

May 6, 1957

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A regular meeting of the Board of Representatives of the City of Stamford, Conn. was held on Monday, May 6, 1957, 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. Connors, at 8:15 P.M.

INVOCATION was given by Rev. Daniel M. Estok, Pastor, Trinity Lutheran Church, Seaside Avenue.

ROLL CALL was taken by the Clerk. There were 37 present and 3 absent, Mr. Czupka and Mr. Kaminski arriving a little late. The absent members were: William Brett, Jack McLaughlin and Mrs. Zuckert. (Mrs. Zuckert on vacation)

ACCEPTANCE OF MINUTES - Meeting of April 1, 1957

MR. RHOADES called attention to page 1544, his remarks at top of page, and asked that the following words be added after the first sentence: "I was thus able to see a very efficient Board of Recreation playground in operation."

MR. KETCHAM called attention to page 1547, his remarks. He asked to have his remarks corrected. He said he did not speak against granting this privilege to a private individual, but in view of the fact that it is a violation of the City Charter or Ordinances, some consideration should be given to granting the request. He also referred to page 1552 and asked that it be amended to read "regarding vacation and sick leave policies for all paid city personnel."

MR. FREDERICKS: "The vote was taken on all paid City personnel."

MR. FREDERICKS MOVED to accept the Minutes as corrected. Seconded by Mr. Hearing and CARRIED unanimously.

ACCEPTANCE OF MINUTES - Meeting of April 17, 1957.

MR. BAKER MOVED for acceptance of the Minutes. Seconded by Mrs. Bankowski and CARRIED unanimously.

#### REPORTS OF COMMITTEES

##### Steering Committee

MR. CONNORS, Chairman, read the following Minutes of the Committee and MOVED for approval. Seconded by Mr. Fredericks and CARRIED unanimously.

#### STEERING COMMITTEE REPORT Meeting held April 22nd, 1957

The Steering Committee of the Board of Representatives met in the Mayor's Office, City Hall, at 8:10 P.M. on Monday, April 22nd, 1957.

The following members were present: George V. Connors, Chairman, Alanson Fredericks, George Georgoulis, John Macrides, Irving Snyder, Robert Lewis, Clement Raiteri, Jr., Stephen Kelly, Norton Rhoades, Rutherford Huizinga and Vincent Vitti. Mr. Topping attended the meeting, but not as a member of the Steering Committee.

The absent members were: Joseph Milano, William Kaminski, Joseph Iacovo (due to illness) and Helen Peatt.

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The following matters were acted upon:

- (1) Proposed resolution presented by Mr. Topping at the April 1st Board meeting and referred to the Steering Committee:

WHEREAS, requests have been made for increased benefits, to be paid out of the Police and Fire Pension Funds, and according to an investigation made by Mr. George B. Buck, dated March 31, 1955, the Police and Fire Pension Funds cannot pay any more benefits, and

WHEREAS, the Police and Fire Pension Funds cannot continue to pay the present requirements unless they are put on a sound financial basis, and

BE AND IT HEREBY IS RESOLVED by the Board of Representatives of the City of Stamford that the Trustees of the Police and Fire Pension Funds are hereby requested to take all necessary steps at the earliest possible moment, to recommend the placing of the Police and Fire Pension Funds on a sound actuarial basis, so that they can and will meet present and future pension requirements.

MR. FREDERICKS MOVED that this resolution be placed on the Agenda for the May 6th Board meeting, and that the following letter be written to the Mayor and submitted to the Board for approval at the same time. Seconded by Mr. Snyder and CARRIED unanimously:

"We, the members of the Board of Representatives, view with alarm the reports that some of the pension funds of the City of Stamford are not on a sound actuarial basis and we respectfully request the Mayor to initiate such action as is necessary to place such funds on a sound actuarial basis."

- (2) Petition from Jr. Chamber of Commerce re "Fair in the Square" Presented at April 1st Board meeting and referred back to Parks & Recreation Committee for further study.

Two members from the Jr. Chamber of Commerce were invited to address the meeting, at the request of Mr. Kelly, Chairman, Parks & Recreation Committee, to explain more fully their plans for the proposed Fair. Mr. Raymond Monahan, Co-Chairman, presented the following letter:

April 22, 1957

Board of Representatives  
City Hall  
Stamford, Conn.

Gentlemen:

Re: "Fair-in-the-Square"

Referring to our letter of March 18, 1957 requesting issuance of a permit for the presentation of "Fair-in-the-Square", we wish to make the following amendments to our original proposal:

- (1) Cancel plan to use property located at the Northeast corner of Summer and Broad Streets.

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- (2) No Sunday performance of music, dance or drama to start before 2:00 P.M.
- (3) Close off Bedford Street to all vehicular traffic on the two days of the Fair.
- (4) Request issuance of an additional permit for the 7th and 8th of June, in the event inclement weather forces cancellation of Fair on the original dates.

These amendments reflect an effort on the part of the two sponsoring organizations to comply with some of the requirements and recommendations of the Board members.

Very truly yours,

(signed) Raymond D. Monahan  
Co-Chairman  
"Fair-in-the-Square"

MR. LEWIS explained that he was one of the members of the Bedford Street Association and stated it was his understanding, when this matter was before their Association, that there would be no closing off of Bedford Street. He also stated that it would create a bottleneck traffic condition, because of the great amount of traffic in the vicinity of Walton Park.

MR. MONAHAN explained that this had been discussed with the Bedford Association, 30 members being present at the meeting and his plan had been approved by a vote of 13 to 2 in favor.

MR. LEWIS said he recalled that no approval was given for the closing off of Bedford Street and thought the recommendations of the Chief of Police should be obtained in order to clarify just how traffic and parking would be handled.

MR. FREDERICKS suggested that a certified copy of the resolution of the Bedford Street Association be obtained in regard to their approval of the cutting off of Bedford Street to all traffic on these two days, and also that the Chief of Police be consulted.

CHIEF OF POLICE KINSELLA was summoned to the meeting and appeared at 9:00 P.M. He explained how traffic could be handled in the event Bedford Street should be closed.

MR. KELLY said he would probably call a meeting of his Committee next week and would appreciate having all information before them at that time, so they could bring their recommendations before the Board at the next meeting.

- (3) Letter dated April 18, 1957 from the Stamford Recreation Boxing Club, requesting the use of the Elm Street School Building.

Referred to Parks & Recreation Committee and Public Works Committee.

- (4) Letter dated April 22, 1957 from Commissioner of Finance, attaching resolution approved by the Stamford Parking Authority, which authorizes the issuance of Parking revenue bonds by them in connection with the acquisition of the new Bell Street parking lot.

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Referred to Fiscal Committee and Legislative & Rules Committee.

In connection with the above, it was approved by unanimous vote that a letter be written to the Chairman of the Parking Authority, requesting that the Parking Authority submit a detailed financial report of operations and statement of conditions for the past three fiscal years.

- (5) Letter dated April 11, 1957 from the Personnel Director in answer to communication authorized by the Board at the April 1st meeting (See Mr. Ketcham's motion on page 1552 of Minutes) in which he encloses three copies of booklet on Civil Service Regulations.

Referred to Personnel Committee.

- (6) Letter dated April 22, 1957 from Building Inspector regarding interpretation of Section 103 (7B) of the Building Code where the Board of Representatives may waive certain provisions - Request from Sherwood, Mills & Smith, architects, in letter dated April 16, 1957 to the Building Inspector re Springdale Laboratories of Time, Inc.

Referred to Legislative & Rules Committee.

- (7) Letter dated April 17, 1957 from Mr. Irving G. Snyder, 1st District Representative requesting a report from Special Investigating Committee appointed after August 6, 1956 Board Meeting (to investigate uses, abuses and nuisances on all City-owned property and means of enforcement) in regard to 5 specific complaints.

Referred to Special Investigating Committee, Mr. Joseph Milano, Chairman.

- (8) Carbon copy of letter dated April 8, 1957 to Mayor Quigley from the Shippan Point Association requesting increased recreational facilities in the City.

Copy sent to Parks & Recreation Committee for information.

- (9) Petition from North Stamford Congregational Church to hold the usual block dance, evening of Saturday June 8th.

Referred to Parks & Recreation Committee.

- (10) Carbon copy of letter dated April 5, 1957 to Senator Wm. A. Purtell from Mayor Quigley regarding allocation of funds for Heliport.

For information only. Ordered filed.

- (11) Letter dated April 16, 1957 from Public Utilities Commission acknowledging receipt of letter from the Board (authorized at the April 1st meeting) in regard to increased rates of the Telephone Company.

Placed on file.

- (12) Carbon copy of letter dated April 4, 1957 to State Representative Webster Givens from Board of Finance regarding actuarial evaluations of pension systems for City.

Copy sent to Chairman of Fiscal Committee and ordered filed.

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- (13) Letter from De Leo Brothers, Inc. to Chairman of Legislative & Rules Committee, dated April 17, 1957, requesting enforcement of Ordinance No. 57 Supplemental be done on a more realistic basis and citing problems encountered.

Referred to Legislative & Rules Committee and Health & Protection Committee.

- (14) Memorandum from Secretary regarding official records in the files of the Board of Representatives being removed from the office.

There was such discussion in regard to allowing the official records of the Board Minutes to be taken out of the office and in the event where a case is being tried in Court, to furnish copies of proceedings of the Board which have to be certified and it was decided to go on record in regard to future procedure to be followed. The following procedure was agreed upon by unanimous vote:

No copies of any of the official records of the proceedings (Minutes) of the Board of Representatives are to be removed from the offices of the Board.

Those who wish information concerning proceedings of the Board may do such research work as they deem necessary in the offices of the Town Clerk of the City of Stamford, or in Ferguson Library, where copies are provided for the use of the public.

Those who wish copies of the proceedings which they have determined by the aforementioned research, should address their requests, in writing, to the President of the Board of Representatives.

Be it further understood that certified copies so authorized by the President of the Board of Representatives shall be obtainable by copies made on the copying machine in the office, at a price of 15¢ per page, payable upon delivery, It is also understood that page numbers of the Minutes requested be furnished, so that no research will be necessary by the Secretary of the Board.

- (15) Trucks going through red lights.

The above matter was brought to the attention of the Steering Committee by Mr. Topping and referred to the Legislative & Rules Committee.

- (16) Expenses of Mr. Macrides attending Legislative Committee sessions in regard to Bills approved or disapproved by the Board.

Mr. Macrides was instructed to present a bill for his expenses, to be processed in the usual way - necessitating a special appropriation as there is no item in the Budget for travel or expenses for the Board.

There being no further business to bring before the Committee, upon MOTION, duly seconded and CARRIED, the meeting was adjourned at 10:35 P.M.

Respectfully submitted,

vf

George V. Connors, Chairman  
Steering Committee

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A motion was made, seconded and CARRIED by unanimous vote to APPROVE the report of the Steering Committee and their recommendations.

Fiscal Committee:

MR. KAMINSKI, Chairman, requested that the report of his Committee be by-passed for the time being, until he had a chance to discuss the report with Mr. Bradbury, a member of his Committee. His request was granted.

Legislative and Rules Committee:

MR. RAITERI presented the following report of his Committee and suggested that the first item be deferred until later, because it had also been referred to the Fiscal Committee for consideration. This was agreed to unanimously.

REPORT OF  
LEGISLATIVE & RULES COMMITTEE  
APRIL 1957

Meetings of the Legislative and Rules Committee were held on April 10, 17 and 24 jointly with the Health and Protection Committee on May 2, 1957. Mr. Raiteri presided at the meetings of April 10 and 24 and May 2. Mr. Nolan was Chairman for the meeting of April 17. Mr. Baker acted as clerk for all meetings.

The meetings of April 10 and 17 were devoted to work on the Building Code. The meetings of April 24 and May 2 were devoted to consideration of the agenda items for Board meeting of May 6. Matters discussed and conclusions reached were as follows:

1. Request from Commissioner of Finance re issuance of parking revenue bonds (Mr. Morrissey's letter of April 22, 1957 - (see Attachment #1).

It was impossible for the Committee to determine from the Commissioner's letter exactly what action by the Board is desired. If approval of the attached bond resolution is desired, the Committee is not clear as to why such action is needed since the Special Act which created the Parking Authority vested in that agency authority to issue bonds. Further, a comparison of the wording of the resolution with the Special Act discloses a number of discrepancies and the Committee feels that they should be in exact agreement.

