

A regular meeting of the Board of Representatives of the City of Stamford, Conn. was held on Monday, September 9, 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 8:20 P.M.

INVOCATION was given by Rev. Raymond C. Hess, Pastor, Evangelical Congregational Church.

ROLL CALL was taken by the Clerk. At the first calling of the roll, there were 33 present and 7 absent. However, two members arrived a little late, changing the roll call to 35 present and 5 absent. The absent members were: William J. Brett, Eugene Barry, William Murphy, Edward Czupka and Thomas Topping.

ACCEPTANCE OF MINUTES - Meeting of August 5, 1957

MR. RHOADES called attention to page 1666 of the Minutes in regard to house numbering and said no mention had been made in the Minutes as to those who opposed this, but that he and Bill Murphy had been among those in opposition to it.

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

REPORTS OF COMMITTEES

Steering Committee:

Mr. Connors, Chairman, presented the following Steering Committee report:

STEERING COMMITTEE REPORT Meeting held Aug. 26, 1957

The Steering Committee of the Board of Representatives met in the Mayor's Office, City Hall, at 8:25 P.M. on Monday, August 26, 1957.

The following members were present: George V. Connors, Chairman; Norton Rhoades, Stephen Kelly, John Macrides, Cal Raiteri, George Georgoulis, Joseph Milano, Helen Peatt, William Kaminski and Vincent Vitti. The absent members were: Irving Snyder, Robert Lewis, Rutherford Huizinga, Joseph Iacovo and Alanson Fredericks (on a business trip).

The following matters were acted upon:

- (1) Letter dated August 22, 1957 from the Corporation Counsel, re opinion as to proper way to handle Firemen's request for referendum on the 42 hour work week.

Ordered read at same time report from Charter Revision Commission is submitted to Board of Representatives.

- (2) Letter dated August 19, 1957 from Corporation Counsel, giving opinion regarding interpretation of Section 402 of Charter on recent granting of raises to City officials under heading of "Salary Adjustment Account" in operating budget for 1956-1957 and 1957-58.

Referred to Legislative & Rules and Fiscal Committees.

- (3) Letter dated August 21, 1957 to Chairman of Board of Finance from Board of Education, requesting emergency appropriation of \$261,896.65 to be added to the 1957-1958 operating budget.

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Referred to Fiscal and Education, Welfare & Government Committees.

- (4) Letter dated August 5, 1957 from Peter Delaney re physical examination of persons arrested and charged with intoxication.

Ordered filed.

- (5) Letter dated August 15, 1957 from PUC. Notice of hearing on bus service from New York to Connecticut, to be held September 16, 1957 in Hartford.

Ordered filed, inasmuch as the Board has already gone on record in regard to this

- (6) All petitions for road acceptances referred to Planning & Zoning Committee.

- (7) Letter dated August 13, 1957 from Girl Scouts, inquiring as to possibility of leasing property for camp use.

Referred to Parks & Recreation Committee. Secretary instructed to send copy of letter to Mayor Quigley, with the suggestion that any initiation of this would necessarily have to come from him.

- (8) Letter dated July 31, 1957 (received too late for last Steering Committee meeting) from Supt. of Parks, enclosing additional Park Commission rule #19.

Referred to Legislative & Rules Committee and to Parks & Recreation Committee.

MR. RAITERI MOVED that a letter be written to the Park Commission, Hubbard Heights Golf Commission and the Board of Recreation, asking for their rules and regulations before the next Board meeting. Seconded and CARRIED unanimously.

- (9) Carbon copy of letter dated July 30, 1957 to the Chairman of the Park Commission from the Commissioner of Health regarding sanitary facilities at public beaches.

Referred to Fiscal and Parks & Recreation Committees.

- (10) Letter dated August 19, 1957 from Mayor Quigley re City owned property on Brookside Drive to be given to State for highway purposes for the sum of \$1.00.

Referred to Legislative & Rules Committee.

- (11) Finding and Order dated Aug. 15, 1957 from PUC on taxi fare increase.

Ordered filed.

There being no further business to come before the Committee, the meeting was adjourned.

Respectfully submitted,

George V. Connors
Chairman
Steering Committee

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It was MOVED, seconded and CARRIED unanimously that the Steering Committee Minutes be approved.

