered Resolution #90,and under the terms of the Charter find that the position previously stated in our letter of August 17th will have to be confirmed." The letter also called attention to Section 735 which provides "The Director shall prescribe, amend and enforce rules for the classified service which shall have the force and effect of law after approval by the Personnel Commission." The letter continued, "The question of the status of those people holding these positions is one of judgment by the Personnel Commission. Such judgment would be exercised according to all factors present and in line with the interests and purposes of Civil Service."

On September 9th the Corporation Counsel, replying to the letter by the President stated "I do not find any provision in the Charter that makes it mandatory to hold such competitive examinations. Nor do I agree with the conclusion stated in resolution #90 which recites that 'whereas the charter, Section 735, provides that examination be held for all positions in the classified service not specifically exempted by Section 737'." The letter continues, "My answer, therefore, to each of the questions as posed is in the negative - that it is not mandatory that such

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competitive examinations be given".

James Mulreed, 4th District, MOVED that the communications be referred to the Legislative and Rules Committee for study and report at the next meeting, seconded and CARRIED.

Helen Bromley, 20th District, asked if the Board was going to be specific on the jobs questioned.

Mr. Pierson said it was not the intent of the Board to be specific as to the jobs. The intent was to definitely establish the status of anyone employed after April 15, 1947.

Helen Bromley, 20th District, questioned the status of the full-time Tree Warden, reminding that the job had previously been part time. A man who is to give his full time working on a job cannot keep a tree repair company going on the outside, and she thought the matter of fees for utilities clearance that are paid, and were formerly paid to the tree warden should be investigated and should go in the general fund if the full time job is to be paid \$4,500.

Patrick Hogan, 10th District, said he objected to the attitude taken by the Corporation Counsel.

James Mulreed, 4th District, said he thought it was only fair to the other members of the Board that they be apprised of the attitude shown by Mr. Hinman at the Steering Committee meeting. He did not think it necessary to go into the entire testimony of Mr. Hinman, but thought the Board of Representatives should know of the statement made by Mr. Hinman which, he thought, he was quoting correctly: I don't give a damn about the law! Mr. Mulreed said he thought this Board should know the attitude taken by Mr. Hinman since there had been no reading of the minutes of the Steering Committee.

Robert Shepherd, 9th District, referring to the Steering Committee meeting, asked since there was some reference to waiting until ratings were set up, *shall he speak* if the Personnel Commission expressed their intention to give examination when the ratings were set up.

Mr. Pierson explained the intent was that the ratings would take the place of examinations. Service ratings would be given to employees over certain periods which would determine whether the person was doing the job. The interpretation was that when a person was not doing a satisfactory job, his department head would show it through the service rating, and if three unsatisfactory ratings were received in a row, the person could be relieved of the job.

4. Commissioner of Public Works re Resolution #21 (page 64 of August 1, 1949 minutes) on beaches and beach facilities.

Daniel Miller, 16th District, MOVED the letter be placed on file, seconded and CARRIED.

5. Corporation Counsel.

The President read the opinion of the Corporation Counsel on establishing a building line on Bell Street and the damages for which the City would be responsible.

John Cameron, 20th District, MOVED the letter be referred to the Legislative and Rules Committee, seconded and CARRIED.

The President then read a letter from Corporation Counsel George Wise informing the Board and the Mayor that he delivered a Special Act to validate non-com-

pliance of the Charter provisions, if any, relating to the budget for the current fiscal year and the fixing of the tax rate, to Representative Melvin Dichter and Senator Edward Czupka, who had promised to attempt to have it enacted at the special session of the General Assembly.

7. REPORTS OF COMMITTEES

Fiscal Committee

Louise Seeley, Chairman, gave the report, copy of which is attached.

In regard to the section of the report which referred to the reduction of certain workers in the Public Works Department, George Connors, 10th District, asked if the Town workers were cut the same as the City workers.

Louise Seeley said she had inquired about that three times within the past six months and was told they are being paid on the same rate now.

Stephen Kelly, 12th District, said some City workers claimed they were cut 30 cents to give the drivers a raise. He said he did not think it good business to cut one group to the advantage of another, and it was not good for the morale of the department.

Patrick Hogan, 10th District, said it was a violation of Section 740 of the Charter.

Michael Laureno, 3rd District, said according to Mr. Weathers, the workers were not actually cut since they were not required to work Saturday any longer.

Mr. Pierson suggested that Mr. Weather's letter on the subject, addressed to Michael Laureno, be submitted to the Steering Committee for report at the next meeting.

Robert Shepherd, 9th District, brought up that portion of the report which referred to Mr. Maffei, asking if there was a salary appropriation in the Public Works Department of \$4,600 to pay Mr. Maffei.