Because of these conditions, the Committee is unable to make any recommendation with respect to Mr. Morrissey's letter and asks that the matter be recommitted for clarification.

2. Request from Bldg. Inspector for Building Code waiver (Letter of April 22, 1957 - (see Attachment #2).

The Committee concurs in the opinion of the Inspector that the Code is correct in its restriction against this type of building but that an exception should be made in this case for the reasons set forth in his letter and the attachment thereto. It therefore recommends that granting of the waiver be approved.

3. Complaint regarding problems encountered in enforcement of Ordinance No. 57 Supp. Letter from Samuel P. DeLeo - April 17, 1957 - (see Attachment #3).

The Committee together with the Health and Protection Committee met with the complainant and with Chief of Police Kinsella at Police Headquarters, May 2, 1957.

After full discussion of the matter it was concluded that the problem is one primarily of interpretation and that the Ordinance as existing is basically sound. However, it was agreed that the intent of the Ordinance would be clearer to all concerned by minor amendment of one section. In addition, it was decided, in view of the large number of violations occurring, that the penalties should be increased. Accordingly, the two Committees jointly recommend the passage without prior publication of the two following amendments.

Subdivision c of Section 1 Definitions be changed to read: -

- c. Overloading: filling a vehicle in such a manner as will cause the contents to spill onto the street. For this purpose a vehicle shall not be construed to be overloaded if it is filled in such a manner as to have the four sides of the load four or more inches below the upper level of the four sides of the body so that if and when the peak of the load shifts in transit it will not overflow and spill over the sides.

Section 6 be changed to read: -

6. Penalty: - All persons, firms and corporations, as principals or agents, causing, participating in or in any way responsible for any violation of this Ordinance shall be severally guilty of such violation and shall each be fined not less than twenty-five dollars nor more than one hundred dollars for each offense.

This Amended Ordinance as further amended shall take effect upon the date of its enactment.

4. Proposed resolution regarding unaccepted city streets.

This matter was initiated by the Planning & Zoning Committee. There are a large number of streets (in excess of 400) in the City which have been open to public travel since prior to consolidation which have never been accepted as city streets but which have been maintained at public expense. Many of these are main thoroughfares. To clarify this situation it is proposed to formally accept these streets as city streets unless the owners thereof specifically request that they be kept private.

In view of the large number it is proposed that this be done in several steps.

This matter was discussed with the Planning Board and Mr. Lauren, Secretary of that Board met with this Committee on April 24, 1957 and informed us that the proposal had been unanimously endorsed by that Board. It was suggested by Mr. Lauren that the appropriate date to be used would be April 16, 1950

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which is the date when the Planning Board established standards for the construction of city streets and set up the requirements for bonds. The Committee concurs in this suggestion.

The Committee feels that this is a matter disposition of which is long overdue. The expenditure of public funds on unaccepted streets is open to serious question and this technical situation will be cleared by the proposal of the Planning and Zoning Committee. The Legislative and Rules Committee recommends favorable action on the proposal on this subject which the Planning and Zoning Committee will present.

Respectfully submitted

E. B. BAKER  
Clerk

Approved

C. L. RAITERI JR  
Chairman

May 6, 1957

- (1) Request from Building Inspector for waiver of certain provisions of Building Code in regard to construction at Springdale Laboratories of Time, Inc.

MR. RAITERI presented the following two letters which had been referred to his Committee:

CITY OF STAMFORD, CONNECTICUT

Bureau of Engineering

April 22, 1957

The Board of Representatives  
City Hall  
Stamford, Conn.

Gentlemen:

On April 15, 1957, this department received plans which have been prepared by Sherwood, Mills and Smith, Architects, to construct a new building for expanding the facilities of the Springdale Laboratories, a division of Time, Inc.

In studying these plans, they revealed that the construction falls in the category of "Unprotected Metal Construction" as set forth under definitions of our Code, which is not permitted in the fire limits in Stamford.

Where there can be no doubt as to the interpretation of the meaning of this definition, I do have my doubts if it was ever intended for this type of construction, because it is something that is comparatively new, at least new since our Code was written.



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"Unprotected Metal Construction" as we have always known, is that type which is constructed of light steel and covered on the outside with corrugated metal or asbestos sheets, which have no value, except that it forms an enclosure from the weather and is used almost entirely because it is cheap to construct.

I believe that the Code is correct in its restriction against this type of building; however, I also believe that some exception should be made in this case, as the type of construction shown on the plans is not of the type just mentioned, but a very high type in its class and extremely essential for the use for which it is intended.

SECTION 103 (7 B) of the Building Code

"Where there are practical difficulties in carrying out any provision of the State Building Code, or of any rule lawfully adopted thereunder, the Building Official, with the approval of the local legislative body, may vary or modify such provision upon an application to him therefor in writing by the owner of the premises affected or his authorized agent; provided such modification is not in conflict with the spirit of the law, the best interests of public health and safety, or justice to all parties concerned, and provided the particulars of each application and the decision thereon shall be entered upon the permanent records of the Building Official."

It is generally a difficult problem to determine just what are practical difficulties in carrying out any provision of the Building Code, or any rule lawfully adopted thereunder. However, I personally feel that this is one case where the above section could be applied justly. Therefore, I am appealing to your Honorable Body for your good judgment and guidance in this very important matter.

I do not wish to rush you, but time is also an important factor here, and I trust you will decide this matter without delay.

Enclosed is a copy of a letter of explanation which I requested from the architects, and I am sure that Mr. VonBrock, who prepared the plans, will be glad to meet with you, or your committee, and explain the matter in detail, as he did to me, if you so wish.

Respectfully yours,

(signed)

A. V. Swinnerton,  
Building Inspector

Enclosure

SHERWOOD, MILLS AND SMITH, ARCHITECTS  
65 Broad Street, Stamford, Conn.

April 16, 1957  
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Mr. Arthur V. Swinnerton  
Building Inspector  
City of Stamford, Connecticut

Re: Paper Pilot Plant  
Springdale Laboratories,

May 6, 1957

Dear Mr. Swinnerton:

Time, Inc.

In answer to your request, we submit the following comments in regard to the above project.

The paper pilot plant as designed will provide for laboratory and pilot scale research for the manufacture of paper. The very nature of such research operations demands the utmost in flexibility, and the building must provide the same degree of flexibility as the process.

With this in mind, the floor panels have been designed so that they can be removed to facilitate the installation of new equipment, and the wall construction is of the "curtain" type to provide for the same access.

The manufacture of paper, even on pilot scale, is, to a great extent, a water process; therefore a material that not only is impervious to water but does not absorb it is required. Masonry does not meet this requirement.

A Crane has also been provided that required a structural steel frame with special bracing to counteract moving loads. A masonry wall bearing building would not have been practical in this instance. Therefore, to satisfy the code, a masonry wall 12" thick would have had to be provided, completely free of the structural system, and would have been merely a curtain wall.

The type of wall construction we propose, consists of an insulated sandwich panel of corrugated aluminum inside face, 1-1/2" fibreglass insulation and heavy formed aluminum exterior face, fastened to the structural steel girt system by means of welded stainless steel studs with removable heads. This type of curtain wall construction is completely incombustible and is widely used for industrial buildings throughout the country. The following is a partial list of recent buildings of this type in the State of Connecticut:

A. H. Nilson, Shelton, Conn.  
 Bullard Company, Fairfield, Conn.  
 Conn. Light & Power, Middletown, Conn.  
 Conn. Light & Power, New London, Conn.  
 Conn. Adament Plaster Co., New Haven, Conn.  
 Adley Express Co., New Haven, Conn.  
 Scoville Manufacturing, New Milford, Conn.  
 Alcert Co., Waterbury, Conn.  
 I. Hershman & Co., New Haven, Conn.  
 Metal Controls Co., Windsor Locks, Conn.  
 Pratt & Whitney, East Hartford, Conn.  
 Pratt & Whitney, North Haven, Conn.  
 Sikorsky Aircraft, Stratford, Conn.  
 Hamilton Standard Propeller, Windsor Locks, Conn.  
 Northeastern Steel Co., Bridgeport, Conn.  
 Bridgeport Brass Co., Bridgeport, Conn.  
 New Departure Ball Bearing Co., Meriden, Conn.  
 Connors Engineering Co., Danbury, Conn.  
 Clements Panel Co., Danbury, Conn.  
 Peerless Foundry, Bridgeport, Conn.  
 Alcoa, Bridgeport, Conn.

As stated in Paragraph 2, Article 1 of the present Stamford Building Code: "The purpose of the Code is to provide minimum standards to safeguard life of limb, health, property and public welfare". The building, as proposed,

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answers all of the above, and, in our opinion, exceeds acceptable minimum standards.

We respectfully request that a permit be granted for this building on the grounds that it represents a new type of construction and use of material not known at the time when the original code was written. This would be consistent with practice in other progressive Connecticut cities.

Very truly yours,

(signed)

A. Raymond Von Brock, for  
Sherwood, Mills and Smith

MR. RAITERI MOVED for approval of the Building Inspector's request that an exception to the Building Code be made in the above case. Seconded by Mr. Topping and CARRIED unanimously.

(2) Complaint regarding problems encountered in enforcement of Ordinance No. 57 Supplemental. (also referred to Health & Protection Committee)

DE LEO BROTHERS, INC.

GENERAL CONTRACTORS

1172 Bedford Street

Stamford, Connecticut

April 17, 1957

Mr. Clement L. Raiteri  
Chairman,  
Legislative and Rules Committee  
Board of Representatives  
City of Stamford  
Stamford, Connecticut

Dear Sir:

Reference is made to the definition of "Overloading" in Ordinance No. 57 Supplemental (as amended) which states:

"(c) Overloading: filling a vehicle in such a manner as will cause the contents to spill onto the street. For this purpose a vehicle shall not be construed to be overloaded if it is filled in such a manner as to have the load four or more inches below the upper level of the four sides of the body so that if and when the load shifts in transit it will not overflow and spill over the sides."

The purpose of the above Ordinance, obviously, was to prevent the littering of streets. It was realized that all loads of earth, in the truck, had center cones rising above the sides of the truck; and the purpose of the four-inch apron at the base of the cone was,

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as the definition clearly states: "....so that if and when the load shifts in transit it will not overflow and spill over the sides."

The local police department, however, seems to have taken the position that a truck is overloaded if any part of the earth is higher than 4 inches below the top (of the sides) of the truck.

Such a position would reduce us to carrying practically half-loads which will necessarily result in (a) putting twice as many trucks on the road thereby further congesting traffic and inconveniencing the public, and (b) extending the time that it will take to complete the Thruway.

Everyone will agree that the sooner the Thruway is completed the better it will be for everyone in Stamford.

Realizing the necessary inconvenience caused by this vast project, we have done, and will continue to do, everything in our power to get the job done quickly and to cooperate with all city officials concerned. At the same time, we ask that the latter also cooperate in this respect.

For the purpose of clarification we respectfully submit that the best way to define a thing is to state what it is, rather than what it is not. In this connection it is suggested that the above definition of overloading be amended to end at the first period. This would tell what overloading is. Everything after the first period tells what overloading is not.

We would appreciate the opportunity to meet with your committee with a view to discussing the above matter in greater detail.

Sincerely yours,

Samuel P. DeLeo,  
President

MR. RAITERI MOVED for adoption, without prior publication, of the following amendments to Ordinance No. 57 Supplemental. Seconded by Mr. Baker:

Subdivision c of Section 1, Definitions be changed to read as follows:

- c. Overloading: Filling a vehicle in such a manner as will cause the contents to spill onto the street.

For this purpose a vehicle shall not be construed to be overloaded if it is filled in such a manner as to have the four sides of the load four or more inches below the upper level of the four sides of the body so that if and when the peak of the load shifts in transit it will not overflow and spill over the sides.

Section 6 to be changed to read as follows:

6. Penalty: All persons, firms and corporations, as principals or agents, causing, participating in or in any way responsible for any violation of this Ordinance shall be severally guilty of such violation and shall each be fined not less than twenty-five dollars nor more than one hundred dollars for each offense.

This amended Ordinance, as further amended, shall take effect upon the date of its enactment.

MR. HUIZINGA: "Just one question - if I understood you correctly when you read that Ordinance, you said it would be a violation when it was overloaded if the contents spilled into the street - is that correct?"