Fiscal Committee:

MR. KAMINSKI: "Our Committee has no report at this time, in view of the fact that the Board of Finance had no meeting until last Friday, September 6th, and I have not, as yet seen their Minutes."

Mr. Kaminski was furnished with a draft copy of the Minutes of the Board of Finance meeting held Friday, September 6th. He noted that there was one item which they had approved which would normally come to the Fiscal Committee for consideration and recommendation, namely the request contained in the Mayor's letter of August 26, 1957, regarding Board of Education request for a special appropriation for the Roxbury School.

Re: Classroom Addition to Roxbury Elementary School - \$187,000 amendment to 1957-58 Capital Projects Budget.

MR. KAMINSKI MOVED for suspension of the rules in order to consider the above request. Seconded by Mrs. Rankowski and CARRIED by a vote of 29 in FAVOR and 6 OPPOSED.

Mr. Kaminski read the following excerpt from the Minutes of the Board of Finance meeting held Friday, September 6, 1957:

"IT WAS RESOLVED by unanimous vote to approve an amendment to the Capital Projects Budget for the year 1957/58 by the addition of an item to be known as "Classroom Addition to Roxbury School" in the amount of \$187,000.00; and it was FURTHER RESOLVED by unanimous vote to approve the appropriation of \$187,000.00 for said "Classroom Addition to Roxbury School" which said sum is to be raised by the issue of bonds."

MR. HUIZINGA: "I want to go on record as being very much in favor of the appropriation of additional funds for the Roxbury School, but I do not believe an item of this size should be voted on without going first to a Committee. Because of the size of the amount involved, I MOVE that it be referred to the Fiscal Committee and to the Education, Welfare & Government Committee." Seconded by Mr. Georgoulis.

MR. FREDERICKS: "Is there any indication that time is of the essence as far as the starting of the preliminary steps are concerned?"

MR. KAMINSKI: "The only information that I have is that a good portion of the preparatory work was included in the plans and study of the original building. As soon as the money is allocated, they can go into construction immediately."

MR. FREDERICKS: "If we postpone this until it has had a chance for the committees to study and come out with a report on it, what effect will a 30 day delay have?"

MR. KAMINSKI: "The Board of Education feels that this work should be started immediately after the appropriation is approved."

Mr. Kaminski thereupon read the Mayor's letter of August 26, 1957, presenting this request to the various city Boards, copies of which letter were sent to all members of the Board previously:

MR. FREDERICKS: "What bothers me about this particular situation is the preliminary work that has to be done. Won't it have to go out for bids? If we fail to take action now, it will mean this will not be reported out of committee until our October meeting, which, in turn, means the bid letting will be delayed for probably

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another 30 days. Another thought that occurs to me is that is often difficult to break ground in November. Considering that we have all been furnished with copies of the letters from the Board of Education and all the publicity in connection therewith, we cannot be too ignorant of the facts involved. I do think that time is now of prime importance and I think that they will have to break ground in October to have it finished in time for occupancy. I am opposed to the motion to re-commit to the Fiscal Committee."

VOTE taken on referring this to the Fiscal Committee. LOST by a vote of 12 in FAVOR and 23 OPPOSED.

MR. KAMINSKI MOVED for approval of the following resolution. Seconded by Mr. Nolan and CARRIED by a vote of 27 in FAVOR and 8 OPPOSED:

RESOLUTION NO. 262

BE AND IT IS HEREBY RESOLVED to approve an amendment to the Capital Projects Budget for the year 1957-1958 by the addition of an item to be known as "Classroom Addition to Roxbury School" in the amount of \$187,000, and

BE IT FURTHER RESOLVED to approve the appropriation of \$187,000 for said "Classroom Addition to Roxbury School" which said sum is to be raised by the issue of bonds.

MR. KAMINSKI MOVED that the Board request the Board of Education to supply this Board with a map, showing the population and the square mileage, with all schools clearly designated. Seconded by Mr. Macrides and CARRIED unanimously.

Legislative & Rules Committee:

Mr. Raiteri, Chairman stated that Mr. Nolan had presided as Chairman at a meeting of the Committee and therefore would present the report.

