

A regular meeting of the Board of Representatives of the City of Stamford, Conn. was held on Monday, June 4, 1956, in the Cafeteria of the Walter Dolan Jr. High School, Toms Road, Glenbrook. The meeting was called to order by the President, Mr. George V. Connor, at 8:15 P.M.

INVOCATION was given by Rev. William D. Henderson, Pastor, Calvary Baptist Church.

ROLL CALL was taken by the Clerk. There were 35 present and 5 absent. The absent members were: William Kaminski, Vincent Vitti, Eugene Barry, Alanson Fredericks and Jack McLaughlin.

Mr. Snyder stated that Mr. Alanson Fredericks was away on a business trip, and the Republican members of the Board, having consulted with Mr. Fredericks, wished to designate Mr. Norton Rhoades to act as Minority Leader during any absence of Mr. Fredericks.

#### ACCEPTANCE OF MINUTES -

Meeting of May 7, 1956: MR. WATERBURY MOVED for acceptance of the Minutes. Seconded by Mr. Brett.

Mr. Raiteri called attention to a correction on page 1191, paragraph 3 of the Minutes of the Legislative & Rules Committee, second line, the name "Mr. Thomas Whittaker" to be corrected to read: "Mr. Thomas Richter".

MR. FINDLAY MOVED the Minutes be accepted as corrected. Seconded and CARRIED unanimously.

#### REPORTS OF COMMITTEES -

##### Steering Committee:

#### STEERING COMMITTEE REPORT Meeting held May 21, 1956

The Steering Committee of the Board of Representatives met in the Mayor's Office, City Hall, at 8:05 P.M. The following members were present: George Connors, Chairman; Alanson Fredericks, Norton Rhoades, Helen Peatt, Clement Raiteri, Robert Lewis, Stephen Kelly, Joseph Mi'ano, Rutherford Huizinga. The absent members were: John Macrides, William Kaminski, George Georgoulis, Joseph Iacovo, Irving Snyder and Vincent Vitti. (Because of conflict with a meeting on the choice of a school site, some of the members were not able to attend both meetings)

The following communications were presented:

- (1) Letter dated May 3, 1956 from Corporation Counsel to Chairman of Planning & Zoning Committee re Conveyance by City of Stamford of Portion of Betts Avenue to Standard Brands, Inc.

Referred to Planning and Zoning Committee.

- (2) Letter dated May 7, 1956 from St. Andrew's Fellowship of St. Andrews Church, requesting permission to hold a Fair on church grounds, Saturday, June 9, 1956, from 10 a.m. to 5 p.m.

Referred to Parks & Recreation Committee

- (3) Letter dated May 9, 1956 from Stamford Yacht Club, requesting permission to display fireworks on grounds of Club, evening of July 4th.

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Referred to Parks & Recreation Committee.

- (4) Letter dated May 14, 1956, from Hubbard Heights Garden Club, requesting permission for use of West North Street at Rachelle Avenue for annual street fair to be held on Saturday, September 15th from 11 a.m. to 5 p.m.

Referred to Parks & Recreation Committee.

- (5) Letter from Mayor Quigley, enclosing suggested ordinance re overloaded trucks scattering stones, dirt, etc. over city streets.

Referred to Legislative & Rules Committee.

- (6) Letter dated May 14, 1956 from Peter H. Delaney in regard to proposed ordinance of Mayor's, with suggestions to be incorporated.

Ordered filed.

- (7) Letter dated May 11, 1956 from Manager of Connecticut Power Company in answer to complaint from Rev. Paterson, of Turn-of-River Church regarding drainage problem in front of church.

Referred to Public Works Committee.

- (8) Letter dated May 17, 1956 from Frank J. Daley, regarding Capital Budget items for 1956-1957 Budget.

Ordered placed in hold file for Fiscal Committee.

- (9) Letter dated May 18, 1956 from Ringling Bros. - Barnum & Bailey Circus, requesting permission to hold two performances on Thursday, June 14, 1956 at Magee Avenue Show Grounds.

Referred to Parks & Recreation Committee.

- (10) Petition dated May 15, 1956 signed by 30 petitioners, but giving no address, complaining of sewage problem in river located on West side of Hope Street south of Bennett Street in Springdale.

Referred to Health & Protection and Public Works Committees.

- (11) Letter dated February 8, 1956 (date appears wrong) from Mr. Iacovo, 5th District Representative, enclosing copy of letter sent to Mayor Quigley on Feb. 7, 1956, re Quit Claim deed to Alphonse Vacca in conveyance of Lot #106, Alvord Lane, by City of Stamford.

Referred to Legislative & Rules and Fiscal Committees.

Note: Inasmuch as letter from Mayor Quigley dated May 17, 1956 to all members of the Board has been received since Mr. Iacovo wrote his letter, his request is granted by the Mayor's letter. However, this requires prior approval by Board of Finance.

- (12) Carbon copy of letter dated May 8, 1956, to President of Chamber of Commerce from Mayor Quigley re Broad Street extension.

1859 Ordered filed.



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- (13) Carbon copy of letter dated May 15, 1956 to Mayor Quigley from William Flatow, Jr., calling his attention to conditions at the Scofieldtown dump.

Referred to Public Works Committee.

- (14) Copy of letter dated May 11, 1956 to Mayor Quigley from Planning & Zoning Director, advising him of the approval of the Planning Board to amendment to Capital Projects Budget for 1955-56, authorizing appropriation of \$502.53 for the main building at Hubbard Heights Golf Course and authorizing transfer of that amount from item known as "Shelter House" in the 1955-56 Capital Budget.

Ordered noted and filed.

- (15) Letter to Mayor and members of Board of Representatives and Board of Finance from Corporation Counsel regarding refusal by the State to accept deed containing reversionary clause in conveyance of land to State for Wright Technical School and asking the approval of both boards to go forward with the transfer of this property to the State without reservations in the deed.

Referred to Legislative & Rules Committee.

- (16) Fiscal matters requiring referral to another committee beside the Fiscal Committee were the following:

- (a) Department of Public Welfare, \$21,000 requested for Code 460-61 Cash Relief.

Referred to Education and Welfare Committee

- (b) Department of Public Welfare, \$24,000 requested for Code 460-A General Hospitals.

Referred to Education and Welfare Committee.

The question was brought up of whether or not an answer was ever received to letter written on April 11, 1956 to Mr. Alexander Klahr, Chairman of the Board of Recreation, requesting that permission be given to the Chairman of the Parks and Recreation Committee, or a member of his Committee, to sit in on meetings in order that better liaison between the boards could be attained. Mr. Kelly stated that an answer to the request had never been received. Upon MOTION of Mr. Fredericks, seconded by Mr. Kelly, it was unanimously approved that another letter be written, asking why they had never replied.

NOTE: A prompt reply has been received from Mr. Klahr, which will be presented under "Communications".

There being no further business to come before the Committee, upon MOTION of Mr. Fredericks, duly seconded, the meeting was adjourned at 10 P.M.

Respectfully submitted,

George V. Connors,  
Chairman  
Steering Committee

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Fiscal Committee:

MR. HUIZINGA MOVED that the items which appear on the agenda be referred back to Committee. He explained that the meeting of the Committee had been called by the Chairman, but for the reason that only one member in addition to the Chairman showed up, no meeting had been held. Mrs. Zuckert seconded the motion, and CARRIED unanimously.

MR. RHOADES called attention to item (1) on the agenda under Fiscal Committee: "Welfare Department, \$2,126.64, Code 20WH 460.1, Salaries". He explained that this had been considered at the May 7th meeting under Suspension of the Rules and at that time had failed of passage by a vote of 16 in favor and 17 opposed. (See pages 1189 and 1190 of Minutes). He said: "I wish there was some way in which the Board of Finance and the Fiscal Committee could meet together on items of this kind. I do feel action on matters of this kind are long overdue."