Mr. Pierson said the matter was also brought up at the Steering Committee meeting, and it was moved the Corporation Counsel be asked the source of the amount of money which is being and has been paid to Philip Maffei since consolidation as well as the legal right by which that sum of money is being paid.

Robert Shepherd, 9th District, MOVED that Section 7 of the Fiscal Committee Report regarding the use of bond money be sent to the Commissioner of Finance with the full recommendation of the Board, seconded, and CARRIED.

John Cameron, 20th District, MOVED the report of the Fiscal Committee be placed on file, seconded and CARRIED.

Steering Committee

Mr. Pierson said the Committee also considered the reply of the Commissioner of Public Works to Representatives Kelly, Patrick Hogan, and Shepherd, regarding the condition of streets and catch basins in the 9th, 10th, and 12th Districts, and recommended it be placed on file.

The communication from the Mayor regarding change of street names, in which the Mayor suggested the Board change a street name only when it is absolutely necessary, was also recommended placed on file.

The Steering Committee, asked by the Board to give concrete suggestions for formulating a committee on Charter revision, recommended that a Committee be

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appointed to consist of five members of the Board, who would request suggestions and recommendations from other departments, agencies, and interested groups or individuals, on Charter changes. It was also felt that Board members should feel free to attend the meetings of the Charter Revision Committee. The following were suggested as a Committee:

John Cameron, Louise Seeley, Edward C. Hogan, Patrick Hogan,
Edward Wojciechowski

Patrick Scarella, 4th District, MOVED the nominations made by the Steering Committee be approved, duly seconded.

John Cameron, 20th District, asked, since he was to be on the Committee, if it could not be given authority to enlarge itself by inviting others to serve, such as the Corporation Counsel and possibly someone from the Chamber of Commerce. He outlined the various duties which the Committee would have to take into consideration. To his mind, he said, a Charter is a grant of rights, stating the conditions under which those rights can be exercised; whereas this charter is a detailed law for operating the City. He said he thought the Committee should have the function to cure incidental ills, but should also have the right to investigate the whole philosophy and see if they could make fundamental changes. He believes the City should have the authority to fix limits rather than have a Charter that has the limits fixed. The same applied to the functions of the Board of Finance and the Planning Commission. He said he thought if the Committee was to mean anything it would be a long term thing, and went on to explain that there would even be such things as expense since the Committee would probably have to have public hearings and some kind of secretarial help.

Mr. Pierson said there was no limitation of the functions of the Committee, and he did not object to the request for permission to enlarge the Committee.

Helen Bromley, 20th District, asked if it would be out of order to suggest Mrs. Ransohoff as an additional member,

Babette Ransohoff, 15th District, said she would of course like to serve on the Committee, but thought it was set up in a fair way as far as Board representation was concerned. She added that she hoped the committee in enlarging itself would consider the long range view of educating the public as it progressed.

John Cameron, 20th District, AMENDED his motion that the committee be appointed as outlined with the power to enlarge itself either within the Board or outside the Board. Amendment accepted and the motion CARRIED.

Mr. Pierson then read the letter submitted by Michael Laureno in regard to the status of Mr. Maffei, and the question of his status was incorporated in the questions to be asked of the Corporation Counsel.

Health and Protection Committee

Leon Staples gave the report of the Committee on the problem of speeding in Stanford. In addition to the members of the Committee being at his meeting, there were also the Representatives of the 18th, 19th, and 20th Districts. The Committee felt a campaign of publicity through the newspapers and radio should be undertaken to make all drivers conscious of their responsibility with an assurance that traffic rules and regulations would be enforced. It also pointed out that there were few convictions of the arrests on Long Ridge and High Ridge Roads, and if there was no common ground between the local courts and the enforcing agency, we would continue to have the trouble on the highways and disturbed mental conditions of all who live near and along these highways. The proposal, therefore was full publicity, and an attempt to secure the full cooperation of the courts.

William Adriance, 18th District, brought out the changing of the yellow blinker at Cedar Heights Road to a red blinker, and was told that would have to be done through Captain of Precinct II, who would have to get permission from the State.

James Mulreed, 4th District, stated that the condition on South Street is extremely hazardous, and there have been more accidents and casualties on that street than High Ridge or Long Ridge Road.

John Cameron, 20th District, MOVED the Board be instructed to write to Precinct II for a record of violations and convictions for speeding in Precinct II, and the Committee give us a report at the next meeting if they find anything interesting, seconded by Robert Shepherd, 9th District.

James Mulreed, 4th District, AMENDED the motion that the Committee be supplied with a report covering the arteries in Stamford where speeding is most prevalent-- in Precinct I as well as Precinct II, seconded.

Leon Staples commented on the heavy fines imposed by other communities which have had some effect in reducing the speeding danger and also the added danger in the Long Ridge section by the trucks which are now using the road.