MR. NOLAN, Alternate Chairman, presented the following committee report:

REPORT OF
LEGISLATIVE & RULES COMMITTEE
SEPT. 5, 1957

A meeting of the Legislative and Rules Committee was held at 8:15 P.M Thursday, Sept. 5, 1957 at Avignone's Restaurant.

The meeting was convened as a joint meeting with the Planning & Zoning Committee. That portion of the meeting will be covered in the report of the P & Z Committee.

After the joint meeting was terminated, the L & R Committee considered the agenda items for the Sept. 9 B of R meeting. Mr. Nolan acted as Chairman in the absence of Mr. Raiteri. Others present were Messrs. Baker, McLaughlin and Russell. The items considered with Committee recommendations were:

1. Petition requesting change of name from Eden Avenue to Eden Road.

This matter will be presented for Board action by the

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P & Z Committee as part of a proposed Ordinance incorporating name changes for several streets. However, the L & R Committee wishes to unanimously recommend favorable action on this petition, whether or not action is taken on the other changes proposed.

2. Proposed Ordinance concerning the Grade of Private Roads.

This item is duplicated by Item 4 on the agenda.

The Committee requests that the matter be recommitted for further study.

3. Proposed Ordinance permitting Assessment of Property Owners covering Acceptance of Private Roads.

The Committee feels that this Ordinance is unnecessary on the basis that the Board of Representatives now has the power to initiate public improvements with appropriate assessment of costs under the provisions of Section 640 of the Charter as amended by the 1957 Session of the General Assembly. It therefore recommends disapproval.

4. Covered by Item 2.

5. Proposed Amendment to the Building Code to permit third floor residence.

The Committee requests that this item be recommitted pending submission of the completely revised Building Code which the Committee will concentrate on getting in final form for early action.

The remainder of the meeting was devoted to work on the revised Building Code. The meeting adjourned at 11:10 PM.

Respectfully submitted

ELLIS B. BAKER
Clerk

Approved

John Nolan
Acting Chairman

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(1) Petition requesting change of name from Eden Avenue to Eden Road.

MR. NOLAN explained that the above matter would be presented under the Planning and Zoning Committee as a joint report of the two Committees.

(2) Proposed Ordinance concerning grade of private roads. (See bottom of page 1648 of Minutes)

MR. NOLAN MOVED the above be re-committed to Committee. Seconded by Mr. Raiteri and CARRIED unanimously.

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(3) Proposed Ordinance permitting Assessment of property owners covering acceptance of private roads.

MR. NOLAN said the Committee thought this Ordinance was unnecessary now, because under the provisions of Section 640 of the Charter, as amended by the 1957 session of the Legislature, this is covered.

MR. NOLAN MOVED for disapproval of the proposed Ordinance.

MR. RHOADES MOVED that this be re-committed to Committee, inasmuch as Mr. Topping was interested in this particular matter and was not present, being on vacation. Seconded by Mr. Hearing and CARRIED unanimously.

(4) Grade of private roads to be established. (See top of page 1649)

MR. NOLAN stated that this item was part of (2) above and should also be re-committed to Committee, and so MOVED. Seconded by Mr. Kaiteri and CARRIED unanimously.

(5) Amendment to Building Code, to permit third floor residence.

MR. NOLAN MOVED for re-commitment to Committee for the reason that this will be taken up at the time the Building Code is brought up for adoption. Seconded by Mr. Kelly and CARRIED unanimously.

MR. FREDERICKS MOVED that the order of business be changed by taking up next the report of the Charter Revision Commission. Seconded by Mr. Ketcham and CARRIED unanimously.

CHARTER REVISION COMMISSION REPORT

MR. KAMINSKI, CHAIRMAN, read the following letter:

CHARTER REVISION COMMISSION OF THE CITY OF STAMFORD

September 4, 1957

To:

Board of Representatives
City of Stamford

Gentlemen:

The members of the Charter Revision Commission interpret their duties pursuant to Public Act 465 (an Act concerning home rule) in the main, as being charged with responsibility of seeking all possible information pertinent to any proposed charter changes put before them, and to report these findings along with recommendations as to disposition of any such proposed changes to the Board of Representatives.