MRS. ZUCKERT: "Mr. Kazinski and I were the only ones who came to the meeting of the Fiscal Committee and without a quorum, nothing was done."

Legislative & Rules Committee:

Mr. Raiteri presented the following reports of his Committee:

REPORT OF JOINT MEETING, LEGISLATIVE & RULES  
AND HEALTH AND PROTECTION COMMITTEES -  
May 24, 1956

A combined meeting of the Legislative & Rules and the Health & Protection Committees was held at 9:15 P.M., Thursday, May 24, 1956, in the Mayor's office, City Hall, for the purpose of hearing from Chief of Police Kinsella and Dog Warden Schwimmer who were present to discuss enforcement of State Laws relating to dogs. Mr. Raiteri presided.

Present were the following: Legislative & Rules Committee members: Messrs. Raiteri, Baker, McLaughlin, Nolan, Plotkin and Russell.

Health & Protection Committee members: Messrs. Milano and Longo.

A full and frank discussion followed. It developed that Chief Kinsella has established controls which will insure adequate enforcement. Periodic reports submitted by the Warden are available to the Board for review. Arrangements have been made with the Humane Society for use of the Pound on Pepper Ridge Road on a monthly fee basis, thus meeting the requirements of the state law in this connection.

After the Chief and the Warden left the meeting, the matter was further discussed by the Joint Committee. It was decided unanimously to recommend to the Board that the Chief be advised to initiate action to reinstate the Warden's salary item in the 1956-1957 budget. No action on the proposed Stamford ordinance on the subject is recommended at this time.

The joint meeting of the two Committees adjourned at 10 P.M.

Respectfully submitted,

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Approved: June 1, 1956  
C. Raiteri, Jr.,  
Chairman, Legislative & Rules Committee

E. B. Baker, Clerk

J. Milano  
Chairman, Health & Protection Committee

REPORT OF LEGISLATIVE & RULES COMMITTEE  
MEETING OF MAY 24, 1956

A meeting of the Legislative & Rules Committee was held at 10:00 P.M., Thursday, May 24, 1956, in the Mayor's office, City Hall, following the joint meeting with the Health & Protection Committee. Chairman Raiteri presided. All members of the Committee were present. Mr. McLaughlin became ill and was excused at 10:50 P.M.

The following subjects were discussed with committee action as noted:

Proposed Ordinance submitted by Mr. Raiteri pertaining to construction of roads where city water is available. Held for conference with Planning Board.

Letter dated May 8, 1956 from the Mayor, transmitting a proposed ordinance restricting the littering of streets with dust, dirt and stones. The Committee unanimously recommends passage of the proposed ordinance for publication.

Letter dated May 17, 1956 from the Mayor re conveyance of Lot 106, Alford Lane, by City of Stamford to Alphonse Vacca. The Committee recommends approval of the action requested in the Mayor's letter.

Proposed resolution concerning fluoridation of the water supply. In the light of the remarks presented at the two special meetings held for the purpose of hearing the opponents and the proponents of fluoridation, the Committee unanimously recommends passage of the resolution.

Letter dated May 2, 1956 from the Corporation Counsel, requesting that the Board reaffirm the action taken March 3, 1956 with respect to the transfer to the State of Connecticut of land in Woodside Park for use as a site for a new Trade School. (See page 1110 of the Board minutes). The Committee recommends that its previous action be reaffirmed.

The meeting adjourned at 11:20 P.M.

Respectfully submitted,

Approved:  
C. Raiteri, Jr., Chairman  
June 4, 1956

Ellis B. Baker, Clerk

(1) Re proposed Dog Ordinance:

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MR. RAITERI MOVED that the board approve a recommendation to the Chief of Police that he initiate action to reinstate the salary of the Dog Warden. Seconded by Mrs. Zuckert.

MR. IACOVO: "What is meant by 'adequate control by the Chief of Police'?"

MR. SNYDER: "I would suggest that the Chief of Police be called when there is a complaint regarding dogs."

MR. TOPPING: "Must these complaints be in writing, or can they be 'phoned in'?"

MR. RAITERI: "They can be 'phoned in and then the Dog Warden checks with the Police Department and is given the complaints to investigate. After all, he is out on call and cannot be at home to receive these complaints. He has to check with the Police Department several times a day."

MR. IACOVO: "Heretofore the complainants had to send the Chief of Police a letter."

MR. BAKER: "I would like to clarify that. If a dog is on private property it would take a written complaint before they could seize a dog on private property."

VOTE taken on reinstating the salary of the Dog Warden, and CARRIED unanimously.

(2) Proposed Ordinance Pertaining to Construction of Roads Where Underground Utility Services are available.

MR. RAITERI MOVED for approval of the following proposed ordinance and waiving prior publication. Seconded by Mr. Kolich.

BE IT ORDAINED BY THE CITY OF STAMFORD that any Corporation, partnership or individual subdividing property for the sale of lots, or building and lot, shall first have underground utility service lines, where such services are available, connected to each lot before commencing to pave a finished road servicing said lots, whether said road is public or private.

This ordinance to take effect from the date of its enactment.

MR. KETCHAM spoke in opposition to the ordinance.

MR. RHOADES suggested that the Board vote to accept this ordinance for publication, and not waive prior publication.

MR. RAITERI said he had discussed the ordinance with the Director of the Planning and Zoning Boards and he had liked it. Someone asked him if he considered this an emergency and why it could not wait to go through the regular channels.

MR. SNYDER: "Could I ask Mr. Ketcham a question? Do some homes have a larger line leading into them than others, or is it a universal size?"

MR. KETCHAM: "It is a universal size."

MR. RUSSELL: "Some subdivisions today are being sold so rapidly and filled up so quickly, I don't think we would have any problems in having these utility lines put in before the roads are constructed."

There was considerable discussion as to the desirability of an ordinance of this type.

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VOTE taken on suspension of the rules in order to pass this ordinance without prior publication. LOST, 25 in favor and 9 opposed, Mr. DeForest abstained from voting. It was explained that a vote of 27 in favor would be needed in order to pass at this time.

MR. HUIZINGA MOVED for approval of the ordinance for publication. Seconded by Mr. Topping and CARRIED 34 in favor, Mr. Waterbury voting in opposition.

MR. RAITERI MOVED for approval of publication of the following proposed ordinance: Seconded by Mrs. Zuckert.

(3) AN ORDINANCE RESTRICTING THE LITTERING OF STREETS WITH DUST, DIRT AND STONES.

BE IT HEREBY RESOLVED, ORDAINED AND ENACTED BY THE CITY OF STAMFORD THAT:

SECTION 1. Definitions. The term "Dust" as used in this Ordinance shall mean all dust, soot, ash, dirt or other fine particles of matter: The term "Dust Producing Substance" as herein shall mean all ashes, coal, charcoal, cinders, cokes, sand, gravel, dirt or any other substance composed of, mixed with, producing or otherwise capable of spreading or disseminating dust.

SECTION 2. Transportation of Dust Producing Substances. No dust producing substance shall be transported through any street within the City of Stamford without protection and covering, at all times, sufficient effectually to prevent the spreading or dissemination of dust from such dust producing substance into the air or upon any public or private property. Each violation hereof shall constitute a separate offense.

SECTION 3. Transportation of sand, loam, stones, gravel and dirt. No person or persons shall operate or cause to be operated any vehicle in the City of Stamford, transporting therein or thereon sand, loam, stones, gravel or dirt without protection and covering, at all times, sufficient effectually to prevent any load in or upon said vehicle or any part thereof from falling upon the highway or street or being blown upon the same.