The amendment was accepted, and the motion as amended was CARRIED as follows: The Board be instructed to write to Precinct I and Precinct II for a record of violations and convictions covering the arteries in Stamford where speeding is most prevalent, such report to be furnished to the Health and Safety Committee for report at the next meeting if they find anything interesting.

Appointments Committee

The Committee reported favorably upon the renomination by the Mayor of John Mershon to succeed himself for the 5 year term on the Zoning Board beginning April 15, 1950.

After secret ballot was taken, Mr. Mershon's reappointment was confirmed by a vote of:

17 - For 13 - Against

The Committee reported favorably upon the recommendation of the Mayor that Bennett Glazer be appointed to fill the unexpired term of Mr. Leonard Kuvin on the Zoning Board, which expires on April 15, 1954.

Edward Wojciechowski, 2nd District, asked if the Mr. Glazer in question was the same one who sold the City the South-Bell Streets parking lot. He was told it was.

After the secret ballot was taken, the appointment of Mr. Glazer was NOT CONFIRMED by vote of:

7 For 23 Against

Legislative and Rules

James Mulreed reported for the Committee, that the galley proofs of the ordinances had been received, and the Committee planned to meet September 23rd to act on the proofs and submit them to the Michie Company, who would return bound volumes six weeks thereafter. Copies would then be distributed to members and deposited where required by the Special Act. The tentative proposals to hold a public hearing on November 29th, and submit the matter for action of the Board at the meeting of December 4th, or at an adjourned meeting of that meeting. The action is predicated on the desire to make the code effective on January 1, 1951.

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The Committee also reported that action of the building code, and proposed ordinances covering all night parking and offenses at Hubbard Heights Golf Course were still pending further information.

Mr. Pierson said he thought the Committee should be commended for the tremendous amount of work they have done and have yet to do in the framing of the ordinances.

James Mulreed said they not only had to check the construction of the 40 ordinances, but determine whether or not the wording properly express the type of ordinance that we desired.

John Cameron, 20th District, MOVED the Committee be thanked for the work being done on the Board, seconded and CARRIED.

8. BUSINESS ON THE CALENDAR

1. Auditors' report on the cost of construction of the Walter R. Dolan Jr. High School.

The entire membership of the Board received a complete copy of the Fiscal Committee Report for the meeting of August 7th, which contained a complete copy of the auditors' report covering the costs for construction of the school.

Louise Seeley, Fiscal Committee, said that the large part of this transaction took place before the Board came into existence, but there were two or three matters which do extend into our jurisdiction. One of them is that the balance of that school fund has extended through into the time we came into office. She said she thought we should take notice of the fact that the school bond money was used for general purposes and was not segregated until about the end of June 1949. She said she felt that was something we should keep in mind, not only for the future, but because we want to watch the balance of that same school fund. The deficit in the general fund was made up, she said, by using money from the bond funds. As of June 30, 1949 we did not have cash enough in the town as we came into our first fiscal year to cover bond commitments and to cover the encumbered appropriations. That, she said, seemed to be the important part of this report. The fact that there was some \$6,000 spent that was not approved is before our time. The bond money was never segregated from general funds and was used to make up deficiencies in the general fund. We got up to the end of that fiscal year, she said, and the reason why that \$12,000 was still outstanding for the architect and the builder was because they did not have the cash for it. This came from poor fiscal management. There was enough on the books, she continued, but the town had good looking surpluses which were not covered by cash in the bank. The serious part was at the end of the fiscal year September 30, 1948, there was a tremendous cash deficit covered by the bond funds. You might argue, she went on, that after the fiscal year had begun, instead of borrowing TA notes they used the bond funds; but this is not allowed. She said there was no fiscal excuse that she could find for covering a deficit at the end of a fiscal year with bond funds.

Babette Ransohoff, 15th District, asked if it was possible the discrepancy might still show up after this year's audit.

Louise Seeley said we would have to wait until we got the auditor's report.

2. Corporation Counsel - Opinion as to which Board--Planning or Zoning--had precedence in the framing of new zoning regulations.

The Corporation Counsel replied to the request of the Board regarding this subject, and gave his opinion that the Zoning Board has the "precedence in the framing of new zoning". However, he suggested the Zoning Board work in conjunction

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with the Planning Board since planning and Zoning can be, and in many instances is, closely interwoven with each other in the development of a community.

Mr. Pierson then read a letter from Mrs. Charles P. Macari addressed to Representative William Adriance, in which she expressed her appreciation to the Board and all concerned for their part in correcting the drainage problem on her property in the Roxbury Road area.