It was agreed that in cases where certain findings were given serious consideration but not applied as to affect any change in the proposed resolution, that these findings be passed on to the members of the Board of Representatives and the interested agencies of the City for consideration and comment prior to the final adoption and approval for referendum.

In the short period of time available for processing the request of the firemen, it was not possible to gather the information and solicit comments and opinions of all concerned with the administration of the Fire Department.

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Sufficient time remains for interested persons to give this report consideration and make known their opinions.

The Commission welcomes any comments and suggestions which would aid in giving reasonable assurance that, if the proposed Charter Revision is passed favorably by the voting public, it can be put in to operation efficiently and that there are no omissions which would hinder the program.

Very truly yours,

William C. Kaminski, Chairman

MR. FREDERICKS MOVED that the reading of the report be dispensed with, inasmuch as each member of the Board had been furnished with a copy, Seconded by Mr. Georgoulis and CARRIED unanimously.

The following report of the Charter Revision Commission was ordered incorporated in the Minutes:

REPORT OF THE CHARTER REVISION COMMISSION
OF THE CITY OF STAMFORD, CONN.

September 3, 1957

The Charter Revision Commission of the City of Stamford appointed pursuant to Resolution 260 of the Board of Representatives of the City of Stamford held its organizational meeting on August 9, 1957 at which time there were present the following members of the Commission:

Mr. Alanson R. Fredericks
Mr. Bernard Geronimo
Mr. Robert R. Hume
Mr. William C. Kaminski
Mr. Leo Kivell
Mrs. Mary L. Richardson
Mr. Joseph J. Toher, Jr.

The commission elected Mr. William Kaminski as Chairman and Mr. Leo Kivell as Secretary. The Commission then concerned itself with the petition of the uniformed paid fire force of the City of Stamford wherein a request was made for revision of the Charter of said City whereby the work week for said fire force be reduced to forty-two hours.

The Commission pursuant to Public Act #465 of the General Assembly of the State of Connecticut at its 1957 session, agreed to call a public hearing to consider said petition on August 16, 1957 at Dolan Jr. High School. The Commission caused public notices for said meeting to be published in the Stamford Advocate on August 12, 1957, August 13, 1957 and on August 15, 1957, copies of which are hereto annexed and marked Appendix "A".

The Commission conducted its public hearing at Dolan Jr. High School on August 16, 1957 and heard testimony relative to the petition of the paid fire force. Mr. Andrew Suchocki, President of City Fire Fighters Local 786 and Mr. John Hogan, Chairman of the Locals "Wage and Hour Committee" presented testimony to the Commission. The Chairman of the commission, after a period wherein the commission questioned the representatives of the local firemen requested of the people in

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attendance whether there were any opposing views upon finding there were none and no other pending proposal, the meeting adjourned and the Commission convened in executive session.

Executive sessions were held on August 23, 1957, August 30, 1957 and September 2, 1957, at which sessions the Commission interviewed:

Mr. James McDonald, of the Office of the Commissioner of Finance
of the City of Stamford

Chief Thomas F. Richardson, of the Stamford Fire Department

Mr. John F. McCutcheon, Personnel Director of the City of Stamford

Mr. Alphonsus Donahue, Chairman of the Board of Public Safety

Mr. John Hogan, Chairman of the Wage and Hour committee of the Fire-
fighters Local

Mr. Andrew Suchocki, President of the Firefighters Local

The Local Firefighters in their proposal requested: "The adoption of an Act to establish a forty-two hour work week for the permanent paid members of the uniformed fire force of the City of Stamford, computed over a period of one fiscal year, based on the schedule of three tours of days of ten hours each, followed by three days off, followed by three tours of nights of fourteen hours each, followed by three days off, followed by three tours of days, and so on, and to provide that all authorized extra duty, in excess of the forty-two hour schedule, other than time spent in an emergency or any other act of duty classified as an act of mercy, shall be compensated for as overtime at the same rate of pay received by the member of the Fire Department for work done during the regular established hours, and to provide that there shall be no diminution in the weekly earnings of the members of the Stamford Fire Department as a result of the adoption of this amendment and there shall be no lessening of the existing right and privileges of the members of said Department, and to provide that this Act shall take effect on the first day of the fiscal year next following its approval."