Mr. Raiteri said that was true.

MR. MILANO, Chairman of the Health & Protection Committee, said his Committee concurs with the recommendations of the Legislative & Rules Committee.

MR. FREDERICKS MOVED the question on waiving the publication. Vote taken and CARRIED by a unanimous vote.

After some further discussion, it was agreed that separate votes would be taken on each part of the above amendments.

MR. RAITERI MOVED for approval of the amendment on overloading. Seconded by Mr. Topping and CARRIED unanimously.

MR. RAITERI MOVED that Section 6, as amended, regarding penalty, be approved. Seconded by Mr. Nolan.

MR. VITTI spoke regarding overloading and said it is not always the fault of the contractor, but rather of those who work for him.

MR. KELLY: "What is the fine at the present time?"

MR. RAITERI: "Twenty-five dollars maximum."

MR. LILLIENDAHL: "It is my opinion that this Ordinance needs teeth. I don't think that fine is strong enough. Perhaps we ought to make some rules to see that the laws we have are better enforced."

There followed a great deal of discussion regarding many telephone calls and letters received by various members of the Board complaining about violations of city Ordinances, endangering the lives of residents who live in the neighborhood of the Thruway construction.

Mr. Czupka arrived at this time.

MR. GEORGOULIS MOVED the previous question. Seconded by Mr. Fredericks.

VOTE taken on Mr. Raiteri's motion to approve amendment to Sec. 6 on penalty and CARRIED by a vote of 31 in FAVOR and 6 OPPOSED.

MR. SNYDER: "I have a motion which I would like to present to the Board."

NOTE: INASMUCH AS MR. SNYDER LEFT THE MEETING WITHOUT GIVING THE MOTION, WHICH HE READ, TO THE SECRETARY, IT CANNOT BE PRINTED IN THE MINUTES.

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MR. RAITERI said he thought the motion was very unfair. He said: "We did not pass it (the ordinance) for any one street - we passed it for the City of Stamford. If you want an ordinance passed just for DeLeo Brothers, then let's have it, but stop these insinuations. There were six trucks brought in on Saturday and weighed and found to be overloaded. If you would like to amend that motion so that it would be true about every trucker in the City, then I will go along with it. We have a local firm here who are big taxpayers in the City and I think that they are entitled to a little consideration. You have special policemen stationed up there who are qualified men."

MR. FINDLAY: "I do not go along with the idea of singling out one trucking concern. When are we going to have our first fatal accident? I have had a great many complaints about the many violations that have been occurring. I am in the trucking business myself and I know what I am talking about."

MR. IACOVO: "It is getting to a point where you are risking life and limb to go out on the streets. Someone is going to get killed if this keeps up. I am very much in favor of that Thruway and attended the discussions up in Hartford when it was being discussed. These trucks come barreling down and the driver of the truck knows you are going to get out of the way-----or else."

MR. KETCHAM said he also has seen many violations of the safety laws and that they are violating the laws of common sense and of traffic safety. He said the people in the 18th District are afraid for their lives and rightly so. In regard to trucks on Long Ridge Road, he said that human life is more important than that the trucks go through.

MR. NOLAN also spoke against Mr. Snyder's motion.

MR. FREDERICKS rose to a point of personal privilege in regard to certain remarks being made to which he took exception.

MR. RUSSELL: "Crescent Development Company are a bigger concern than DeLeo Bros. and are making a bigger mess and taking more chances, too. We should be fair about this."

MR. GEORGOULIS said he would like to have this referred back to Committee and so **MOVED**. Seconded by Mr. Longo.

MR. LEWIS: "Representatives no longer represent a particular District today, because they represent the whole City. I think the idea of mentioning any particular trucking company is ridiculous. It would appear to me that we are dealing with truck jockeys. When you put a man behind the wheel of a truck and give him permission to go through red lights, you are taking a terrible chance. If the Police Department is to put these people on notice, we would have to ask the Chief of Police who has full control of our enforcement, to see that our Ordinances are fully enforced."

MRS. PEATT: "It is the speed of the thing that gets me. I am in complete agreement with the Thruway, but it does not seem to me that it has to be done with the type of fire engine speed that is being used."

MR. HUIZINGA: "I support everything that has been said by various speakers before me. I do not think that it can be referred back to Committee. Something has to be done now. I have personally stood with police officers on five separate occasions and not in one single instance have they stopped a truck and they have given me various reasons for not doing so, among them being that the summons won't be enforced ever if they do give it to them."

MR. PLOTKIN: "The problem as I see it is one of enforcement if we expect to get a solution to the problem. It won't do a bit of good to write letters and pass resolutions, because it never solves any problem. Calling anyone names will not solve the problem. Let's get everyone together and talk it over. Somehow there must be a solution."

MR. PLOTKIN MOVED that this be referred to the Steering Committee to meet with the Mayor, the Board of Finance, the Chief of Police and anyone else that must be concerned, to discuss and try to solve the problem. He added that representatives of the trucking concerns also should be invited to attend the meeting. Mr. Georgoulis seconded the motion.

MR. SNYDER said his motion was simply to see that this body should see that the Chief of Police enforces the Ordinances. He said: "We are simply asking this as a result of calls and letters from our constituents that they assign cars and personnel to enforce our Ordinances."

MR. FREDERICKS: "I think that Paul Plotkin's motion is in order for a commitment of the entire problem, but I do feel that time is of the essence in this case and for that reason think Mr. Snyder's motion, which is that a letter be written to the Mayor and the Chief of Police, asking them to do something about this problem is the best solution. I can see no harm in acting on Mr. Snyder's motion. I therefore MOVE the question of the commitment to the Steering Committee as moved by Mr. Plotkin."

MR. PLOTKIN: "Maybe we should just ask the State Police to police Long Ridge and High Ridge Roads and that would solve everything."

MR. KAMINSKI: "Sending a letter to a department head and accusing him of complete laxity and then requesting his cooperation will certainly not get us anywhere. I think that a letter asking the Police Chief to see that there is more stringent enforcement would be the best procedure to follow."

MR. FINDLAY: "The people we represent want an answer and not a lot of gobbeltgook."

MR. LEWIS referred to page 29 of the Charter, Sec. 430 in regard to the powers and duties of the Police Chief.

MR. LACOVO: "This letter is an appeal to the Mayor to see if he cannot find in some manner, in conjunction with the Chief of Police, to make a concerted effort to make our highways safer. If we can't appeal to the man who is at the head of our city government, who can we appeal to? I am sure that if he gets in touch with the Chief of Police that these violations will cease, and then perhaps they won't need so many extra policemen to take care of things. This motion (of Mr. Snyder's is an appeal for enforcement."

MR. FREDERICKS called attention to his motion on the previous question.

VOTE taken on Mr. Plotkin's motion to refer this to the STEERING COMMITTEE and CARRIED by a vote of 20 in FAVOR and 17 OPPOSED.

MR. KAMINSKI MOVED that a letter be dispatched immediately to the Chief of Police, Joseph Kinsella, asking him for strict enforcement of the ordinances regulating trucks. Seconded by Mr. Topping.

MR. MILANO mentioned that 34 summona have already been issued.

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VOTE taken on Mr. Kaminski's motion and CARRIED by 33 in FAVOR and 4 OPPOSED.

- (3) Request from Commissioner of Finance regarding issuance of parking revenue bonds for the Bell Street Parking Lot and clarification of ambiguities that occur between the Special Acts and General Statutes. (Also referred to Fiscal Committee)

MR. RAITERI MOVED that this be recommitted to Committee. He said that the resolution, when compared with the Special Acts, disclosed discrepancies and the committee believes it necessary that this be given further study in order to clarify certain ambiguities which appear. Seconded by Mr. Baker.

MRS. BANKOWSKI MOVED to hear from the Corporation Counsel, Mr. Hanrahan, who was present.

MR. RAITERI objected to hearing from the Corporation Counsel on the grounds that the Committee did not want to make any recommendation until further studies were made.

At this time, the Fiscal Committee was ready to report on this matter and were requested to bring in their report.

MR. KAMINSKI, Chairman of the Fiscal Committee, said he did not think it was anything that should concern the Committee and did not believe it required any action from them.

RISING VOTE taken on hearing from the Corporation Counsel and CARRIED by a vote of 24 in FAVOR and 9 OPPOSED.

MR. HANRAHAN: "You will recall that back in the summer you were requested to approve parking facilities on Bell Street, which you did at that time. The financing would either be by general obligation or general revenue bonds. We hoped that we would be able to obtain revenue bonds which would not have any effect on the tax rate. It took a number of months to do the spade work. To set up a separate Trustee Agreement, etc. If your Board does not take action tonight, it means that the \$225,000 will have to appear in the tax rate this year, because you, by your previous action have already approved the purchase of these lots. There were problems that the Bond Counsel saw - that the Board of Representatives would have to authorize additional parking meters. These lots were not large enough to require a maintenance staff, but rather the use of parking meters. The bonds would have to be paid off from revenue from the street lots which would be the simplest way of doing it. The simplest thing seemed to be to prepare a Trustees Revenue Agreement. We would then put them on a funding basis out of parking revenue bonds. Some 34 pages would be the pilot document. It seemed best to have your approval of the action of the Parking Authority in issuing these revenue bonds. In fact, what you are going is removing the sum of \$225,000 from the current budget. There is no way that we can eliminate the approval of your Board. This is the document that the Trustee will need in order to meet the terms of the Revenue bonds and to see that the parking lots are operated in accordance with the Statutes."

MR. FREDERICKS: "When the purchase of this parking lot was originally approved, it was my definite understanding that assurance was given to this Board that the credit of the City of Stamford was not to be pledged. Now, it appears that Bond Counsel has raised this particular question."

MR. HANRAHAN: "All we had before was a contract to purchase."

MR. FREDERICKS: "Do you now give us your assurance that the action which you now ask us to take does NOT pledge the credit of the City of Stamford?"



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MR. HANRAHAN: "It will remove it from the City of Stamford and set it in with the revenues from the Parking Authority."

MR. FREDERICKS: "Let the records show that the Corporation Counsel has assured us that if the Board of Representatives takes the action which is submitted before us for consideration, that we are not pledging the credit of the City of Stamford for the acquisition of the parking lots in question. Is that true?"

MR. HANRAHAN: "Very definitely."

MR. HUIZINGA: "I do not think we should go along with voting on this tonight. I place a lot of trust and faith in the Chairmen of our various Committees. I shall be glad to go along on the question if our Chairman of the Legislative and Rules Committee will agree."

MR. HANRAHAN: "Apparently at the time I talked to Mr. Raiteri I did not make myself very clear."

MR. HUIZINGA: "I am afraid I do not see the inference."

MR. KAMINSKI: "I did not know we were committed for that money when we passed our Resolution No. 214."

MR. HANRAHAN: "You approved the parking lot, so now you have to approve the funds to take care of it."

MR. NOLAN: "In Resolution #214 it mentions nothing about where the money is coming from."

MR. KAMINSKI: "Was that a Special Appropriation, or was it in the budget? You have me stumped. We certainly don't want this incorporated in our budget."

MR. FREDERICKS: "I am afraid we have no alternative. We have to look at the objective. We don't want it to come out of the budget of the City of Stamford. Unfortunately, we have given our approval to the Parking Authority to annex the Bell Street Parking Lot. I don't see that anything is to be gained by further debate and I therefore MOVE THE QUESTION."

MR. RHOADES: "I think this whole discussion should have taken place in Committee and not on the floor of this meeting. I am not going to vote for this unless Cal says so."

MR. FREDERICKS MOVED that the matter be TABLED until later in the meeting. Seconded by several members and CARRIED unanimously.

MR. SNYDER asked to be excused at 10:00 P.M. and left the meeting.

(4) Proposed Resolution regarding unaccepted City streets.

MR. RAITERI said the Legislative & Rules Committee is going on record as approving the report of the Planning & Zoning Committee on this matter.

A RECESS was granted at this time to the members of the Legislative & Rules Committee to meet in order to go over the matter of the revenue bonds for the Parking Authority for the Bell Street Lot with the Corporation Counsel.