EACH VIOLATION HEREOF SHALL CONSTITUTE A SEPARATE OFFENSE.

SECTION 4. Penalty. All persons, firms and corporations, as principals or agents, causing, participating in or in any way responsible for any violation of the provisions of this ordinance shall be severally guilty of such violation and shall each be fined not more than twenty-five dollars for each offense.

This ordinance to take effect from the date of its enactment.

MR. TOPPING: "Did you look and see if this ordinance conflicted with any other ordinances that we might have?"

MR. RAITERI: "The Committee feels that as long as the ordinance was prepared under the supervision of the Corporation Counsel that it therefore must have been prepared correctly."

MRS. ZUCKERT: "I believe there is an ordinance regulating the overloading of trucks."

MR. MACRIDES: "I believe that there is an ordinance referring to garbage and refuse." Mr. Macrides suggested the incorporation of the addition to Section 3 of garbage and refuse.

MR. IACOVO: "Does this mean that all trucks have to have covers on them?"

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MR. RAITERI: "It can be any type of cover, canvas or some sort of tarpaulin."

MR. HUIZINGA: "May I ask if similar ordinances have been passed by other towns and cities along the same lines?"

He was informed by Mr. Connors that Milford had enacted such an ordinance.

MR. KETCHAM: "We might call the Board's attention to the litter that is being strewn along the roadsides leading to the Scofieldtown dump."

MR. RHOADES: "If we vote to publish, we can then amend if we so desire."

VOTE taken on publication of above ordinance. CARRIED unanimously.

(4) Conveyance of Lot 106, Alvord Lane by City of Stamford to Alphonse Vacca.

MR. RAITERI MOVED to accept the recommendations as contained in the Mayor's letter of May 17, 1956, to approve conveyance of this land by Quit Claim Deed from the City of Stamford to Alphonse Vacca, upon payment to the City of taxes in amount of \$163.48, plus accrued interest to date. Seconded by Mr. Baker and CARRIED unanimously.

(5) Fluoridation of City Water Supply.

MR. RAITERI presented the following resolution and MOVED for its adoption. Seconded by Mrs. Bankowski.

WHEREAS the Board of Representatives of the City of Stamford, after appropriate investigation and special meetings on the subject, has determined that it is necessary for the welfare of the inhabitants of the City of Stamford and for the prevention of tooth decay in children that the public water supply of said City be fluoridized.

NOW, THEREFORE, BE IT RESOLVED that the Public Utilities Commission of the State of Connecticut be requested to order the Stamford Water Company to install appropriate measures and devices for the fluoridation of Stamford's public water supply and in connection therewith, that said water company be granted an appropriate rate increase commensurate with the expenses of said installation and fluoridation services.

MR. LEWIS MOVED to amend the resolution by adding: "after vote by referendum of the voters of the City of Stamford." Seconded by Mrs. Peatt.

Mr. Nolan said Mr. Lewis' motion was out of order for the reason "that it is not germane to the main motion."

MR. IACOVO: "Has the Committee written to the Public Utilities Commission asking if we have the power to force a private water company to fluoridate the water?"

MR. PLOTKIN: "We are not asking the PUC to force any company to put fluorine in the water. We are just asking a private water company to fluoridate the water." Mr. Plotkin went on to give a talk on the pros and cons of fluoridation.

MR. FINDLAY: "I will never benefit from fluoridation, as I own a well. However, I feel that both the proponents and opponents have given us very strong arguments

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and there is still a reasonable doubt in my mind, particularly when a very small minority benefit from fluoridation. I think those who have children should not wait for fluoridation but go out and buy tablets or the pills so their children will not be deprived of the benefits. However, there is still a lot of doubt in my mind as to the desirability of putting fluorine in the water supply."

MR. BRADBURY spoke in opposition to the resolution. He said: "No matter how much information I read or receive, I still remain a layman and still feel that I do not know enough to vote on this. I want to argue on the freedom of choice or the lack of it. If a father or mother wants to have their children's teeth fluoridated there are a number of ways this can be accomplished. The dentist can paint the child's teeth, which is supposed to give protection, they can give them the tablets in their drinking water, or they can purchase the tooth paste that contains fluorine. You take away a person's freedom of choice when you put fluorine in the drinking water that everyone must drink. Freedom of choice is one of our most precious possessions in this country that we possess." (applause from the spectators).

MR. TOPPING spoke against the resolution. He said: "We have heard the arguments for and against putting sodium fluoride into our drinking water. But, we still have no positive assurance that the fluoridation of our water supply will help any segment of our population - nor do we have any assurance that it will not be harmful to many people when used regularly over a period of years. Personally, I am very much opposed to mass medication, and there are many others who feel as I do. The fluoridation of the public water supply is a definite violation of the rights of the individual. It is also a far more costly method of distributing sodium fluoride to those who want it, than the use of a doctor's prescription and fluoridated tooth paste. Since tooth decay is not a contagious disease and cannot become an epidemic, the addition of this poison to our public water supply for the 'en masse' treatment of our people is entirely unnecessary. Therefore, I urge every member of this Board to vote no on this resolution. The House of Delegates of the Association of American Physicians & Surgeons, Inc., in Chicago, Ill., on October 8, 1955 definitely opposed fluoridation in principle. You were not told the truth, as there are responsible medical organizations in opposition to fluoridation. Artificial fluoridation of public drinking water is a hoax on the American people. Last month the Texas Medical Association (April 1956) voted unanimously not to endorse it and voted further not to let the subject come up again for five years. This is in the Congressional Record of May 8, 1956." Mr. Topping also read the following letter:

CITY OF SCHENECTADY, NEW YORK  
Office of the City Manager

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March 1, 1956

Mr. C. Barden  
215 Morgan Street  
Oberlin, Ohio

Dear Mr. Barden:

Reference is made to your inquiry of February 20, 1956, regarding the fluoridation of our water supply.

Please be advised that the corrosion of the fluoride pumps and pipes have rendered this apparatus unserviceable and, therefore, we have temporarily discontinued the process.

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We now find that the replacement of this equipment will cost between \$25,000 and \$30,000 and it will be up to the City Council to decide whether or not they wish to make this expenditure and continue fluoridation.

I trust that this gives you the desired information.

Sincerely yours,

(signed) Arthur Blessing  
City Manager

MR. SNYDER also spoke in opposition to the resolution. He said: "It would be morally wrong for this group of 35 people to take it upon themselves to require all the citizens of the City of Stamford to drink fluoridated water. If it is referred to a referendum, I will vote for it, but I think the voters alone should have the decision as to whether or not they want it - it is something they alone should decide upon."

MR. NOLAN spoke in favor of the resolution. He said: "We have to go on the credentials of the people who spoke to us on this question. If we cannot rely on such an authority as the American Medical Association, there is something wrong. It is good enough for me. We are the elected representatives of the people of Stamford and have a duty to perform. We have a right to act for the people we represent - that is what we are here for. It is a well known fact that a referendum does not bring out the voters. If it goes to a referendum, I think it will be a case of passing the buck, if we refer it to the voters."

MR. HUIZINGA: "The thing that troubles me is that at the outset both the pros and the cons presented very good arguments, which leaves a doubt in everyone's mind which is the best course of action to take."

MR. RHOADES: "We discussed the matter in the Republican Caucus and we thought it should be left to each individual to make up his own mind."

MR. GEORGOULIS: "We, also, at our Democratic Caucus felt the same way - that this is such an important matter that the individual alone should make up his own mind and it should not be a partisan affair."