Based on the aforesaid interviews and information presented to the Commission the following are submitted as the findings of the Commission:

The present personnel of the Fire Department numbers 145, of which 17 are connected with the administrative and fire marshal sections, and work 40 hours. This leaves a balance of 128 men who work 56 hours for a total of 7,168 hours. If the work week of these 128 individuals are reduced to 42 hours, it would result in a total number of man hours of 5,376, leaving a balance of 1,792 hours to be provided for or 43 additional men. The classification of these 43 additional men would be distributed as follows:

37 Firefighters,	5th grade @	\$4186.00 per yr.	\$154,882.00
1 Lieutenant	1st grade @	5346.64 per yr.	5,346.64
4 Captains	2nd grade @	5456.88 per yr.	21,827.52
1 Dep. Chief	4th grade @	6008.08 per yr.	6,008.08
			<u>\$188,064.24</u>

In addition to the salaries, there would be additional expense for the special firemen's insurance in the sum of \$170.28 and group life insurance of \$2,129.53. The foregoing expenses are summarized as follows:

Salaries	\$188,064.24
Special firemen's insurance	170.28
Group life insurance	2,129.53
Total	<u>\$190,364.05</u>

The current Grand List for tax purposes amounts to \$310,668,820, and the expenses enumerated above, computed on this Grand List, would result in an additional tax of approximately six-tenths of a mill (.0006).

No provision is made in the foregoing for pensions inasmuch as firemen's pensions are not funded on an actuarial basis. The survey of the pension fund, which was made two years ago, revealed a net liability for pensions of new members at 23.34% of the salaries. Inasmuch as the new members will ultimately be entitled to pension benefits, it would appear to be reasonable to add the sum of \$43,894.19 as a cost factor. This will result in a total cost of \$234,258.24 which, when computed on the current Grand List, results in an additional cost of approximately three-fourths of a mill (.00075).

In addition to the foregoing basic salary requirements for the needed fireman further clerical personnel will be required. According to information submitted by Chief Richardson, "If no provisions are made to supplement or rearrange the present available clerical staff, we can be sure that the various schedules and reports will not be met as efficiently as they are now. It would be safe to say that the addition of 43 men would mean a twenty-five per cent increase in work for the office staff."

Pursuant to current purchasing procedure, additional equipment and uniforms will be required in the amount of \$8,657.07 as estimated by Chief Richardson.

It is not anticipated that the items of cost for equipment and additional clerical help will affect the previously quoted mill rate increase.

In the event that the required personnel to effectuate the program are not obtained by the effective date, the fire department may be required to request existing personnel to work additional hours.

The costs reflected heretofore were predicted upon fifth grade fire fighters, which is the rank that new personnel would be placed at in the civil service system. The following table will show the annual amounts that higher grades received over the fifth grade level, as previously quoted:

1st grade	\$722
2nd grade	527
3rd grade	338
4th grade	182
5th grade	0

The 42-hour work week calls for an additional 37 fire fighters and if it is assumed that only half of that number can be obtained as regulars, then approximately 18 veterans will have to be called upon for overtime. If these men are selected on a percentage basis, it will result in about two-thirds being first grade fire fighters and one-third third grade. If this were true, the result would be an additional \$10,668 in salaries if the overtime were based on the fire fighters regular salary.

Attached as Appendix "B" is a schedule of some of the existing work hours in representative Connecticut cities.

Whether the necessary additional personnel will be available is questionable. If not obtainable it will be difficult to make the required budgetary provision for the cost of the program. It is submitted, however, that such a problem should not be considered as a reason to refuse to entertain the proposal.

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As of the date of this report there were no opposing views presented to the Commission either at its public hearing or at its executive sessions.