Mr. Pierson also read the following resolution submitted by Walter Seely, 6th District:

BE IT RESOLVED: That the Board of Representatives of the City of Stamford, go on record favoring that the City of Stamford pay all policemen, firemen, and other City employees who are in the Armed Forces of the United States Government, the difference in salary they receive from the United States Government and the salary they receive from the City of Stamford.

The Matter was referred to the Fiscal Committee for report.

James Harrington, 9th District, MOVED the meeting be adjourned, seconded and CARRIED.

The meeting was adjourned at 1:00 a.m.

Respectfully submitted,
BABETTE S. RANSOHOFF, Clerk

NOTES

- | | |
|------------------------|--|
| Corporation Counsel | - Opinion as to status of Mr. Maffei and inquiry as to payment of his salary. |
| Legislative and Rules | - Correspondence on examination requirements for appointees to Civil Service.
- Opinion of Corporation Counsel on Bell St. Building Line. |
| Fiscal | - John Poltrack Lease.
- Request for emergency appropriation of \$2,200 for fencing Bell St. lot.
- Leases for city owned property.
- Resolution re payments to City employees serving in Armed Forces. |
| Steering | - Rent Control resolution. |
| Planning and Zoning | - Petition re acceptance of portion of Partridge Road and Woodchuck Road.
- Petition re acceptance of portions of Seaton Road and Revere Drive.
- Petition re acceptance of portion of Moore Street. |
| Public Works | - Petition re drainage on Roxbury Road. |
| Welfare and Recreation | - Public Welfare Commission use of portion of Sunset Home property. |
| Health and Safety | - Results of speeding violations and convictions in Precincts I and II. |
| Appointments Committee | - Nomination of Joseph J. Greaney to Board of Tax Relief. |

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REPORT of the FISCAL COMMITTEE
of the
STAMFORD BOARD OF REPRESENTATIVES

September 11, 1950

The Fiscal Committee of the Board of Representatives held a meeting on September 10th to consider the following matters:

(1) An appropriation of \$8,891 requested by the Mayor and approved by the Board of Finance for completion of the municipal parking lot on the corner of Bell and South Streets. The Committee recommended approval of an appropriation of \$4,591 to pay for paving and drainage, but requested further information as to items for fencing and lighting. This information was obtained from the Commissioner of Public Works, Mr. Bromfield, subsequent to the meeting of the Committee. The fence is to enclose the lot on all four sides, to protect the property of the City in the lot, and to make possible the control its use. The amount requested for lighting was the lowest of three bids, made by the Connecticut Power Co. The Commissioner also reported that the department is keeping account of the public work funds which are being used to prepare the lot, and when completed the total net cost of the lot will be available.

(2) An appropriation of \$750 requested by the Mayor to supplement the Musicians Band Concert Fund. Your Committee does not recommend approval of this item.

Your Committee considers that in both of these cases, the provisions of section 619 are not being properly used. This section states, "that no additional appropriation shall be granted.... unless the Mayor, shall in his request therefor, certify that an emergency has arisen which was not foreseen when the budget was prepared." The paving of the parking lot, the purchase of which was approved last February, and the inclusion of the band concerts in the recreation budget, are not emergencies which have so arisen. The purpose of an annual budget, covered by an adequate tax rate, the base of orderly municipal financing, is defeated by the repeated misuse of this section, and of the words "unforeseen emergency."

(3) Your Committee was asked by the Steering Committee to report on the appropriation from which Mr. Maffei, the Deputy Commissioner of Service in the former City was paid in the fiscal year 1949-50. The Commissioner of Public Works, Mr. Bromfield, reported that Mr. Maffei was paid from the appropriation for labor in the Highway Department.

(4) Your Committee Chairman was asked by the Steering Committee to find out why certain laborers in the Public Works Department had their wages reduced while that of the truck drivers was raised. The Commissioner of Public Works reported that this was done to even up the rates for all labor in the Department, the maximum reduction for any one being 30 cents a week.

(5) Your Committee considered that it did not at this time have sufficient information as to the status of City-owned property to recommend a procedure as to leases.

(6) The outstanding Tax Anticipation Notes as of September 1st were \$700,000. These will be paid on September 20th and 25th, and it is the opinion of the Comptroller that no further short-term borrowing will be necessary.

(7) Your Committee has considered the Auditors report for the Dolan School Cost of Construction as of May 31, 1950. Since the fiscal irregularities enumerated therein to place before this Board came into existence, your Committee confines its comment to the use of the bond funds for the general purposes of the former Town Government. We consider it to be the duty of the Department of Finance to preserve the integrity of all bond funds, to be used only for the purposes for which they were borrowed, except as provided in Section 630 of the Charter.

Respectfully submitted,

John L. Cameron
Hunt Sutherland
Michael E. Laureno
Patrick Hogan
Louise T. Seeley, Chairman