MR. HUIZINGA: "It would appear that the question is party-wise and this is not the case. I think our job is to represent the citizens of the city. I think we are putting the cart before the horse. We have a private water company who have to make up their minds as to what kind of water they are going to sell the City of Stamford and I think we should first get a statement from the owners of the water company to find out how the company feels about this. I don't think we should even vote on this matter until we receive a statement from the water company whether or not they want it. I MOVE this be recommitted to Committee until they have a statement from the water company before any change is made." Seconded by Mr. Topping.

MR. LEWIS: "Would the Chairman approach the water company on this question?"

154. MR. RAITERI: "The Stamford Water Company would comply with the wishes of the Board and go along with whatever the Board decides to do."

Correction  
Voted on  
7/2/56  
V.4  
MR. KETCHAM: "I am an employee of the water company and not authorized or prepared to speak for management and the Board of Directors. Generally speaking, the Water Company adheres to the policy of the American Water Works Association, in that if national, state and local authorities and the consumers desire it, the water company can undertake the program. The governing body of a city can make its desires known by legislation



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to that effect." Mr. Ketcham stressed the fact that the water company wishes to be responsive to the desires of the consumers whom it serves.

Mr. Georgoulis spoke against recommitment to committee of the question before the Board.

VOTE taken on Mr. Huizinga's motion to recommit to committee. LCST 34 opposed and 1 in favor.

Mr. Russell spoke in favor of fluoridation. He said if various research laboratories are in favor of fluoridation, he thinks their word should be accepted. He said: "It is impossible for us to put this information before the public to try and digest it. I think we should go along with the recommendations of the committee."

MR. RUSSELL MOVED for a roll call vote on the fluoridation resolution. Seconded by several voices.

Mr. Ketcham requested permission to abstain from voting because of his association with the water company. Permission was given.

VOTE taken on the fluoridation resolution (see item No. 5 above) and LOST by a vote of 11 in favor, 23 opposed and 1 abstention, as follows:

Those in favor: Ellis Baker, Mary Bankowski, Joseph Iacovo, John Macrides, Joseph Milano, William Murphy, John Nolan, Paul Plotkin, Clement Raiteri, Norton Rhoades and George Russell.

Those opposed: Charles Bradbury, William Brett, George Connors, Edward Czupka, John De Forest, Robert Findlay, George Georgoulis, Charles Gilbert, Salvatore Giuliani, William Hearing, Rutherford Huizinga, Stephen Kelly, Anthony Kolich, Robert Lewis, John Lillienstahl, Frank Longo, Helen Peatt, Gerald Rybnick, Irving Snyder, Thomas Topping, Clifford Waterbury, Edward Wynn and Doris Zuckert.

Abstained from voting: Alan Ketcham.

MR. PLOTKIN MOVED for suspension of the rules in order to vote for a referendum to be held on the issue of fluoridation. Seconded by Mr. Rhoades.

MR. LEWIS MOVED to AMEND that the matter of fluoridation be referred to the voters at the next regular election. Seconded by Mr. Huizinga.

A request was made to hear from the Corporation Counsel and MR. LEWIS MOVED to hear from Mr. Hanrahan, the Corporation Counsel, who was present. Seconded by Mr. Hearing, and CARRIED by a vote of 23 in favor and 12 opposed.

Mr. Hanrahan said he was not prepared to answer the question of whether or not the Board could pass on holding a referendum in the fall election.

MR. LEWIS MOVED that a vote be taken on holding a referendum in the fall election, subject to a ruling of the Corporation Counsel. Seconded by Mrs. Peatt.

MR. NOLAN: "Connecticut is one of the states that does not have the power to enable a city board to do this - it has to go through the Legislature."

MR. SNYDER MOVED that the Board of Representatives request the Legislative and Rules Committee to confer with the Corporation Counsel to see whether the matter of fluoridation can be referred to a referendum, and we, the Board of Representatives do hereby by our vote express our willingness or lack of willingness to have the city water



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supply fluoridated."

MR. NOLAN: "We don't have the power to have a referendum, but we do have the power to hold a public opinion poll."

MR. HANRAHAN: "The most that I can see, without further investigation, that the Board can do is have a public opinion poll, but this is just a surmise on my part - I would have to look into it further."

MR. LEWIS: "I am not interested in a public opinion poll. If we have to go to the State Legislature, then that is what we will have to do."

MR. RAITERI: "We have so many complications here. Let's get all the facts first. I think we should get an opinion from the Corporation Counsel first in writing."

MR. RHOADES: "On the contrary, I think it is very simple. If we pass Mr. Lewis' motion we then recommend a referendum, if the Corporation Counsel recommends it can be done. Then we can vote whether or not to hold the referendum at our next meeting."

VOTE taken on Mr. Lewis' motion. LOST, 23 opposed and 12 in favor.

Mr. Giuliani asked to be excused at 9:55 P.M.

MR. RAITERI moved for a recess to enable the visitors to leave. Seconded and CARRIED unanimously.

The President called the meeting to order at 10:05 P.M.

(6) Resolution re J. M. Wright Technical School.

MR. RAITERI MOVED to confirm the original adoption of Resolution No. 212 as passed by this Board March 5, 1956. (See pages 1109 and 1110 of Minutes) Seconded and CARRIED unanimously.

(7) Final adoption of ordinance previously adopted for publication at May 7, 1956 meeting. (See pages 1197 and 1198 of Minutes)

MR. RAITERI MOVED for final adoption of the following Ordinance: Seconded by Mr. Baker and CARRIED unanimously:

ORDINANCE NO. 55 SUPPLEMENTAL

ORDINANCE RE SALE OF CITY-OWNED PROPERTY TO MR. ANDREW HAGYMASI, JR.

BE IT ORDAINED BY THE CITY OF STAMFORD that in conformity with Section 488 of the Stamford Charter and notwithstanding any provision of Chapter 31 of the Code of General Ordinances of Stamford, the sale to Mr. Andrew Hagymasi, Jr., residing at 19 Silver Street, of the following property, viz: That property designated as Lot #91, on Map #2 of Burwood Heights, as filed in the City Clerk's office, for not less than the sum of five hundred and twenty-five dollars, is hereby authorized, subject to approval by the Board of Finance, approval of the Mayor having already been granted.

The Mayor is hereby authorized and empowered to act for the City and to execute all documents necessary to transfer title

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to such property.

This ordinance shall take effect from the date of its enactment.

(8) Changing Name of Wofsey Road to Alpine Street.

MR. RAITERI MOVED for suspension of the rules in order to consider an ordinance on the above matter. Seconded by Mr. Baker and CARRIED unanimously.

MR. RAITERI MOVED to hear from Mr. Murphy, Chairman of the Planning and Zoning Committee in reference to the above road.

MR. MURPHY MOVED for acceptance of Wofsey Road as a public highway, from Cedar Heights Road to Alpine Street. Seconded by Mr. Russell and CARRIED unanimously.

MR. RAITERI then MOVED for waiver of publication of the following ordinance. Seconded by Mr. Ketcham and CARRIED unanimously.

MR. RAITERI MOVED for adoption of the following ordinance. Seconded by Mr. Waterbury and CARRIED unanimously:

ORDINANCE NO. 36 SUPPLEMENTAL

CHANGING THE NAME OF WOFSEY ROAD TO ALPINE STREET

BE IT ORDAINED BY THE CITY OF STAMFORD that the name of Wofsey Road, running south from the southerly end of Alpine Street to the point of intersection with Cedar Heights Road, is hereby changed to Alpine Street.

This ordinance shall take effect upon the date of its enactment.