Despite the budgetary questions, the Commission recognizes the existing trend toward shorter work hours and the advantage of enabling the Fire Department to compete with private enterprise for qualified personnel, THEREFORE, we recommend that the following resolution in accordance with Public Act #465 of the General Assembly of the State of Connecticut in its 1957 session, be placed before the electors at the next regular General Election to be held in November 1957:

NOW THEREFORE BE IT RESOLVED that Chapter 44 of the Charter of the City of Stamford be amended as follows:

"The work week of all permanent paid members of the Stamford Fire Department shall be an average work week of not more than forty-two hours computed over a period of one fiscal year based on a schedule of three tours of days of ten hours each followed by three days off, followed by three tours of nights of fourteen hours each, followed by three days off, followed by three tours of days, and so on, unless otherwise prescribed by the Fire Chief and confirmed by the Board of Public Safety, and that any time spent in an emergency in excess of any regularly assigned or schedule work week in connection with any actual fire or conflagration including time spent going to, working at or returning from any actual fire, or any other work or duty classified as an act of mercy shall not be included in computing such average work week, and that all authorized extra duty shall be compensated for as overtime at the same rate of pay received by the members of the Fire Department for work done during the regular established hours, and there shall be no diminution in the weekly earnings of the members of the Stamford Fire Department as a result of the Adoption of this amendment and there shall be no lessening of existing rights and privileges of the members of said department, and that this act shall take effect on the first day of the fiscal year next following its approval."

Respectfully submitted,

The Charter Revision Commission
of the City of Stamford

Alanson R. Fredericks
Bernard Geronimo
Robert R. Kume
William C. Kaminski, Chairman
Leo Kivell, Secretary
(Mrs.) Mary L. Richardson
Joseph J. Toohar, Jr.

Appendix "A" attached to original report only.

Appendix "B"

DATA ON STATE FIRE DEPARTMENTS

August 23, 1957

<u>JURISDICTION</u>	<u>LAST CENSUS POPULATION</u>	<u>HOURS</u>	<u>CHANGE IN EFFECT OR PLANNED</u>
Bridgeport	158,709	56	Petition signed and presented. Common Council has not as yet given permission to be placed on ballot.

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New Haven	164,443	56	None
Hartford	177,397	56	None
New Britain	73,726	56	None
Waterbury	104,477	56	None
Norwich	37,633	56	None
New London	30,551	56	None
Norwalk	65,000	56	Forty-two (42) hours starting September. Result of vote by ballot.
Bristol	35,961	56	None
Stratford	33,000	56	Petition signed and in process of being considered by Town Council.
Greenwich	40,825	56	None
Stamford	74,293	56	Petition in existence.

MR. KAMINSKI thanked everyone on the Board for their cooperation in getting this promptly under way. He said they wished to recommend that the Board hold a public hearing as soon as possible on this in order to comply with the provisions of Public Act No. 465 (An Act concerning Home Rule) passed at the 1957 session of the General Assembly.

MR. FREDERICKS: "Under the law, we have to set the date for the public hearing to be held by this Board and I would suggest September 16th."

MR. RAITERI MOVED that the President of the Board be empowered to set a time and place for the public hearing and that the Charter Revision Commission be also present and that the Board proceed into executive session immediately after the meeting. Seconded by Mr. Longo and CARRIED unanimously.

MR. FREDERICKS: "As I understand it, the last date that we can send it to the Town and City Clerk is the 21st of September. I think it is only fair to point this out, if the public hearing is set for the 16th of September, that there are four things that will have to be accomplished:

- (1) Set the date for the public hearing.
- (2) Call for the special meeting of the Board of Representatives.
- (3) Executive session of the Charter Revision Commission.
- (4) Another meeting of the Board of Representatives to decide whether or not a referendum shall be held."

MR. KAMINSKI: "You will have to include everything in the Call."

MR. KAMINSKI MOVED for approval of the above Call on the meeting to be held

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September 16, 1957. Seconded by Mr. Fredericks and CARRIED unanimously.

Appointments Committee:

Re: Peter Phanos, 91 Loveland Road, as a member of the Personnel Commission,
term ending December 1, 1959.

MR. GEORGOULIS, Chairman, read the Committee report, giving the qualifications of Mr. Phanos and MOVED for approval of the appointment, pending the outcome of the suit now before the Courts in regard to the Firemen's choice for this appointment.

MR. FREDERICKS: "If you appoint him conditionally, pending the outcome of the case now before our Courts, then what effect does any action that he takes as a member of the Personnel Commission have if the election is held invalid? I think it would be more advisable to table this action. It would be prejudicial for this Board to take action now."