Planning & Zoning Committee:

May 6, 1957

Re: Proposed resolution for acceptance of streets built prior to consolidation which have never been accepted as city streets. (See also Legislative & Rules Committee)

MR. MURPHY, Chairman, introduced the following resolution and MO ED for its adoption for publication. Seconded by Mr. Topping, who said the Public Works Committee does not object to the resolution. VOTE taken on adoption of the resolution for publication and CARRIED unanimously:

PROPOSED RESOLUTION

BE IT RESOLVED AND IT IS HEREBY RESOLVED THAT:

The following notice having to do with the acceptance of certain streets and highways within the City of Stamford as city streets and highways shall be published in a daily newspaper having circulation in the City of Stamford within ten days of the adoption of this resolution by the Board of Representatives of the City of Stamford.

Notice is hereby given that the Board of Representatives of the City of Stamford will, by resolution at the next regular meeting of said Board, on June 3, 1957, accept the following named streets and highways which were open to vehicular travel prior to April 16, 1950 as public streets and highways, unless the owners thereof shall, prior to such date, specifically indicate in writing to the Board of Representatives at the office of said Board in the City Hall, Stamford, Connecticut, their intention to maintain said streets and highways in a private status:

Ann Street	Bon Air Avenue	
Bedford Street	Briar Brae Road	Atlantic Street
Bell Street	Brown House Road	Buena Vista Street
Canal Street		Hope Street
Chapel Street		Knickerbocker Avenue
Clarks Hill Avenue		Lillian Street
Court Street		Main Street
Crescent Street		Mill River Street
Davenport Ridge Road		Old Long Ridge Road
Dolsen Place		Pleasant Street
Elm Street		Pulaski Street
Fairfield Avenue		Randall Avenue
Fifth Street		Rock Rimmon Road
Francis Avenue		St. John's Place
Gilford Street		Scofieldtown Road
Grove Street		Selleck Street
Hamilton Avenue		South Street
Hirsch Road		State Street
Hundley Court		Toms Road
Lafayette Street		Walnut Street
Lockwood Avenue		Weed Avenue
Mayapple Road		West Broad Street
North Forest Lawn Avenue		West Washington Avenue
Palmer's Hill Road		Wire Mill Road
Pilgrim Walk		Relay Place
Ponus Street		River Street

Burdick Street	Rock Spring Road
Cascade Road	Schuyler Avenue
Chestnut Hill Road	Seaside Avenue
Clearview Avenue	Shippan Avenue
Courtland Avenue	Southfield Avenue
Cross Road	Stillwater Avenue
Davenport Street	Van Rensselaer Avenue
Douglas Avenue	Walton Place
Ely Place	Weed Hill Avenue
Fairland Street	West Main Street
First Street	Westover Road
Frank Street	Woodrow Street
Greenwich Avenue	Richards Avenue
Guernsey Avenue	Riverbank Road
Havemeyer Lane	Roxbury Road
Kirkham Place	Scotfield Avenue
Lawn Avenue	Second Street
Ludlow Street	Sound View Avenue
Mayflower Avenue	Spruce Street
Ogden Road	Strawberry Hill Avenue
Park Row	Tremont Avenue
Prospect Street	Vine Road
Camp Avenue	Webbs Hill Road
Cedar Heights Road	West Avenue
Church Street	West Park Place
Cold Spring Road	William Street
Cove Road	
Crystal Street	
Den Road	
Erskine Road	
Fenway Street	
Forest Street	
Garden Street	
Greyrock Place	
Haig Avenue	
Hinckley Avenue	

Public Works Committee:

MR. TOPPING, Chairman, presented the following report of his Committee:

REPORT OF PUBLIC WORKS COMMITTEE  
MEETING HELD WEDNESDAY, APRIL 24, 1957

The meeting of the Public Works Committee was held on the above date at 28 Lenox Avenue. The meeting was called to order at 8:00 P.M.

Members present were: Eugene Barry, Alan Ketcham, Vincent Vitti and Thomas Topping, Chairman. Anthony Kolich could not attend because of another meeting.

The Operating and Capital budgets of the Public Works Department were discussed with Mr. Chase.

A petition from the Stamford Recreation Boxing Club was read, and it was voted to recommend to the Board that it approve the use of the basement at the Elm Street School building by the Stamford Recreation Boxing Club, and I so MOVE.

May 6, 1957

A petition from 67 residents of the South End, requesting cleaning of the streets, cleaning out of catch basins and improved lighting was also read.

Mr. Chase reported he had one truck with three men and two push carts operating in the South End, and that he would step up the cleaning of the streets and catch basins.

The street lighting improvements would have to be requested of the Mayor, as he has to initiate the request and have it approved by the Planning Board and the Board of Finance.

It was voted to recommend to the Board that the representatives of the South End be so advised, so that they could contact the residents who sent the petition to this Board.

Respectfully submitted,

Thomas J. Topping, Chairman

- (1) Use of Elm Street School Building by Stamford Recreation Boxing Club. (Also referred to Parks & Recreation Committee)

MR. TOPPING presented the following letter regarding this request and MOVED for approval of this request. Seconded by Mr. Waterbury.

MR. KELLY: "The Parks and Recreation Committee concurs with the Public Works Committee in urging approval of this request. We have the approval of the Public Works Department and we want the approval of the Board also."

VOTE taken on Mr. Topping's motion for approval of the following request and CARRIED unanimously:

Stamford, Conn.  
April 18, 1957

Mr. George V. Connors, President  
Board of Representatives  
Stamford, Connecticut

Dear Sir:

The Stamford Recreation Boxing Club is using one large and one small room in the basement of the Elm Street School Building for their Youth Boxing Program. These rooms could not be used for other City business as are the rooms on the upper floors, and are used primarily during the closing down of the schools for vacations and holidays and on weekends.

Our program is the only year-round Youth Program in the City of Stamford and inasmuch as the program is free to all boys from eight years of age up, as is the use of equipment, which is purchased by the raising of funds by those in charge, and supervision, for the most part, is gratis, we who are in charge of the program do hereby petition and request the Honorable Board of Representatives to go on record as approving the use of the above mentioned space in the Elm Street School Building by the Stamford Recreation Boxing Club for its program, as granted to us by the Public Works Department, until such time as the Public Works Department,

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or the City of Stamford, decide that the space in said school now occupied by us, is needed for some other purpose.

We await your approval of this request and thank you for your consideration.

THE STAMFORD RECREATION BOXING CLUB

Stephen E. Kelly, Secretary-Treasurer  
Eddie Mack, Vice-President

Nick Grimaldi, President

(2) Petition from South End Residents re storm drains, etc.

MR. TOPPING introduced the following petition, signed by approximately 67 residents of the area involved, and MOVED that the representatives of the 13th District, namely, Mr. Edward C. Czupka and Mr. Anthony Kolich, Jr., contact the Mayor about the overloading of these catch basins and see if something can't be done to remedy the situation. Seconded and CARRIED unanimously.

We, the undersigned residents, home owners and taxpayers of the 13th District (South End), petition EDWARD C. CZUPKA and ANTHONY KOLICH, JR., Representatives of the 13th District, and the Board of Representatives, the Public Works Committee for the following improvements in the 13th District (South End):

More frequent street cleaning of all streets, especially South Street, from the bridge to where South Street joins Atlantic Street. Frequent cleanings and sweeping of all gutters and emptying all storm sewer catch basins. An inspection of the catch basins will reveal the following condition: basins are half filled and two-thirds filled, and, in some cases three-quarters filled with water and debris. After a heavy rain storm the run off water overflows in these basins, causing flooded areas. This is true, especially on Garden Street, where water backs into cellars. In many areas stagnant waters remain in the gutters, due to the fact that no run off to the sewers is made for the reason of the debris covered gutters. It indeed poses a drainage problem that should be checked by the Public Works Department and the Department of Health. Better, and improved street lighting, especially Pacific Street, from Manhattan Street to the area of all streets. Mercury lights on all corners and on streets, spaced to give better illumination.

SIGNED BY APPROXIMATELY 67 PETITIONERS  
(Original on file in office of Board)

Mrs. Bankowski, Mr. Murphy and Mr. Lewis asked to be excused at this time.

Special Investigating Committee: (Appointed by action of Board at their August 6 1956 meeting, to investigate uses, abuses and nuisances on all city-owned property and means of enforcement)

MR. MILANO, Chairman, reported that the Committee had no report to give at this time regarding a letter of complaint from Mr. Irving Snyder, 1st District Representatives, dated April 17, 1957, in which he requests that the Committee report to the Board in the matter of five complaints referred to them several months ago.

Fact-Finding Committee: (On dispute between Fire Fighter's Local and City regarding salary increases)

May 6, 1957

MR. FREDERICKS: "I would suggest that someone go back and contact the members of the Legislative and Rules Committee (in caucus) and see if anyone is interested in some of the matters under discussion."

A RECESS was called to enable the members of the Legislative & Rules Committee time to rejoin the meeting.

The recess was over at 11:10 P.M.

MR. CONNORS stated that because all members of the Board and various City Officials and Board involved had received copies of this report that it would not be necessary to read it and that the necessary action would be up to the Board of Public Safety and other City Boards concerned to follow up the recommendations of the special committee.

MR. NOLAN MOVED that the reading of the report be dispensed with. Seconded by Mr. Raiteri and CARRIED unanimously.

NOTE: REPORT ON FILE IN OFFICE  
OF BOARD OF REPRESENTATIVES

#### PETITIONS

MR. KELLY presented the following report of his Committee:

#### PARKS AND RECREATION COMMITTEE

The Parks and Recreation Committee met in City Hall on Friday May 3rd 1957 at 7:30 P.M. with the following members attending: Jack McLaughlin, Bill Hearing and Charles Gilbert and Steve Kelly. Meeting adjourned at 10:18 P.M.

The petition for the Junior Chamber of Commerce, to hold a "Fair In The Square" on June 1st. and June 2nd, 1957, which was presented to the Board of Representatives at the April Meeting, and referred back to Committee for additional information was discussed with Traffic Engineer, Sergeant George Harvey of the Stamford Police Department, who brought in a map of the area to be used showing the rerouting of traffic for the two day period. At the Steering Committee meeting two representatives, one each from the sponsoring organizations, appeared and were told what they would have to do to get the approval of the Board of Representatives.

An alternate date for the affair of June 8th and 9th was not cleared through Civil Defense, who are putting on a demonstration, which will call for the opening of Bedford St. for Ambulance Service on these two dates. The approval of the Bedford St. Association will not be forthcoming until the beginning of to-nights meeting, as they will hold a meeting to decide what their position will be, at 5:30 P.M. to-day.

We as a Committee postponed our meeting eight days so that the men in charge of this affair would have ample time to present the necessary information requested by the Board which has been presented to us cold at the beginning of this meeting. The Park Commission has granted permission for the use of Walton Park, or Bedford Park, for the two days.

A report was phoned to me at 6:30 P.M. from the Executive Board of The Bedford St. Association, who met in Executive Session at 5:15 P.M. this afternoon to decide what position they would take in regard to the traffic situation and the effect the Fair In The Square would have upon its members, and they informed me that they would go along with whatever Chief of Police Kinsella decided to do, and they would forward a copy in writing to the Board of their decision.

A report from Traffic Engineer Sgt. Harvey as to the handling of the traffic on the two days is to be given to Mrs. Farrell, for to-nights meeting.

With the questions answered as we hope to the satisfaction of the Board members I move that we grant approval of the Fair In The Square to be held on June 1st and June 2nd, with the understanding that all other necessary requirements have been met.

Stephen E. Kelly  
Charles Gilbert  
Jack McLaughlin  
Wm. Hearing

Per S. E. Kelly

PETITION NO. 229 Jr. Chamber of Commerce - Request to hold a "Fair-in-the Square" on Bedford Street, June 1st and 2nd. (Referred back to Committee at the April 1st meeting)

MR. KELLY said he was in receipt of a letter canceling plans for an alternate date for this affair, and that he wanted to give the members a chance to ask questions before proposing a motion.

Considerable discussion followed in regard to how the traffic problem would be handled and if lanes would be open to emergency vehicles in the event of a fire or an emergency.

Mr. Kelly said he had been assured that a 20 foot lane would be left open to any emergency vehicles. He stated that the Bedford Street Association had held a special meeting of their Executive Board at 5:30 P.M. this evening, in which they voted unanimously to abide by whatever decision the Chief of Police deems essential and necessary for the health, safety of the public and success of the Fair-in-the-Square.