Public Works Committee:

Mr. Topping, Chairman, gave a progress report in regard to a complaint referred to his committee and also to the Health and Protection Committee on a problem of contamination of river running on the west side of Hope Street, Springdale, South of Bennett Street. This complaint was signed by a Mrs. Philomena Clark, proprietor of Min's Sea Grill, 920 Hope Street, and by 30 other petitioners. Mr. Topping explained that this appeared to be a septic tank drainage problem and until the culprit was located, it would be under investigation. A further report would be forthcoming at a later date.

Mr. Topping explained he could not present a committee report, because a quorum was not present at his meeting.

MR. MACRIDES: "Does a committee have to have a quorum present at a meeting in order to bring in a report?"

MR. NOIAN: "I think we should follow Robert's Rules of Order on this procedure."

It was agreed that Mr. Topping should present his committee report, even though a quorum had not been present and that in the future a committee should bring in a report regardless of how many attended the meeting, following Robert's Rules in regard to a quorum: ".....it (meaning a quorum) consists of those who attend the meeting, provided it is either a stated meeting or one that has been properly called."

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Mr. Topping then presented his committee report:

The Public Works Committee held a meeting May 24, 1956. Members present were: Anthony Kolich and Thomas Topping. Members absent were: Vincent Vitti, Alan Ketcham and Eugene Barry. Vitti and Ketcham reported as being sick, but no report from Eugene Barry.

As we had no quorum we could not take official action on the following items referred to this committee by the Steering Committee:

- (1) Letter from Springdale residents about the brook from Bennett Street South to Hope Street concerning a health problem.
- (2) Letter from residents of Loveland Road concerning road conditions.
- (3) Letter from residents on Applebee, Benstone, Camore and Dartley Street, re road conditions and drainage.
- (4) Letter from Alanson Fredericks concerning drainage problem on Turn-of-River Road.
- (5) Letter from William Flatow concerning Scofieldtown dump.

In reference to item (1) Mr. Topping already spoke. On item (2) Loveland Road, Mr. Topping said this was a privately owned road. In reference to (3) he said the city had no jurisdiction here, but that the residents must get after the developer. On (4) he said \$10,000 had been appropriated in the budget to take care of this condition. In reference to (5) he said they had not yet had an opportunity to confer with Mr. Chase and would do so at the first opportunity.

Health and Protection Committee:

Mr. Milano, Chairman, presented the following report of his Committee:

HEALTH & PROTECTION COMMITTEE  
Report, June 3, 1956

In reference to a petition received from a Mrs. Clark, a resident of Springdale, in regards to a sewage problem in the rivet running on the west side of Hope Street and south of Bennett Street, Springdale.

The Committee recommends that a copy of this petition be forwarded to the Commissioner of Health Department and that he have his department investigate this condition and take whatever steps necessary to remedy this condition.

Joseph Milano, Chairman  
Frank W. Longo  
Robert Lewis  
John L. De Forest  
Stephen E. Kally



Mr. Russell called attention to the fact that the Legislative and Rules Committee were planning to have a meeting with the Health Department representatives in regard to the septic tank situation next to Min's Sea Grill and after this was done, they would know more about the situation.

Planning and Zoning Committee:

Mr. Murphy, Chairman, presented the following report of his Committee:

1. We recommend the acceptance of Wofsey Road from Cedar Heights Road to Alpine Street; Jay Road, from Alpine Street to dead end; and Ken Court, from Jay Road north to the boundary of Chester Park, all of which are shown on Map #4489, Block #378 on file in the City and Town Clerk's office.
2. Deacon Hill Road extension. As the acceptance of this road has been held up by the City Engineer, this committee can take no action on this matter.
3. Acceptance of Dundee Road, Sawmill Road, Arden Lane and the second section of Clay Hill Road, has been held up by the City Engineer.
4. Conveyance by the City of Stamford of a portion of Betts Avenue to Standard Brands, Inc. The Committee's feeling on this matter is that a precedent may be set by deeding over city property without compensation and recommends caution.

William D. Murphy, Chairman  
Helen J. Peatt  
George E. Russell

(1) WOFSEY ROAD, JAY ROAD, KEN COURT:

(Wofsey Road previously accepted as a city street - see (8) under Legislative and Rules Committee)

MR. MURPHY MOVED for acceptance of Jay Road and Ken Court. Seconded by Mrs. Peatt and CARRIED unanimously.

(2) DEACON HILL ROAD EXTENSION:

Mr. Murphy said no action can be taken at this time, as the City Engineer's office has held up acceptance of this road.

(3) DUNDEE ROAD, SAWMILL ROAD, ARDEN LANE, AND SECOND SECTION OF CLAY HILL ROAD.

Mr. Murphy said no action can be taken on the above roads, as the City Engineer's office has not approved these roads for acceptance.

(4) BETTS AVENUE

Mr. Murphy stated that the committee recommended caution on the request to return this road, (Previously accepted by the City as a public highway) to the owner, Standard Brands, Inc.

MR. MURPHY MOVED to hear from the Corporation Counsel on this request. Seconded by Mr. Hearing and CARRIED unanimously.

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MR. HANRAHAN explained that there was no legal reason why this road could not be returned to the original owner as a private road, as the city never had title to this road and there was no problem of taxes.

MR. MURPHY MOVED that the City of Stamford convey the following portion of Betts Avenue to Standard Brands, Inc. Seconded by Mrs. Peatt and Mr. Nolan and CARRIED, 31 in favor and 2 opposed:

Description of Road:

NORTHERLY - 50 feet by Betts Avenue, said northerly line being a continuation westerly of the southerly line of Amelia Place to the westerly line of said Betts Avenue as shown and delineated on a certain map entitled "Map of Property to be Conveyed by the Factory Estates, Incorporated to Standard Brands, Incorporated, Stamford, Conn.", which map is on file in the office of the Town Clerk of the said City of Stamford as Map No. 5113, reference thereto being had; EASTERLY, 125 feet, SOUTHERLY, 50 feet, westerly, 125 feet, all by land of Standard Brands, Incorporated.

(5) MARLOU LANE:

Mr. Murphy said that inasmuch as this road was referred back to Committee at the September 12, 1955 meeting (see pages 945, 946, and 947 of Minutes) and a report was given at the February 6, 1956 meeting (see page 1001 of Minutes) but no action taken because the deadline for road acceptance had been passed, that he now wished to bring the matter of acceptance of this road up again.

MR. MURPHY MOVED that Marlou Lane be accepted as a public highway. Seconded by Mr. Russell.

MR. NOLAN: "The speaker is out of order."

VOTE taken on acceptance of Marlou Lane. LOST by 1 in favor and 32 opposed.

Mr. Murphy asked to be excused at this time and permission was granted.

Parks & Recreation Committee:

Mr. Kelly, Chairman, presented the following report of his Committee:

The Parks and Recreation Committee met on Monday, May 28th, 1956, at 8:00 P.M. with four members present: Frank Longo, William Hearing, Edward Wynn, and Stephen Kelly. Jack McLaughlin was confined to his home under doctor's orders and so notified the committee. Mr. Gilbert could not be contacted by 'phone to notify him of change of meeting night. Sam Giuliani thought the meeting was scheduled for Tuesday evening instead of Monday.

The Committee opened discussion on a subject that is troubling them and many other members of the Board, namely: Questions that have been asked of them on the street, at their place of employment, and over the telephone, concerning the fee of one dollar charged to the taxpayers for the privilege of parking in city parks and at city beaches, the possibility of the raising in price of the cost of bath house rentals, boat moorings, and the charging of a fee for the use of picnic areas by the various groups comprising industry, veterans organizations, civic and family groups, all of whom are taxpayers and



contribute the appropriations each year to maintain the parks and beaches and pay the salaries of the workers.