MR. FREDERICKS MOVED to TABLE the vote on Mr. Phanos' appointment. Seconded by Mr. Snyder and CARRIED by a vote of 27 in FAVOR and 6 OPPOSED, with Mr. Kaminski abstaining from voting. Mr. Macrides also did not vote on this, being out of the room at the moment.

Planning & Zoning Committee:

Mr. Russell presented the following report of his Committee:

REPORT, PLANNING & ZONING COMMITTEE

A meeting of the above committee was held at 8 P.M. Thursday, September 5, 1957, at Avignone's Restaurant and the following items were considered:

1. Proposed Ordinance governing new specifications for road pavement construction.
2. Proposed Ordinance changing names of certain City streets.
3. Proposed resolution accepting additional old roads as City streets.
4. Problems involved with present road performance bonds held by the Planning Board.
5. Acceptance of new roads.

Item 1:

Forty copies of new proposed road specifications which the Committee wishes to adopt as a City Ordinance were obtained for the members of the Board. The Committee agreed that the Ordinance be presented for publication at the September 9th meeting.

Item 2:

A list of streets for change of name was discussed. It was agreed that by duplication of names of most of these streets, seriously affected the public safety and should be changed.

The Committee still holds a fairly long additional list of duplicate

street names which will have to be carefully studied. (See attached report)

Item 3:

A new list of old roads for acceptance was drawn up, taking into consideration those roads which were previously held back for acceptance by the Board because of questions of footage or clarification of length.

Item 4:

The present performance bonds and the question of prompt action by the City as to method of calling in the bonds when expired, was discussed with the Corporation Counsel, John Hanrahan. The Committee wishes to submit the following report on this matter:

- (1) The present performance bond definitely lacks worded conditions of agreement which permits the City to take prompt action. Not until after going through many lengthy and drawn out steps, both legal, as well as gathering detailed engineering information, which must include the various phases of work to be done and estimated costs, can the City compel the bonding company to complete work that the developer fails to do;
- (2) The Gunner Corporation performance bond was discussed in length, and it is obvious that a meeting between the Committee, Planning Board, City Engineer and the Corporation Counsel is urgently and direly needed to correct and improve the bond conditions;
- (3) The Committee will seek such a meeting during September on this subject. It also requests that the Legislative and Rules Committee take part in this joint meeting. (See attached report)

Item 5:

Acceptance of new roads. (See attached report)*

Respectfully submitted,

George E. Russell, Chairman
Planning & Zoning Committee

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The following report is the one referred to above:

PLANNING & ZONING COMMITTEE REPORT ON ROADS

The following roads have been certified by the City Engineer, to be constructed in accordance with the requirements of the Planning Board and the Engineering Department.

These roads have been inspected and have received favorable approval by the Committee. The Committee recommends their acceptance. All maps referred to are filed in the office of the Town and City Clerk:

BERTMOR DRIVE: - Approximately 925 ft., located on Map #5137
CLUB ROAD: Approximately 885 ft., located on Map #5027

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DONNAMARIE CIRCLE: - Approximately 320 ft., located on Map #5307
JANES LANE: Approximately 3800 ft., located on Maps #5431, #5608
KERR ROAD: Approximately 370 ft., located on Map #5027
* LINDSEY AVENUE: Approximately 333 ft., located on Map #5307
MacGREGOR DRIVE: Approximately 1009 ft., located on Map #5507
STARK PLACE: Approximately 270 ft., located on Map #1336

* This street needs only approximately 100 feet to become a through road. If this is not made a through road, then the name will have to be changed, in order to eliminate confusion due to the existence of two roads, not connected, with the same name.

SUMMIT RIDGE ROAD: Approximately 632 ft., located on Map #5381
This was rejected by the Committee because of location and the undesirable situation of accessibility. However, the Committee recommends that, since the road has been constructed according to the City specifications, that the performance bond should be released by the Planning Board.

BRODWOOD DRIVE: This road did not meet the requirements, when inspected and was disapproved by the Committee, for the following reasons: Bad surface and poorly installed gutters. It is requested that the Planning Board not release the bond on this road until it has been brought up to requirements.