MR. KELLY MOVED that the Board grant approval of the "Fair-in-the-Square" with the understanding that all requirements of the Police Department and any other organization or department involved be met to their satisfaction. Seconded and CARRIED unanimously.

PETITION NO. 230 North Stamford Congregational Church - Block Dance, Saturday, June 8th.

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

#### COMMUNICATIONS FROM OTHER BOARDS AND INDIVIDUALS

(1) Letter dated April 25, 1957 from Corporation Counsel regarding construction of MAPLE AVENUE BRIDGE over Noroton River by State of Connecticut.

May 6, 1957

Referred to Steering Committee to request Mayor to initiate action.

- (2) BARRETT PARK - Communications opposing the erection of locker rooms and public rest rooms.

Referred to Steering Committee.

MR. RAITERI MOVED to take off the TABLE the following request from the Commissioner of Finance regarding issuance of PARKING REVENUE BONDS to finance the acquisition of the new Bell Street Parking Lot. Seconded by Mr. Fredericks and CARRIED unanimously

April 22, 1957

Mr. George V. Connors, President  
Board of Representatives  
Stamford, Connecticut

Dear Mr. Connors:

Attached hereto is a copy of a resolution, which has been approved by the Stamford Parking Authority, which authorizes the issuance of parking revenue bonds by the Stamford Parking Authority in connection with the acquisition of the new Bell Street Lot.

Bond counsel and the Corporation Counsel have agreed that approval should be granted by your Board; first, because of the installation of parking meters in the lot; and secondly, to overcome certain ambiguities that appear between the Special Acts and the General Statutes. Inasmuch as this indenture is dated for June 1st, it would be appreciated if you would give the matter your immediate consideration.

Very truly yours,  
(signed)  
THOMAS MORRISSEY, JR.  
Commissioner of Finance

TMJr/g  
Enclosure

MR. RAITERI yielded the floor to Mr. Baker.

MR. BAKER: "The statement was made that if we did not approve this, it would have a very definite effect on the tax rate for the coming year. I do not think this is wise and would suggest that we postpone action for another month."

MR. RAITERI: "In last year's Capital Budget we appropriated money for this current year -- some \$225,475. We appropriated it for the acquisition of the property on Bell Street -- the money was appropriated and apparently was spent. What we heard here tonight left us speechless. It must be taken care of and they say time is of the essence. I do not see why it can't be postponed until our next meeting. According to the Capital Budget for 1956-1957, it will not increase the tax rate."

MR. TOPPING: "If we appropriated the money last year, why do we have to issue bond this year to do the same thing?"

MR. RHOADES: "It does not seem that there is such a degree of urgency that we have been led to believe existed."



MR. FINDLAY: "Is it possible that we can carry something like this in the budget for a whole year and not have it figure in the budget?"

MR. KAMINSKI: "What we would be doing is reducing the tax rate, if anything."

MR. FREDERICKS: "May I ask Mr. Kaminski a question? Was this under the Capital Projects Budget for 1956-1957?"

MR. KAMINSKI: "The statement was made that it was to be paid for by current taxation. The Stamford Trust Company have agreed to buy the whole issue of bonds so far as that part of the deal is concerned and that is all right. If we can get the money from the bond issue and swing it into General Funds, then it can go into the 1957-1958 Budget. We may have a Tiger by the tail, but it looks as if we do not have any alternative."

MR. BRADBURY: "The main thing is that Stamford wants to get the money back that we have spent, and this is a way of getting it."

MR. BAKER MOVED the Board approve the action of the Parking Authority by approving their resolution transmitted to this Board by letter dated April 22, 1957 from Mr. Thomas Morrissey, Jr., Commissioner of Finance, said resolution being as follows. Seconded by Mr. Georgoulis and CARRIED by a vote of 27 in FAVOR and 6 OPPOSED:

A RESOLUTION AUTHORIZING THE ISSUANCE OF PARKING REVENUE BONDS BY THE STAMFORD PARKING AUTHORITY; PROVIDING FOR THE SECURITY, RIGHTS AND REMEDIES OF THE HOLDERS THEREOF; AND PROVIDING FOR THE INITIAL ISSUANCE OF \$225,000 PARKING REVENUE BONDS.

BE IT RESOLVED BY THE MEMBERS OF THE STAMFORD PARKING AUTHORITY:

ARTICLE I

DEFINITIONS, STATUTORY AUTHORITY AND FINDINGS

1.01. Definitions. The following terms shall have the following meanings in this resolution unless the text otherwise expressly requires:

- (a) "Authority" shall mean The Stamford Parking Authority.
- (b) "Act" shall mean Special Act No. 374 of the January 1953 Session of the General Assembly of the State of Connecticut entitled "An Act Concerning The Stamford Parking Authority," approved June 12, 1953.
- (c) "Bonds" shall mean the \$225,000 parking revenue bonds authorized to be issued pursuant to this resolution.
- (d) "Additional Bonds" shall mean bonds issued by the Authority from time to time in addition to and on an equal standing with the Bonds.
- (e) "City Bonds" shall mean the \$350,000 principal amount of bonds issued by the City of Stamford pursuant to the authority contained in Special Act No. 37 of the January 1953 Session of the General Assembly of the State of Connecticut entitled "An Act Authorizing the City of Stamford to Issue Off-Street

May 6, 1957

Parking Bonds and Notes," approved March 3, 1953.

- (f) "Parking System" shall mean the parking lots, buildings and other structures, parking meters or other equipment, machinery or devices for obtaining revenue from public parking of vehicles, entrances, exits, fencing and all other facilities, equipment and accessories necessary or desirable for the public parking of vehicles, for which fees or other charges are fixed, established and collected, and all properties real, personal, tangible or intangible, used in connection therewith, now owned, operated or controlled by the Authority, constructed or acquired pursuant to this resolution, or hereafter constructed or acquired by said Authority from any source whatsoever, within the City of Stamford; and parking meters or other equipment, machinery or devices installed, located and existing at or near the curbs of the streets adjacent to on-street parking places for collecting revenues from public parking of vehicles in such places, for which fees or other charges are fixed, established or collected, and all such facilities hereafter located, constructed or acquired by the Authority from any sources whatsoever for which fees or other charges are fixed, established or collected. The Parking System shall include the land on Bell and Atlantic Streets, referred to below, to be acquired by the Authority.
- (g) "Additional Facilities" shall mean additions, extensions and improvements hereafter made to the Parking System which are under the jurisdiction of the Authority.
- (h) "Gross Revenue" shall mean all fees, rentals or other charges or other income received by the Authority, or accruing to the Authority from the operation of the Parking System.
- (i) "Operating Expenses" shall mean the current expenses of the Authority, paid or accrued, of operation of the Parking System and shall include without limiting the generality of the foregoing, administrative expenses relating solely to the Parking System, insurance premiums, labor, the cost of materials and supplies used for current operation, and charges to appropriate reserves for current expenses not annually recurrent but which are such as may reasonably be expected to be incurred in accordance with sound accounting practice.
- (j) "Maintenance Expenses" shall mean the current expenses of the Authority, paid or accrued, of maintenance of the Parking System, and shall include without limiting the generality of the foregoing, labor, the cost of materials and supplies used for current maintenance, and charges to appropriate reserves for current maintenance not annually recurrent but which are such as may reasonably be expected to be incurred in accordance with sound accounting practice. Maintenance expenses shall not include any allowance for depreciation or renewals or replacements of capital assets of the Parking System.
- (k) "Fiscal Year" shall mean the period beginning with and including July 1st and ending with and including the next June 30th.

1.02. Authority for this Resolution. This resolution is Adopted pursuant to the Act.

1.03. Powers of The Stamford Parking Authority. The Act vests in the Authority the power, among other things, (a) to establish, construct, maintain and operate public parking facilities and to purchase, lease or otherwise acquire land and buildings to be used for public parking of vehicles within the limits of the City of Stamford; (b) to install, operate and maintain parking meters on the public streets and highways and other public places, including parking lots, in the City of Stamford and to collect the proceeds therefrom; (c) to establish rates to be charged by such parking meters and in parking facilities and (d) to issue bonds or other obligations of the Authority for the purpose of purchasing and acquiring parking facilities in the City of Stamford, including parking meters and property to be used for public parking facilities whether on or off the public streets or highways of said City, said bonds or other obligations to be payable solely from the revenues derived from such parking facilities and not to constitute a pledge of the full faith and credit of the City of Stamford and to be issued and sold in such manner as shall be provided by resolution of the Authority.

1.04. Existing Facilities of the Authority. Under the provisions of the Act, the Authority has acquired and now operates four public parking lots in the City of Stamford and leases and operates two additional public parking lots.

1.05. Existing Obligations of the Authority. The Authority is authorized and directed by the Act to reimburse the City of Stamford from time to time for payments made by the City on City Bonds \$309,000 of which bonds are now outstanding. The City Bonds mature in annual installments as set forth in Schedule A and bear interest at the rate of 3% per annum.

1.06. Determination of Necessity. The Authority has found and determined:

- (a) That the free circulation of traffic through the streets of the City of Stamford is necessary to the health, safety and general welfare of the inhabitants of the City of Stamford; that in recent years a greatly increased use of motor vehicles has caused traffic congestion in the streets of said City; that the parking of motor vehicles in the streets has contributed to this congestion to such an extent as to endanger the health, safety and general welfare of the inhabitants of the City; that the acquisition and operation of additional parking lots by the Authority will relieve such traffic congestion; and that the installation of additional parking meters and the acquisition from time to time of additional parking lots may be necessary to relieve increased traffic congestion in the future;
- (b) That the Authority at present derives revenues from the operation of existing parking facilities now under its jurisdiction which is more than sufficient to pay all the costs of the operation and maintenance thereof and to reimburse the City of Stamford for payments made by the City on the City Bonds; and
- (c) That the acquisition and operation of an additional off-street parking lot at Bell and Atlantic Streets in the City of Stamford will relieve traffic congestion in the City and that the revenues anticipated from the operation of said parking lot will be sufficient to pay the costs of its

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operation and maintenance and to pay the principal of and interest on the parking revenue bonds to be issued hereunder to pay the cost of its acquisition.

1.07. Prior Action of the Authority. The Authority has heretofore authorized the acquisition of land at Bell and Atlantic Streets for the purpose of a public parking lot by resolution of the Authority, enacted January 23, 1956, and more particularly described in said resolution; and said acquisition has been duly approved by the Planning Board and by the Board of Representatives of the City of Stamford pursuant to the Act.

1.08. Resolution to Constitute Contract. In consideration of the acceptance of the Bonds authorized to be issued hereunder by those who shall hold the same from time to time, this resolution shall be deemed to be and shall constitute a contract between the Authority and such Bondholders, and the covenants and agreements herein set forth to be performed by the Authority shall be for the equal benefit, protection and security of the legal holders of any and all of such Bonds and the coupons attached thereto, all of which shall be of equal rank and without preference priority or distinction of any of the Bonds or coupons over any other thereof except as expressly provided therein and herein.

## ARTICLE II

### AUTHORIZATION, TERMS, EXECUTION, SALE AND DELIVERY

2.01. Authorization and Terms of Bonds. For the purpose of acquiring land on Bell and Atlantic Streets, hereinbefore referred to, as an addition to the Parking System, there shall be issued negotiable Bonds of the Authority, to be entitled "Parking Revenue Bonds, Series A," in the aggregate principal amount of Two Hundred Twenty-five Thousand Dollars (\$225,000), which Bonds shall be dated June 1, 1957, shall be in denominations of \$1,000 each, shall be numbered 1 to 225, both inclusive and shall mature in numerical order, lowest numbers first, on June 1 of each year in annual installments of \$12,000 each, commencing June 1, 1958 and ending June 1, 1962, and in annual installments of \$11,000 each, commencing June 1, 1963 and ending June 1, 1977. The Bonds shall bear interest, payable semi-annually on June 1 and December 1 of each year, at the rate of four per cent (4%) per annum, both principal and interest shall be payable in lawful money of the United States of America at The Stamford Trust Company, of Stamford, Connecticut.