The Parks and Recreation Committee would like to have this problem referred to the proper committees of the Board and to the Corporation Counsel for answer as to the legality of these charges, if the right to impose these charges has been given to the Park Commission through the passage of the State Statute, which created the Park Commission and does the imposing of these charges require either ratification or approval by the Board of Representatives?

The request for a play area on Cove Island for children who would normally be served by the K. T. Murphy School was withdrawn at our last meeting, through permission of the Board and handled by your Committee through letters addressed to the Mayor, the Park Commission and the Board of Recreation, and I am happy to report that through the cooperation of the Mayor, the Park Commission and the Board of Recreation, the request has been granted, for which the mothers who presented the request are very grateful, and have asked me to express their thanks to all concerned.

Under date of April 11th, 1956, the Secretary of our Board sent out a letter to the Chairman of the Park Commission and one to the Chairman of the Board of Recreation, notifying them that the Board would like to request, that the Chairman, or an alternate of the Parks and Recreation Committee, be permitted to sit in at their meetings, to further acquaint his committee with the requirements of the above mentioned boards and to further a better liaison between these boards and our board.

With no reply having been made by the Park Commission up to and including May 21st, the Steering Committee again notified both Boards of the request, (the Board of Recreation had, in the meantime invited the Chairman to sit in at their meetings as had been the practice, and I believe our Secretary has received confirmation of this) but your committee has not been notified as to the intentions of the Park Commission regarding this request.

Stephen E. Kelly, Chairman  
Frank Longo  
William Hearing  
Edward Wynn, Jr.  
Jack McLaughlin  
Salvatore Giuliani  
Charles Gilbert

Committee on Education & Welfare:

MR. GEORGOULIS MOVED that the name of this Committee be changed to that of COMMITTEE ON EDUCATION, WELFARE AND GOVERNMENT. Seconded by Mr. Rhoades and CARRIED unanimously.

Mr. Macrides presented the following report of his Committee:

COMMITTEE ON EDUCATION & WELFARE  
Meeting held May 29, 1956

The Committee on Education and Welfare met at the offices of John C. Macrides at 7:00 P.M. on Tuesday, May 29, 1956. Mr.



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Gilbert, Mr. Lilliendahl and Mr. Macrides, Chairman were present. Mr. Brett and Mr. Czupka were absent.

Several Welfare Department requests for appropriations were considered. Department of Public Welfare, Code 450-61, Cash Relief, \$21,000 was approved. Department of Public Welfare, Code 460-A, General Hospitals, \$24,000 was also approved. Welfare Department, Code 20WH 460.1, Upgrading adjustment of Salaries, \$2,136.64, which was considered at the last meeting of the Board of Representatives and recommitted so that the Fiscal Committee could discuss the Board of Finance's method of supervising changes in classification with said Board, was approved, subject to the outcome of the aforesaid discussion.

The Committee discussed the proposed new location of the J. M. Wright Technical School at Woodside Park and favors the taking of any steps, even if they should include the conveyance of the land to the State without any contingencies, which would expedite construction. It also favors the conveyance of the old building to the Sacred Heart Church for the purpose of use as a parochial elementary school. Consideration for same could be in accordance with the terms of a letter of March 28, 1956 sent to our Board by the Corporation Counsel.

The Committee also discussed the report of the Citizens' Committee on School Sites and wishes to place on record its congratulations to this Citizens' Committee for the marvellous accomplishments it achieved in view of its limited facilities. The aforesaid report was made with a view toward furnishing information and contained no recommendations. Our committee also makes no recommendation as to the preference of one potential school site over another, but it seriously recommends that some action be taken very soon toward the acquisition of Junior High School and High School sites, as it is completely convinced of an immediate need for both.

Respectfully submitted,

JOHN C. MACRIDES, Chairman  
Charles A. Gilbert  
John R. Lilliendahl, Jr.

MR. SNYDER MOVED for approval of the Committee's report as read. Seconded by Mr. Iacovo and CARRIED unanimously.

#### Housing Committee:

Mr. Longo, Chairman, presented the following committee report:

#### HOUSING COMMITTEE REPORT Meeting held May 22, 1956

The Housing Committee of the Board of Representatives met in the Mayor's office, City Hall, on May 22, 1956 at 8:00 P.M.

Present at the meeting were: Mrs. Doris Zuckert, Irving Snyder, Anthony Kolich, Gerald Rybnick, Mark Harris, from Urban Redevelopment; Arthur Swinnerton, Building Inspector;

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Dr. James Costanzo, Health Commissioner; Mr. Nicholas, Health Department; Robert Demms, City Housing Authority; William Densky, Fire Marshal; Arthur Di Sosa, Assistant Corporation Counsel and Frank Longo, Chairman. Walter Wachter, Director of Planning and Zoning, was absent. He had another meeting to attend, but assured the Chairman he would be present at the next meeting of this Committee.

The Chairman read the Mayor's letter concerning the workable program and asked Mr. Harris to explain to the Committee how this program worked. Mr. Harris explained that the city of Stamford (and all cities) is required to have a workable program prepared in order to obtain financial aid from the Federal government. This program must then be accepted by the government, who will then give us the aid we need in order to clean up our blighted, slum, and deteriorated areas.

A general discussion followed. At our next meeting we will continue the work started on this program. The meeting adjourned at 10:30 P.M.

Respectfully submitted,

Frank Longo, Chairman  
Anthony Kolich  
Irving Snyder  
Doris M. Zuckert  
Gerald J. Rybnick

Mr. Longo then presented the following report:

REPORT OF CHAIRMAN, HOUSING COMMITTEE, BOARD OF REPRESENTATIVES  
Re: 'Workable Program' Requirements of Federal Housing Act of 1954

The letter of March 6, 1956 from Mayor Quigley to the President of the Board of Representatives indicates clearly the need for the City of Stamford to prepare a 'workable program' for the elimination and prevention of the development or spread of slums and urban blight, to encourage needed urban rehabilitation and to provide for the redevelopment of blighted, deteriorated or slum areas.

While the Board of Representatives is authorized to prepare a 'workable program', it may delegate this responsibility to a municipal agency. Since our Board is basically a legislative body, and since the execution of the 'workable program' is primarily an executive function, it is recommended that the preparation of the 'workable program' be delegated to some municipal agency.

The 'workable program' requirements are administered by the Urban Renewal Administration of the Housing and Home Finance Agency, which also directs the activities of our Urban Redevelopment Commission with respect to all of its redevelopment and renewal activities. Since the projects of the Urban Redevelopment Commission are most intimately connected to the execution of the 'workable program', it is recommended that the Urban Redevelopment Commission prepare the 'workable program', subject to review and approval by this Committee and the Board of Representatives



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Since the "workable program" involves several other municipal departments which will be obliged to institute and carry out its detailed administration, it is further recommended that the following municipal departments advise and assist the Urban Redevelopment Commission in the preparation of those features of the "workable program" which are the direct concern of those departments. It is to be assumed that no element of the "workable program" will be incorporated in that document without the consultation and advice of that department.