The Bonds shall be redeemable prior to their respective stated dates of maturity from moneys in the Bond Redemption Fund as herein provided, at the option of the Authority, on any interest payment date, in whole or in part, but in inverse order of maturities and by lot within maturities, if less than all, at the price of par and accrued interest to the date of redemption, without premium, and only if redeemed from moneys available therefor in the Bond Redemption Fund hereinafter referred to, deposited in the Bond Redemption Fund from the revenues of the Parking System provided for herein, or any other moneys required to be deposited in the Bond Redemption Fund by the provisions of this resolution.

The Bonds shall also be redeemable prior to their respective stated dates of maturity, at the option of the Authority, on June 1, 1958, or on any interest payment date thereafter, but only as a whole and not in part, from any moneys legally available therefor, including the proceeds of refunding bonds or other obligations, at the price of par and accrued interest to the date of redemption.

A notice of any such redemption shall be published at least once not less than thirty days prior to the date of redemption in a daily paper published

in the Borough of Manhattan, City and State of New York. Interest shall cease on any of the Bonds duly called for redemption as provided above on the redemption date if payment thereof has been duly provided for.

2.02. Execution of Bonds and Coupons. The Bonds shall be executed in the name of the Authority by the Chairman of the Authority, and the seal of the Authority shall be affixed thereto. In case any one or more of the officers who shall have signed or sealed any of the Bonds shall cease to be such officer of the Authority before the Bonds so signed and sealed have been actually sold and delivered, such bonds may nevertheless be sold and delivered as herein provided and may be issued as if the person who signed or sealed such Bonds had not ceased to hold such office. Any Bond may be signed and sealed on behalf of the Authority by such person as at the actual time of the execution of such Bonds shall hold the proper office in the Authority, although at the date of such Bonds such person may not have held such office or may not have been so authorized.

The Coupons to be attached to the Bonds shall be numbered to correspond with the numbers on the Bonds and shall be authenticated by having impressed thereon the facsimile signature of the Chairman of the Authority and the Authority may adopt and use for that purpose the facsimile signature of any person who shall have been such Chairman after the date of the Bonds notwithstanding that he may have ceased to be such Chairman at the time when said Bonds shall be actually sold and delivered.

2.03. Registration. The Bonds may be registered at the option of the holder as to principal only, or as to both principal and interest, at the main office of The Stamford Trust Company, of Stamford, Connecticut, such registration to be noted on the back of said Bonds in the space provided therefor. After such registration as to principal only, or both principal and interest, no transfer of the Bonds shall be valid unless made at said office by the registered owner, or by his duly authorized agent or representative and similarly noted on the Bonds, but the Bonds may be discharged from registration by being in like manner transferred to bearer and thereupon transferability by delivery shall be restored. At the option of the holder the Bonds may thereafter again from time to time be registered or transferred to bearer as before. Such registration as to principal only shall not affect the negotiability of the coupons which shall continue to pass by delivery.

2.04. Bonds Mutilated, Destroyed, Stolen or Lost. In case any Bonds shall become mutilated or be destroyed, stolen or lost, the Authority may in its discretion issue and deliver a new Bond with all unmatured coupons, if any, so mutilated, destroyed, stolen or lost, in exchange and substitution for such mutilated Bonds, upon surrender and cancellation of such mutilated Bond and attached coupons, if any, destroyed, stolen or lost, and upon the holder furnishing the Authority proof of his ownership thereof and satisfactory indemnity and complying with such other reasonable regulations and conditions as the Authority may prescribe and paying such expenses as the Authority may incur. All Bonds and coupons so surrendered shall be cancelled by the Authority. If any such Bond or coupons shall have matured or be about to mature, instead of issuing a substituted Bond or coupons, the Authority may pay the same, upon being indemnified as aforesaid, and if such Bond or coupon be lost, stolen or destroyed, without surrender thereof.

Any such duplicate Bonds and coupons issued pursuant to this section shall constitute original, additional contractual obligations on the part of the Authority, whether or not the lost, stolen or destroyed Bonds or coupons be at any time found by anyone, and such duplicate Bonds and coupons shall be entitled to equal and proportionate benefits and rights as to lien and source and security for payment from the revenues of the Parking System pledged herein with all other Bonds and coupons issued hereunder.

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2.05. Form of Bonds and Coupons. The text of the Bonds and coupons shall be of substantially the following tenor, with such omissions, insertions and variations as may be necessary and desirable and authorized or permitted by this resolution or any subsequent resolution adopted prior to the issuance thereof;

No.	UNITED STATES OF AMERICA STATE OF CONNECTICUT STAMFORD PARKING AUTHORITY PARKING REVENUE BOND, SERIES A	\$1000
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The Stamford Parking Authority (hereinafter called the Authority), a public body corporate and politic organized and existing under the laws of the State of Connecticut, for value received, hereby promises to pay to the bearer or, if this Bond shall be registered, to the holder hereof registered according to the conditions endorsed hereon, on the first day of June, 19 from the revenues hereinafter mentioned, the principal sum of

ONE THOUSAND DOLLARS

with interest thereon at the rate of four per cent (4%) per annum, payable semi-annually on the first day of June and the first day of December of each year to the bearer of the respective coupons therefor hereto attached, upon the presentation and surrender thereof as they severally mature. Both principal and interest on the Bond are payable at the main office of The Stamford Trust Company, of Stamford, Connecticut.

This Bond is one of a series of two hundred twenty-five bonds (hereinafter called the Bonds) in the aggregate principal amount of Two Hundred Twenty-five Thousand Dollars (\$225,000) of like date, tenor and effect, except as to number and date of maturity, issued to finance the cost of construction or acquisition of certain parking facilities in the City of Stamford, Connecticut, under and in conformity with Special Act No. 374 adopted at the January 1953 Session of the General Assembly of the State of Connecticut, entitled "An Act Concerning The Stamford Parking Authority" approved June 12, 1953, and other applicable statutes, and a resolution of the Authority duly adopted on the day of March, 1957 and is subject to all the terms and conditions of said resolution.

The Bonds shall be redeemable prior to their respective stated dates of maturity, from moneys in the Bond Redemption Fund, as provided below, at the option of the Authority, on any interest payment date in whole or in part, but in inverse order of maturities and by lot within maturities, if less than all, at the price of par and accrued interest to the date of redemption and only if redeemed from moneys available therefor in the Bond Redemption Fund established pursuant to the aforesaid resolution, deposited in said Bond Redemption Fund from the revenues of said Parking System, or any other moneys required to be deposited in said Bond Redemption Fund by the provisions of said resolution.

The Bonds shall also be redeemable prior to their respective stated dates of maturity, at the option of the Authority on June 1, 1958, or on any interest payment date thereafter, but only as a whole and not in part, from any moneys legally available therefor, including the proceeds of refunding bonds or other obligations, at the price of par and accrued interest to the date of redemption.

A notice of any such redemption shall be published at least once not less than thirty days prior to the date of redemption in a daily paper published in the Borough of Manhattan, City and State of New York. Interest shall cease on any of the Bonds duly called for redemption as provided above on the redemption date if

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payment thereof has been duly provided for.

This Bond and the coupons appertaining hereto are payable solely from and secured by a lien upon and pledge of the revenues derived from the operation of the Parking System of the Authority described in, and in the manner provided in, the resolution authorizing the issue of the Bonds. This Bond does not constitute an indebtedness of the City of Stamford, County of Fairfield, State of Connecticut, or any political subdivision thereof, and neither said City, nor said County, nor said State or any political subdivision thereof shall be liable hereon, nor in any event shall this bond be payable out of any funds or properties other than those of the Authority.

It is further agreed between the Authority and the holder of this Bond that this Bond and the obligation evidenced hereby shall not constitute a lien upon the Authority's Parking System, or any part thereof, or on any other property of or in the City of Stamford but shall constitute a lien only on the revenues derived from the operation of the Parking System, in the manner provided in said resolution.

The Authority in said resolution has covenanted and agreed with the holders of the Bonds to fix and establish and maintain such rates and collect such fees, rentals or other charges for the services and facilities of said Parking System, and to revise the same from time to time whenever necessary, as will always provide revenues sufficient to pay, and out of said revenues shall pay, as the same shall become due, the principal of and interest on the Bonds, all reserve or sinking funds or other payments provided for in said resolution, the necessary expenses of operating and maintaining said Parking System, and all other obligations payable out of the revenues of said Parking System, and that such rates, fees, rentals or other charges shall not be reduced so as to be insufficient to provide revenues for such purposes, and the Authority has entered into certain further covenants with the holders of the Bonds for the terms of which reference is made to said resolution.

It is hereby certified that this bond has in all respects been issued in compliance with and in conformity to law and that all acts, things and conditions required to exist, be performed or happen precedent to or in the issuance of this bond, have existed, been performed and happened as required by law.

This bond shall not be obligatory upon the Authority until authenticated by the certificate of The Stamford Trust Company, of Stamford, Connecticut, endorsed hereon.

This bond, at the request of the holder, may be registered in the name of the holder hereof in conformity with the provisions endorsed hereon, and unless so registered this bond shall be transferable by delivery.

IN WITNESS WHEREOF, the Stamford Parking Authority has issued this bond, bearing date of the first day of June, 1957 and has caused it to be signed by its Chairman, the corporate seal of the Authority to be hereto affixed, and the interest coupons hereto attached to be authenticated by the facsimile signature of its Chairman.

STAMFORD PARKING AUTHORITY

BY \_\_\_\_\_

Chairman

(SEAL)

May 6, 1957

CERTIFICATE OF THE STAMFORD TRUST COMPANY

THIS IS TO CERTIFY that this bond is one of the particular issue described herein, that the signatures and seal affixed thereto are genuine, and that Messrs. Day, Berry & Howard, attorneys at law, of Hartford, Connecticut, have rendered an opinion approving the legality of such particular issue.

THE STAMFORD TRUST COMPANY

By \_\_\_\_\_  
Authorized Official

No. \_\_\_\_\_ FORM OF COUPON \$20.00

On the first day of \_\_\_\_\_, 19\_\_\_\_, unless the Bond to which this coupon is attached shall have been duly called for prior redemption and payment thereof duly provided for, the Stamford Parking Authority will pay to the bearer, at the main office of The Stamford Trust Company, of Stamford, Connecticut, in lawful money of the United States of America, solely from the revenues described in the Bond to which this coupon is attached, the sum of Twenty Dollars (\$20.00) upon presentation and surrender of this coupon, being six months' interest then due on its Parking Revenue Bond, dated as of June 1, 1957.

STAMFORD PARKING AUTHORITY

By \_\_\_\_\_  
Chairman

(on back of bond - center)

UNITED STATES OF AMERICA

STATE OF CONNECTICUT

STAMFORD PARKING AUTHORITY

PARKING REVENUE BOND, SERIES A

\$1,000

Per 4 Cent

Dated as of June 1, 1957

Principal Due

June 1, 19\_\_\_\_

Interest Payable



June 1 and December 1

Principal and Interest Payable

at the main office of

The Stamford Trust Company

Stamford, Connecticut

PROVISION FOR REGISTRATION

This bond may be registered in the name of the holder on the books of The Stamford Trust Company as to principal only, such registration to be noted in the registration blank below, after which no transfer shall be effected unless made on said books by the registered holder or attorney duly authorized and similarly noted in the registration blank below, but it may be discharged from registration by being transferred to bearer, after which it will be transferable by delivery, but it may again be registered as to principal only as before. Such registration shall not impair the negotiability of the coupons by delivery merely. This bond may also be registered as to both principal and interest upon the surrender and cancellation of the unmatured coupons attached hereto, in which event The Stamford Trust Company shall note in the registration blank below and on said books that this bond is registered as to interest as well as principal, and thereafter the interest shall be remitted by mail to the registered holder.

Date of Registration :	In Whose Name Registered :	Manner of Registration :	Signature of Registrar :
:	:	:	:
:	:	:	:
:	:	:	:
:	:	:	:
:	:	:	:
:	:	:	:

ARTICLE III

PARKING REVENUES AND APPLICATION THEREOF

3.01. Revenue Fund. Commencing June 1, 1957, the entire Gross Revenues derived from the Parking System of the Authority shall be deposited in a special fund, which fund is hereby created and designated as the "Revenue Fund." Said Revenue Fund shall constitute a trust fund for the purposes provided in this resolution and shall be kept separate and distinct from all other funds of the Authority and used only for the purposes and in the manner provided in this Article III.

3.02. Disposition of Parking Revenues. All revenues at any time remaining on deposit in the Revenue Fund shall be disposed of only in the following manner and order of priority:

- A. Moneys in the Revenue Fund shall first be used by the Authority for the

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payment of Operating Expenses of the Parking System.

B. The Authority shall next from the moneys remaining in the Revenue Fund, provide for the payment of Maintenance Expenses of the Parking System, provided, however, that maintenance expense shall not exceed the limitation set forth in paragraph E of this Section 3.02.

C. Monies remaining in the revenue fund shall next be used for the payment of maturing principal of and interest on the Bonds and to reimburse the City of Stamford for payment made by the City on the City Bonds and not later than the first day of each month the Authority shall apportion and set apart out of such revenue fund and deposit in a special fund which shall constitute a trust fund to be known as the "Sinking Fund," which is hereby created, such sums as will be sufficient to pay one-sixth of all the interest maturing on the Bonds on the next payment date and beginning with June 1, 1957 one-twelfth of the principal maturing on the Bonds on the next principal payment date and one-twelfth of the annual payment to the City of Stamford in respect to the City Bonds.

D. The Authority, beginning July 1, 1957, shall next, from the moneys remaining in the Revenue Fund, deposit in a special fund, which shall constitute a trust fund, to be known as the "Reserve Fund," which is hereby created, on the first day of each month of each year, an amount equal to one-sixtieth (1/60) of the maximum amount of principal and interest becoming due and payable on the Bonds in any succeeding fiscal year.

No further payments shall be required to be made into said Reserve Fund when there shall have been deposited therein, and as long as there shall remain therein, a sum equal to the maximum amount of the payments due to the City of Stamford in respect to the City Bonds and of principal and interest becoming due and payable on the Bonds in any succeeding fiscal year.

Monies in the reserve fund shall be used first for the purpose of payment of maturing interest and principal on the Bonds and, second, to reimburse the City of Stamford for payments made by the City on the Bonds when the other monies in the sinking fund are insufficient therefor and for no other purposes.

Any withdrawals from the Reserve Fund shall be subsequently restored from the first revenues available after all required payments for the Sinking Fund and Reserve Fund, including any deficiencies for prior payments, have been made in full.

The Authority shall not be required to make any further payment into said Sinking Fund or into said Reserve Fund when the aggregate amount of funds in both said Sinking Fund and said Reserve Fund are at least equal to the aggregate principal amount of Bonds issued pursuant to this resolution then outstanding, plus the amount of interest then due or thereafter to become due at maturity or prior redemption.

E. The Authority shall next, from the moneys remaining in the Revenue Fund, deposit in a special fund, which shall constitute a trust fund, to be known as the "Capital Improvements Fund," which is hereby created, on the first day of June of each year, beginning June 1, 1959, such amount as shall be determined by the Authority to be necessary to provide sufficient moneys for the replacement of capital assets of the Parking System and to pay the cost of such extensions, improvements and additions to the Parking System as the Authority from time to time shall deem necessary and advisable, provided, however, that the amount deposited in the Capital Improvements Fund for the purpose of replacement of capital assets of the Parking System shall not in any one year exceed the limitation set forth in

Paragraph H of this Section 3.02.

If at any time the moneys on deposit in the Sinking Fund and Reserve Fund are insufficient to pay principal of or interest on the Bonds as the same shall become due and payable, and amounts due the City of Stamford in respect to the City Bonds, the Authority shall transfer from the Capital Improvements Fund and apply to payment of maturing principal of and interest on the Bonds and the amount due the City of Stamford, such sums as may be necessary for such purpose. If at any time the Authority shall determine that the moneys on deposit in the Capital Improvements Fund are in excess of the amounts required for the purposes for which such Fund is established, the Authority shall transfer from the Capital Improvements Fund and deposit in the Bond Redemption Fund hereinafter provided for, such sum as shall be specified as available for such transfer.

F. If on any payment date the revenues in said Revenue Fund are insufficient to place the required amount in any of the funds as hereinbefore provided, the deficiency shall be made up in the subsequent payments in addition to the payments which would otherwise be required to be made into said funds on the subsequent payment dates.

G. Thereafter, on or after the fifteenth day of each month, the balance of any revenues remaining in said Revenue Fund as of the first day of such month, after all other required payments into the funds provided above have been made or provided for, shall be deposited in a special fund, which shall constitute a trust fund, to be known as the "Bond Redemption Fund." In the discretion of the Authority, any moneys in said Bond Redemption Fund may be used for the purchase of Bonds of the last maturity then outstanding at not more than par; provided, however, that all moneys in excess of \$15,000 in said Bond Redemption Fund on July 1st of each year, shall be used for the prior redemption of the Bonds on the next June 1st.

H. The Authority shall not in any fiscal year use more than twenty per cent (20%) of its annual gross revenue for maintenance expense and payments into the Capital Improvements Fund.

#### ARTICLE IV

##### APPLICATION OF BOND PROCEEDS AND EXISTING MONEYS

4.01. Application of Accrued Interest and Bond Premium. All accrued interest and premium received from the purchaser of any bonds issued hereunder shall be deposited in the Sinking Fund.

4.02. Application of Proceeds of the Bonds. Proceeds from the sale of the Bonds, after deduction of accrued interest and premium, if any, shall be used exclusively to defray in part the cost of the aforementioned parking lot at Bell and Atlantic Streets in the City of Stamford.

4.03. Application of Existing Moneys. Existing moneys of the Authority, other than proceeds from the sale of the Bonds, on hand on June 1, 1957, shall be deposited in the funds hereinbefore established.

#### ARTICLE V

##### ADDITIONAL COVENANTS OF THE AUTHORITY

5.01. General Covenants of the Authority. All the covenants, agreements and provisions of this resolution shall be and constitute valid and legally binding

covenants of the Authority and shall be enforceable in any court of competent jurisdiction by any holder or holders of the Bonds. In addition to the other covenants, agreements and provisions of this resolution, the Authority hereby covenants and agrees with the holders of the Bonds in the manner provided in this Article V. All such covenants, agreements and provisions shall be irrevocable, except as provided herein, as long as any of the Bonds or the interest thereon, are outstanding and unpaid.

5.02. Bonds not to be Indebtedness of the City, County or State. Neither the Bonds or coupons shall be or constitute an indebtedness of the City of Stamford County of Fairfield, State of Connecticut, or any political subdivision thereof, an neither said City, nor said County, nor said State or any political subdivision thereof shall be liable hereon, nor in any event shall the Bonds nor coupons be payable out of any funds or properties other than those of the Authority.

5.03. Bonds Secured by Pledge of Revenues. The payment of the debt service of all of the Bonds issued hereunder shall be secured forthwith equally and ratably by a lien on the net revenues derived from the Parking System. The net revenues derived from Parking System in an amount sufficient to pay the principal of and interest on the Bonds herein authorized, and to make the payments into the Sinking Fund, Reserve Fund, Bond Redemption Fund and all other payments provided for in this resolution, are hereby irrevocably pledged in the manner provided in this resolution to the payment of the principal of and interest on the Bonds herein authorized as the same become due, and the other purposes provided in this resolution.

5.04. Rates. The Authority will fix, establish and maintain such rates and collect such fees, rentals or other charges for the services and facilities of the Parking System, and revise the same from time to time whenever necessary, as will always provide revenues sufficient to pay, in the manner provided in this resolution, and out of said revenues shall pay, as the same shall become due, the principal of and interest on the Bonds, in addition to paying as the same shall become due, the necessary expenses of operating and maintaining the Parking System, all reserve, sinking fund or other payments provided for in this resolution, and all other obligations or indebtedness payable out of the revenues of the Parking System and that such rates, fees, rentals or other charges shall not be reduced so as to be insufficient to provide adequate revenues for such purposes.

5.05. Operation and Maintenance. The Authority will maintain, or cause to be maintained, in good condition the Parking System and all parts thereof, and will operate the same in an efficient and economical manner, making such expenditures for equipment and for renewal, repair and replacement as may be proper for the economic operation and maintenance thereof from the revenues of the Parking System in the manner provided in this resolution. The Authority will put the land at Bell and Atlantic Streets, hereinbefore mentioned, to be acquired with the proceeds of the Bonds into operation as a parking lot as expeditiously as possible.

5.06. Sale of the Parking System. If authorized or permitted by law, the Parking System may be sold, mortgaged, leased, or otherwise disposed of by the Authority only as a whole, or substantially as a whole, and only if the net proceeds to be realized shall be sufficient fully to retire all of the Bonds issued pursuant to this resolution and all interest or premiums thereon to their respective dates of maturity or prior redemption. The proceeds from such sale, mortgage, lease or other disposition of the Parking System shall immediately be deposited in the Bond Redemption Fund and shall be used only for the purpose of paying the principal of and interest on the Bonds issued pursuant to this resolution as the same shall become due or for the redemption of the Bonds prior to maturity.

The foregoing provision notwithstanding, the Authority, if authorized or permitted by law, shall have and hereby reserves the right to sell, lease or otherwise dispose of any of the property comprising a part of the Parking System hereafter determined in the manner provided herein to be no longer necessary, useful or profitable in the operation thereof. Prior to any such sale, lease or other disposition of said property, if the amount to be received therefor is not in excess of \$10,000.00, the general manager or other duly authorized officer in charge of such Parking System shall make a finding in writing determining that such property comprising a part of the Parking System is no longer necessary, useful or profitable in the operation thereof, and the Authority shall approve such finding, and such sale, lease or other disposition of such property shall be authorized in the manner provided by law, and such proceeds shall be deposited in the Capital Improvements Fund and used only as provided herein for such fund. If the amount to be received from such sale, lease or other disposition of said property shall be in excess of \$10,000.00, the general manager or other duly authorized officer in charge of the Parking System shall first make a finding in writing which shall be approved by an independent engineer or firm of engineers especially skilled in parking problems, determining that such property comprising a part of the Parking System is no longer necessary, useful or profitable in the operation thereof, and the Authority shall, by resolution duly adopted, approve and concur in the finding of the general manager or other duly authorized officer, and such sale, lease or other disposition of said property shall be authorized in the manner provided by law. The proceeds derived from any such sale, lease or other disposition of said property, in excess of \$10,000.00 shall be placed in the Bond Redemption Fund provided for in this resolution, and shall be used only in the manner provided herein for said fund. Such payment of such proceeds into the Bond Redemption Fund or the Capital Improvements Fund shall not reduce the amount required to be paid into said funds by other provisions of this resolution.

Nothing herein contained in this section or in this resolution is intended, nor shall it be construed so as, to prevent the trading in of used equipment, including the parking meters of the Parking System, for credit or allowance toward the purchase of new equipment for the Parking System, including said parking meters, provided that such new equipment is substantially similar in type, quality and amount as the used equipment so traded in for credit or allowance.

5.07. Issuance of other Obligations Payable out of Revenues. The Authority will not issue any other obligations for any purpose payable from the revenues derived from the operation of the Parking System, except Additional Bonds provided for in Section 5.08 hereof, nor voluntarily create or cause to be created any debt, lien, pledge, assignment, encumbrance or any other charge which will have priority to or be on a parity with the lien of the Bonds issued pursuant to this resolution and the interest thereon, upon any of the income and revenues of the Parking System, or any part thereof. Any other obligations hereafter issued by the Authority, payable from such revenues, except the Additional Bonds, shall contain an express statement that such obligations are junior, subordinate and inferior to the Bonds issued pursuant to this resolution as to lien and source and security for payment from the revenues of the Parking System, and in all other respects.

5.08. Issuance of Additional Bonds. Notwithstanding the provisions of this Section 5.08 or any other provision of this resolution, the Authority reserves the right to issue Additional Bonds payable pari passu from the revenues derived from the operation of the Parking System with the Bonds originally authorized to be issued pursuant to the provisions of this resolution, to provide funds for the purpose of the construction and/or acquisition of Additional Facilities, provided, however;

- (a) The Gross Revenues from the Additional Facilities to be

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constructed or acquired from the proceeds of such Additional Bonds shall be required to be paid into the Revenue Fund and pledged to the payment of the Bonds, such Additional Bonds and payments to the City of Stamford in respect to the City Bonds.