Planning Board  
Zoning Board  
Building Inspector  
Health Department

Fire Marshal  
City Housing Authority  
Corporation Counsel

It is further recommended that the Board of Representatives adopt the following resolution:

WHEREAS, the Housing Act of 1954 authorizes various forms of Federal financial housing assistance to municipalities, provided that the City requesting the aid prepares and takes steps to carry out a "workable program" (which shall include an official plan of action, as it exists from time to time, for effectively dealing with the problem of slums and blight within the community and for the establishment and preservation of a well-planned community with well-organized residential neighborhoods of decent homes and suitable living environment for adequate family life) for utilizing appropriate private and public resources to eliminate and prevent the development or spread of, slums and urban blight, to encourage needed urban rehabilitation, to provide for the redevelopment of blighted, deteriorated, or slum areas, and

WHEREAS, the preparation and execution of such a "workable program" would be of benefit to the City of Stamford, and

WHEREAS, the Board of Representatives is authorized by statute to designate some public officer or body to prepare such a "workable program";

NOW, THEREFORE, BE IT RESOLVED, by the Board of Representatives, that the Urban Redevelopment Commission be authorized to prepare such a "workable program", subject to the approval of the Board of Representatives, and

BE IT FURTHER RESOLVED, that the following municipal departments advise and assist the Urban Redevelopment Commission in the preparation of the "workable program":

Planning Board  
Zoning Board  
Building Inspector  
Health Department  
Fire Marshal  
City Housing Authority  
Corporation Counsel



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Frank W. Longo, Chairman  
Anthony Kolich  
Doris M. Zuckert  
Irving G. Snyder  
Gerald J. Rybnick

MR. LONGO MOVED for adoption of the following resolution. Seconded by Mr. Topping and CARRIED unanimously:

RESOLUTION NO. 225

AUTHORIZING URBAN REDEVELOPMENT COMMISSION  
TO PREPARE A WORKABLE PROGRAM IN ORDER TO  
OBTAIN FEDERAL FINANCIAL AID IN ELIMINATING  
BLIGHTED, DETERIORATED AND SLUM AREAS.

WHEREAS, the Housing Act of 1954 authorizes various forms of Federal financial housing assistance to municipalities, provided that the City requesting the aid prepares and takes steps to carry out a workable program (which shall include an official plan of action, as it exists from time to time, for effectively dealing with the problem of slums and blight within the community and for the establishment and preservation of a well-planned community with well organized residential neighborhoods of decent homes and suitable living environment for adequate family life) for utilizing appropriate private and public resources to eliminate and prevent the development or spread of, slums and urban blight, to encourage needed urban rehabilitation, to provide for the redevelopment of blighted, deteriorated, or slum areas, and

WHEREAS, the preparation and execution of such a workable program would be of benefit to the City of Stamford, and

WHEREAS, the Board of Representatives is authorized by statute to designate some public officer or body to prepare such a workable program,

NOW, THEREFORE, BE IT RESOLVED by the Board of Representatives that the Urban Redevelopment Commission be authorized to prepare such a workable program, subject to review by the Board of Representatives and the Housing Committee of the Board of Representatives, and

BE IT FURTHER RESOLVED, that the following municipal departments advise and assist the Urban Redevelopment Commission in the preparation of the workable program:

Planning Board	Fire Marshal
Zoning Board	City Housing Authority
Building Inspector	Corporation Counsel
Health Department	

COMMUNICATIONS FROM THE MAYOR

The following letter was read and referred to the Legislative and Rules Committee:

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## CITY OF STAMFORD, CONN.

May 24, 1956

Board of Representatives  
Stamford, Conn.

Attention: Mr. George V. Connors, President

Dear Mr. Connors:

Re Ordinance #53 Supplemental, for the "Impounding and Sale of Personal Property left on the Streets and Public Places", I regret to inform you that, after examining the above ordinance and consulting the police department and the legal department, I do not feel that the same is practical from an enforcement point of view.

Accordingly, I am herewith notifying you, in accordance with the provisions of the Charter, that I am vetoing said ordinance.

I would suggest, however, that your Legislative and Rules Committee consider the possibility of providing an amendment to the existing ordinances relative to obstruction of streets, whereby a provision is made to prohibit the obstruction of public property, such as parking lots.

Very truly yours,

Thomas F.J. Quigley  
Mayor

The following communication was read:

## CITY OF STAMFORD, CONN.

June 4, 1956

Board of Representatives  
Stamford, Conn.

Attention: Mr. George V. Connors, President

For your information, I wish to inform you that I have appointed to the TOWN HOUSING AUTHORITY:

Joseph F. Caputo  
11 Sea Beach Drive

to replace Martial G. Harris. Term to expire December 1, 1957. Mr. Caputo is a member of the Democratic party.

Dr. Bernard O. Nemolita  
Long Ridge Road

June 4, 1956

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to replace Howard N. Gold. Term to expire December 1, 1956. Dr. Nemo is a member of the Democratic party.

Very truly yours,

Thomas F. J. Quigley  
Mayor

The following communication was read and referred to the Appointments Committee:

CITY OF STAMFORD, CONN.

June 4, 1956

Board of Representatives  
Stamford, Conn.

Attention: Mr. George V. Connors, President

Dear Mr. Connors:

I herewith submit to you, for approval, the following names for appointment to the PARKING AUTHORITY:

James J. Healey  
Newfield Avenue

to replace William Katz, term to expire January 1, 1959. Mr. Healey is a member of the Democratic party.

Mr. William C. Druehl  
25 Camore Street

to replace Thomas Cassidy, term to expire January 1, 1958. Mr. Druehl is a member of the Republican party.

Very truly yours,

Thomas F. J. Quigley  
Mayor

Letter dated May 24, 1956 from Mayor Quigley regarding exercise of option in lease by U. S. Government on Naval Training Center on Magee Avenue for one year, from June 30, 1956 to June 30, 1957, was duly noted and upon MOTION of Mr. Raiteri, seconded by Mr. Nolan, the renewal of the lease was APPROVED by unanimous vote.

#### PETITIONS

Petition No. 215 - Request from Ringling Bros., Barnum & Bailey Circus for use of Magee Avenue Show Grounds to exhibit two performances on June 14, 1956.

MR. SNYDER: "I feel that if the Circus is to be here that the City should receive some token of compensation for the inconvenience caused."

1550



June 4, 1956

MR. SNYDER MOVED that if permission is to be granted that the City be compensated by 2% of the gate receipts. Seconded by Mr. Brett.

There was a great deal of discussion at this point as to how permission should be granted for fairs, carnivals, circuses and the like.

MR. HUIZINGA MOVED that the precedent of giving permission to affairs of this sort when the request is received too late to have it go through the regular channels be discontinued and that no permits be issued in the future to any fair or carnival.

MR. NOLAN MOVED that Mr. Snyder's motion be referred to the Legislative and Rules Committee. Seconded by Mr. Raiteri.

MR. RAITERI suggested that Mr. Snyder withdraw his motion in order that the Legislative and Rules Committee could investigate this further. This Mr. Snyder agreed to do. VOTE taken on referring this question to the Legislative & Rules Committee and CARRIED unanimously.

MR. RHOADES MOVED for suspension of the rules in order to hear a resolution from Mr. Kelly. Seconded by Mr. Russell and CARRIED unanimously.

MR. KELLY introduced the following resolution and MOVED for its adoption. Seconded by Mr. Topping:

BE IT HEREBY RESOLVED by the Board of Representatives of the City of Stamford, Connecticut that:

WHEREAS, it is the function and duty of the Parks and Recreation Committee of the Board of Representatives to consider any and all petitions and requests for the use of city-owned land for the purpose of running carnivals, circuses, bazaars, fairs, and other similar affairs, and

WHEREAS, it is also the function and duty of the above mentioned committee to discuss in the proper manner and decide upon recommendations for approval or disapproval of said requests and/or petitions, to the Board of Representatives as a whole for their action, approval or disapproval, and

BE IT FURTHER RESOLVED, that the Board of Representatives cause to be enacted and incorporated under the Board's rules this resolution in full.

MR. SNYDER MOVED that the above resolution be referred to the Legislative and Rules Committee. Seconded by Mr. Topping and CARRIED unanimously.

MR. RHOADES said that inasmuch as the Petition from Barnum and Bailey Circus had not as yet received the approval of the Board that he MOVED that this petition be granted. Seconded by several voices and CARRIED unanimously.