- (b) No deficiencies then exist in the Sinking Fund, the Reserve Fund or the Capital Improvements Fund;
- (c) The Authority shall have determined or in the event that the aggregate principal amount of such Additional Bonds is more than \$50,000 and, together with the total amount of outstanding Bonds and Additional Bonds of the Parking Authority previously issued, is \$500,000, or less, an independent engineer or firm of engineers especially skilled in parking problems shall have certified to the Authority and the Authority shall have determined that the annual revenues anticipated from such Additional Facilities will, after payment of Operating Expenses and Maintenance Expenses in respect thereto, equal at least 100% of the annual principal and interest charges of such Additional Bonds to be issued, and if the aggregate principal amount of such Additional Bonds and the total amount of outstanding Bonds and Additional Bonds of the Parking Authority previously issued is more than \$500,000, an independent engineer or firm of engineers especially skilled in parking problems shall have certified to the Authority and the Authority shall have determined that the annual revenues anticipated from such Additional Facilities will, after payment of Operating Expenses and Maintenance Expenses in respect thereto, equal at least 150% of the annual principal and interest charges of such Additional Bonds to be issued.
- (d) Should the Additional Bonds bring the total amount of Bonds and Additional Bonds of the Parking Authority outstanding above \$500,000, the Gross Revenue from the Parking System for the last preceding fiscal year, less Operating Expenses and Maintenance Expenses for such period, shall be equal to not less than 150% of the highest annual requirement thereafter required for principal and interest thereafter becoming due on all bonds then payable out of the revenues of the Parking System issued and outstanding as of the date of such Additional Bonds and for reimbursement to the City of Stamford in respect to the City Bonds, including the Additional Bonds then being issued.

Additional Bonds shall be deemed to have been issued pursuant to this resolution, and all of the covenants, and other provisions of this resolution (except as to details of such Additional Bonds inconsistent therewith) shall be for the equal benefit, protection and security of the holders of any Bonds originally authorized and issued pursuant to this resolution and the holders of any Additional Bonds subsequently created at any time or from time to time within the limits and in compliance with this Section. All Additional Bonds, regardless of the time or times of their issuance, shall rank equally with respect to their lien on the revenues of the Parking System and their source and security of payment from said revenues without preference of any Bond or coupon, over any other. The Authority shall comply fully with all the increased payments into the various funds created in this

resolution required for such additional Bonds, in addition to the payments required for Bonds originally issued pursuant to this resolution.

5.09. Insurance. The Authority will carry such insurance as is ordinarily carried by private corporations owning and operating similar systems as the Parking System with a reputable insurance carrier or carriers against loss or damage by fire, explosion, hurricane, earthquake, cyclone, occupancy or other hazards and risks, which insurance shall at all times be in an amount or amounts equal to the fair appraisal value of the buildings, properties, furniture, fixtures and equipment of the Parking System. In time of war, the Authority shall also carry in said amount such insurance as may be available against loss or damage by the risks and hazards of war upon the written request of the holders of 75% of the bonds then outstanding hereunder filed with the Authority.

The Authority shall also carry liability insurance for damage or injury to persons or property in amounts adequate for such purposes and comparable to the amounts of such insurance ordinarily carried by private corporations owning and operating similar systems as the Parking System.

5.10. Services Rendered to the City of Stamford. That, except as hereinafter provided, the Authority shall not render or cause to be rendered any free parking or services of any nature by the facilities of the Parking System, nor will any preferential rates be established for users thereof of the same class; and in the event the City of Stamford or any board, department, agency, instrumentality, officer or employee of said City shall avail itself or themselves of the facilities or services provided by the Parking System, or any part thereof, the same rates, fees or charges applicable to other customers receiving like services under similar circumstances shall be charged said City, board, department, agency, instrumentality, officer or employee of said City, and such charges shall be paid as they accrue. The revenues so received shall be deemed to be revenues derived from the operation of the Parking System, and shall be deposited and accounted for in the same manner as other revenues derived from such operation of the Parking System.

Notwithstanding the foregoing provisions of this Section 5.10, the Authority may permit the parking facilities of the Parking System to be used by vehicles owned and operated by the federal government and by vehicles which are equipped with proper plates showing such vehicles are exempt from payment of registration license fees under the laws of the State of Connecticut, and by vehicles and mobile portable machinery owned and operated by the City of Stamford, without charge, when such vehicles or mobile portable machinery are being used in the performance of governmental functions.

5.11. Annual Budget. The Authority shall maintain proper accounting and financial records and shall make a report semi-annually to the mayor, board of finance and the board of representatives of the City of Stamford and all such records shall be subject to audit by the City's auditors. The Authority shall prepare annually a budget of estimated revenues and expenditures for the ensuing fiscal year, consistent with the provisions of this resolution.

5.12. Remedies. Any holder of bonds or of coupons pertaining thereto, issued under the provisions of this resolution or any Trustees acting for such bond-holders in the manner hereinafter provided, may either at law or in equity, by suit, action, mandamus or other proceeding in any court of competent jurisdiction, protect and enforce any and all rights under the laws of the State of Connecticut, or granted and contained in this resolution, and may enforce and compel the performance of all duties required by this resolution or by any applicable statutes to be performed by the Authority or by any officer thereof, including the fixing, charging and collecting of rates, fees, rentals or charges for the services and facilities of the

Parking System.

The holder or holders of bonds in an aggregate principal amount of not less than twenty-five per centum of bonds issued under this resolution then outstanding may by a duly executed certificate in writing appoint a trustee for holders of bonds issued pursuant to this resolution with authority to represent such bondholders in any legal proceedings for the enforcement and protection of the rights of such bondholders. Such certificate shall be executed by such bondholders or their duly authorized attorneys or representatives, and shall be filed in the office of the Authority.

5.13. Enforcement of Collections. The Authority will diligently enforce and collect all fees, rentals or other charges for the services and facilities of the Parking System, and take all steps, actions and proceedings for the enforcement and collection of such fees, rentals or other charges which shall become delinquent to the full extent permitted or authorized by the Act and by other laws of the State of Connecticut. The Authority shall approve such reasonable and necessary rules and regulations and amendments thereto as shall from time to time be made by the Police Chief of the City of Stamford with respect to parking on public streets, highways and public places for the purpose of maintaining order and safety in the facilities of the Parking System.

ARTICLE VI

INVESTMENT OF FUNDS

6.01. Investment of Funds. The moneys in the Capital Improvements Fund and in the Reserve Fund not immediately needed for the purposes of said funds, may be invested and re-invested only in direct obligations of the United States of America maturing not later than one year after the date of purchase thereof.

The moneys in the Sinking Fund and Bond Redemption Fund, not immediately needed for the purposes of said funds, may be invested and reinvested only in direct obligations of the United States of America maturing not later than six months after the date of purchase thereof.

The moneys in the Revenue Fund shall not be invested or reinvested at any time but must always be maintained in cash.

ARTICLE VII

DEPOSITORY OF FUNDS

7.01. Depository of Funds. The moneys of all funds created or accruing under the provisions of this resolution shall be deposited in one or more banks or trust companies which are eligible under the laws of the State of Connecticut to receive deposits of state and municipal funds, and which are members of the Federal Deposit Insurance Corporation. Such deposits shall at all times be secured in the same manner and to the same extent as state and municipal funds are required to be secured under the laws of the State of Connecticut.

ARTICLE VIII

MISCELLANEOUS

8.01. Modification or Amendment. Except as this resolution may from time to time be supplemented to provide for the issue of Additional Bonds as permitted by Article V hereof, no material modification or amendment of this resolution, or of



any resolution amendatory hereof or supplemental hereto, may be made without the consent in writing of the holders of three-fourths or more in principal amount of the bonds then outstanding hereunder; provided, however, that no modification or amendment shall permit a change in the maturity of such bonds or a reduction in the rate of interest thereon, or in the amount of the principal obligation or affecting the unconditional promise of the Authority to pay the principal of and interest on such bonds as the same shall become due from the revenues of the Parking System, or reduce the percentage of bondholders required to consent to such modification or amendment, without the consent of the holders of such bonds.

8.02. Severability of Invalid Provisions. If any one or more of the covenants, agreements or provisions of this resolution should be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining covenants, agreements or provisions, and in no way affect the validity of all the other provisions of this resolution or of the Bonds or coupons issued thereunder.

8.03. Conflicting Resolutions Superseded. All resolutions and parts of resolutions in conflict herewith are to the extent of such conflict hereby superseded.

8.04. Effective Date. This resolution shall take effect June 1, 1957.

EXHIBIT A

CITY BOND MATURITIES

Off Street Parking Lot, Issued May 1, 1953

<u>Year</u>	<u>\$200,000</u> <u>Bedford Street</u>	<u>\$150,000</u> <u>Canal Street</u>
	<u>3's</u>	<u>3's</u>
1957	\$8,000.00	\$6,000.00
1958	8,000.00	6,000.00
1959	9,000.00	6,000.00
1960	9,000.00	7,000.00
1961	9,000.00	7,000.00
1962	9,000.00	7,000.00
1963	10,000.00	7,000.00
1964	10,000.00	8,000.00
1965	10,000.00	8,000.00
1966	11,000.00	8,000.00

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May 6, 1957

<u>Year</u>	\$200,000 Bedford Street	\$150,000 Canal Street
	<u>3's</u>	<u>3's</u>
1967	\$11,000.00	\$8,000.00
1968	11,000.00	8,000.00
1969	12,000.00	9,000.00
1970	12,000.00	9,000.00
1971	12,000.00	9,000.00
1972	13,000.00	9,000.00
1973	<u>13,000.00</u>	<u>10,000.00</u>
	\$177,000.00	\$132,000.00

MR. BAKER introduced the following resolution and MOVED for its adoption. Seconded by Mr. Findlay and CARRIED by a unanimous vote of the 33 remaining members now present.

RESOLUTION NO. 253

BE IT RESOLVED that all monies which have been advanced from the General Fund to defray the cost of the purchase of the parking lot at Bell and Atlantic Streets, for which revenue bonds are being issued, will be reimbursed to the General Fund immediately upon issuance and sale of said bonds.

Fiscal Committee:

MR. KAMINSKI requested that the Board now return to matters before his Committee.

Re: Willard School - \$3,500.00 requested by Board of Education in letter dated March 14, 1957 to Board of Finance and Chairman of Fiscal Committee for additional appropriation to take care of sewage disposal system.

MR. KAMINSKI asked that the Secretary request the Board of Education in the future to please see that letters requesting appropriations be sent to this Board similar to any other department in the City, by sending the original request to the office of the Board of Representatives, attention of the President of the Board, and to also furnish copies for each member of the Board for his information. In that way everyone concerned would be informed.

MR. KAMINSKI MOVED for approval of the request for the additional appropriation of \$3,500 for the Willard School sewage disposal system. Seconded by Mr. Macrides and CARRIED unanimously.

Mr. Kaminski explained that one of the members of his Committee, Mrs. Doris Zuckert, has been traveling on vacation and he has been receiving her suggestions regarding the budget while she was enroute, some of them recently received via Panama.

May 6, 1957

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Re: \$9,758.10 - Light, Heat & Power and Maintenance of Patrol Cars, Police Dept.  
(See Mayor's letter of 4/2/57)

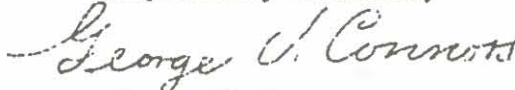
Mr. Kaminski stated that he was in receipt of a request from the Chief of Police that action be taken on his request for an additional appropriation under date of February 21, 1957, and submitted to both Boards by the Mayor in his letter dated April 2, 1957. He said because the Board of Finance had not acted on this as yet, he was reluctant to act on it first and thought it much better to bring matters of this nature before this Board after the Board of Finance has passed on it, in the event some items might be cut, as it could prove embarrassing. However, because of the urgency of the request, he MOVED for suspension of the rules to bring this before the Board. Seconded by Mr. Baker.

MR. FREDERICKS: "Once before we acted before the Board of Finance acted and it proved to be a rather embarrassing situation. As a matter of principle, I am opposed to acting before they act, because the Board of Finance could point out to us that they have the prerogative to act first and it is possible that they could deny the whole amount if they so wished."

MR. RAITERI MOVED the question on the suspension of the rules. VOTE taken and OPPOSED unanimously. LOST.

MR. FREDERICKS MOVED for adjournment at 12:15 A.M. Seconded by several and CARRIED unanimously.

Respectfully submitted,



George V. Connors  
President  
Board of Representatives

vf

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