Petition No. 216 - Request from Stamford Yacht Club for permission to have fireworks the evening of July 4th.

MR. KELLY MOVED for approval of this request. Seconded by Mr. Russell and CARRIED unanimously.

Petition No. 217 - Request from St. Andrew's Fellowship of St. Andrew's Church to hold Fair on Church grounds June 9th, from 10:00 A.M. to 5:00 P.M.

MR. KELLY MOVED for approval of this request, pending approval of the Chief of Police. Seconded by Mr. Rybnick and CARRIED unanimously.

Petition No. 218 - Request from Hubbard Heights Garden Club to hold their annual street fair September 15th.

MR. KELLY MOVED for approval of this request, pending approval of the Chief of Police. Seconded by Mr. Iacovo and CARRIED unanimously.

Petition No. 219 - Request from Lions Club to change date of Circus, originally granted by Board on May 7 1956, to another date, namely, August 11th.

MR. KELLY MOVED for approval of this request, subject to the approval of the Chief of Police, the posting of the necessary bonds with the Corporation Counsel, the proper insurance coverage, payment of permit fees, the approval of the Fire Marshal, and the removal of any and all debris from the grounds before the Circus leaves Stamford. Seconded by Mr. Hearing and CARRIED; Mr. Snyder, Mr. Huizinga and Mr. Brett voting in opposition.

Petition No. 220 - Request from Emmanuel Episcopal Church to hold their annual Fair to run from June 20th through June 23rd.

Inasmuch as this request came in too late to go through the regular channels, MR. KELLY MOVED for Suspension of the Rules in order to consider it at this time. Seconded by Mr. Nolan and CARRIED unanimously.

MR. KELLY MOVED for approval of this request. Seconded by Mr. Nolan and CARRIED unanimously.

Request in letter of May 8 1956 from Oscar H. Cowan Post No. 3, of American Legion Stamford Post, to bring the 'World of Mirth Shows' to the Magee Avenue Show grounds from June 25th through June 30th, 1956.

Inasmuch as this request had been misplaced and for this reason had not been received by the committee until too late to be considered, MR. KELLY MOVED for Suspension of the Rules in order to consider it now. Seconded by Mr. Baker and CARRIED unanimously.

MR. KELLY MOVED for approval of this request. Seconded by Mr. Baker.

Mrs. Bankowski asked to be excused at this time and was granted permission.

MR. SNYDER said he protested the granting of this petition - that he was opposed to Carnivals coming to Stamford.

MR. TOPPING said he also was against carnivals.

MR. HUIZINGA: "I understand this is one of the biggest Carnivals in the Country."

MR. GEORGOULIS: "They assured me that there would be no gambling or girlie shows."

MR. KELLY said no one had to worry about the wrong type of show being put on because the Chief of Police would not stand for it.

VOTE taken on this petition and LOST, 12 in favor and 20 opposed.

COMMUNICATIONS FROM OTHER BOARDS AND INDIVIDUALS

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June 4, 1956

The following communications were read:

- (1) Carbon copy of letter dated May 22, 1956 from Stamford Good Government Association to Mayor Quigley, urging support of position taken by Chamber of Commerce and Merchants Association re widening of Broad Street. Ordered filed.
- (2) Letter from Corporation Counsel, in response to inquiry from the Board for an opinion on the passage of the Rent Control Ordinance, being Ordinance No. 52:

CITY OF STAMFORD, CONN.

May 22, 1956

Board of Representatives  
City Hall  
Stamford, Connecticut

Ladies and Gentlemen:

In response to the inquiry of your Board received by me on May 18, 1956 as to whether or not the rent control ordinance was passed in accordance with "our rules and in accordance with the provisions of the Charter", I submit the following:

Section 202 of the Charter provides for the calling of a special meeting by the President of the Board and states that-

"No business shall be transacted at a special meeting which is not within the purposes of the call."

The call for the March 28, 1956 special meeting stated it was "for the purpose of:

- "1. Reconsidering the action taken at meeting of Board held on Tuesday, March 20, 1956, pertaining to Rent Control Ordinances,
- "2. Considering proposed resolution by R. G. Huizinga, pertaining to establishment of a Fair Rent Committee of the Board of Representatives."

A review of the minutes of the March 20th meeting reveals that the Board voted not to publish a rent ordinance and not to adjourn to March 27th. Therefore, a subsequent special meeting of the Board would require a new call.

A review of the call for the March 28th meeting would indicate that its substance was to permit the Board to act on a rent ordinance or on Mr. Huizinga's resolution. However, the language of the call stated that its purpose was "reconsidering the action taken" at a previous meeting.

Whether or not a vote not to take action or not to adjourn to a specific date can be called "legislative action" takes us into the realm of metaphysics rather than the legal interpretation of legislative action. It is a presumption of law that a legislature is presumed



not to do a foolish, useless or illegal thing and if legal expression can be given to its intention as expressed by its action, it must be upheld.

In commenting upon the procedural aspects of the action of the Board, you will recall that pursuant to the Charter, your Board adopted Rules of Order on September 12, 1955, which, among other things, provided that-

"The rules of parliamentary procedure as contained in Robert's Rules of Order, Revised, shall govern the Board in all cases to which they are applicable and in which they are not inconsistent with these rules."

and that-

"These rules shall not be amended, except by vote of at least two-thirds of the members present at a meeting in which the notice of said meeting includes the text of the amendment."

It is not unusual for situations to arise in legislative assemblies where the assembly wishes or is required to act, but is prevented from doing so by the rules of parliamentary procedure, by a program already adopted, or by a standing rule.

To take care of such situations, a procedure known as "Suspension of Rules" has been evolved. Suspension of Rules is not regarded as an amendment to the rules. It is a means to enable the assembly to take action which its rules prevent. Suspended rules become effective again as soon as the purpose for which they were suspended has been accomplished.

In the instant matter, it is obvious from a reading of the minutes of your Board that the members desired to adopt an ordinance at the particular meeting.

The size of the vote to hold a caucus and to suspend prior introduction and publication under the Charter, together with the surrounding circumstances, indicate a definite intention on the part of the members of the Board to take action on a rent control ordinance at that particular meeting.

I cannot rule in the face of such an overwhelming demonstration upon the part of the Board of its intention that its action was a nullity, because no express motion to suspend the rules was made and the call used the word "reconsidering" rather than words expressing more clearly an intention to take new action.

I therefore conclude that the procedure followed by the Board in adopting rent control ordinances was in accord with the Charter and the rules of the Board; even though the call was not worded as clearly as it might have been.

This conclusion is particularly reinforced, I believe, by Provisions of Section 2041 which permit a waiver of preintroduction and prepublication of ordinances in cases of emergency declared by two-thirds of

June 4, 1958

the membership of the Board.

Respectfully submitted,

John M. Haaranan,  
Corporation Counsel

#### NEW BUSINESS

MR. HUIZINGA: "In view of the fact that Mr. Vittl is ill, I MOVE that the Chairman of the Public Works Committee be designated to sit in to replace Mr. Vittl during his illness." Seconded by Mr. Iacovo and CARRIED unanimously.

MR. RAITERI said he thought each Committee should have its own substitute Chairman to replace the Chairman of the Committee at any time it should be necessary and so MOVED. Seconded by Mrs. Zuckert. Mr. Raiteri explained that each Chairman should make his own recommendation as to who would be his replacement. CARRIED unanimously.

By UNANIMOUS VOTE Mrs. Helen Peatt was selected as the Chairman of the Picnic Committee.

There being no further business to come before the Board, upon motion, duly seconded, the meeting was adjourned at 12:10 A.M.

Respectfully submitted,

JOHN C. MACRIDES Clerk  
Board of Representatives

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