Planning and Zoning Committee

MR. RUSSELL MOVED for approval for publication of the following proposed Ordinance governing construction specifications for City streets and that copies be made available in the Town and City Clerk's office for public inspection before final adoption. Seconded by Mr. McLaughlin and CARRIED unanimously:

ORDINANCE NO. _____ SUPPLEMENTAL

CONCERNING ROAD SPECIFICATIONS

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

The following specifications must be met before a road shall be considered for acceptance as a city street:

STREETS

Sub Grade

The subgrades shall be prepared in approved manner by excavating or filling, as required. Filling shall be done in layers not to exceed 12 inches in depth, using suitable material, each layer to be consolidated by rolling before the next layer is placed.

Wherever soft clay or spongy or other types of unsuitable soil which will not compact under rolling is encountered, such soil shall be removed and replaced with gravel or other approved material, which shall be compacted as specified above.

Wherever soil is of such nature that it retains an excessive amount of moisture, or where conditions do not afford ready natural drainage, subdrains

and side drains shall be provided, in accordance with the requirements of the City Engineer.

Preparation of the subgrade shall be performed upon completion of required excavation, filling and the installation of utilities. Where roadways are in cut, they shall be brought to subgrade elevation for a width of at least two feet wider than the finished pavement width, i.e., one foot on either side.

Where roadways are in embankment, the fill shall extend to subgrade level, and for a width not less than six feet outside the curb line, i.e., three feet on each side. The total subgrade area shall then be thoroughly consolidated, by repeated rollings, using a self-propelled roller, weighing not less than ten (10) tons. Areas beyond the above described lines shall be excavated, or filled, to the full width of the highway, satisfactory to the City Engineer, except that this requirement may be waived by the Planning Board if found impractical, or if deemed unnecessary, taking into consideration the location and character of the subdivision.

Surface Drainage

A complete system of surface drainage, including catch basins and manholes, shall be installed, prior to the final construction of the subgrade. Catch basins and manholes shall comply with requirements of the Engineering Department Drawings No. CB-1 and CB-2. All pipe used shall comply with the General Specifications of the City of Stamford.

Pavement Material

Bottom Course

Upon the prepared subgrade, finished parallel to and 10" below the surface of the finished grade of the street, shall be spread a layer of run-of-bank gravel to a depth, which, when thoroughly compacted, shall be 6". The largest stone size permitted in this course is 5". A second course, 1" depth, of screened gravel shall be placed after satisfactory completion of the first course. Both courses shall be rolled with a ten (10) ton roller until thoroughly compacted. Inequalities in the surface shall be corrected and rolling continued as may be necessary for a satisfactory result.

Alternate No. 1

Top Course

Upon the completed bottom course, as specified above MC-O Cutback Asphalt shall be evenly applied by pressure distributor at a rate of .75 gallon to 1.0 gallon per square yards. Two (2) courses of Asphalt Concrete shall then be placed as follows:

Binder Course: A two inch (2") compacted thickness of Asphalt Concrete Binder shall be spread. Material shall conform to Connecticut State Highway Specification for Asphalt Concrete, Reference File #111.

Top Course: A one inch (1") compacted thickness of Asphalt Concrete shall be spread. Material for this course shall conform to Connecticut State Highway specification for Asphalt Concrete, Reference File #109 or #121. Both courses of Asphalt Concrete shall be spread by means of an approved mechanical spreader and thoroughly rolled and compacted to the required thicknesses by a tandem steel wheel roller, weighing not less than ten (10) tons.

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Alternate No. 2Top Course

Upon the completed bottom course as specified above, except eliminating the 1" course of screened gravel, a layer of broken stone of a nominal size of 1-1/2 inches shall be spread to a depth which, when consolidated, shall be three inches (3"). This course shall be thoroughly rolled with a ten (10) ton roller until thoroughly compacted and no movement occurs under passage of the roller. Inequalities in the surface shall be corrected, and rolling continued as may be necessary for a satisfactory result.

After rolling, hot Asphalt Cement shall be applied at a rate of one and one-half (1-1/2) gallons per square yard over the stone surface by means of a pressure distributor. Asphalt shall not be applied to damp or dirty stone. Asphalt for this purpose shall conform to standard specifications for liquid asphalt 85/100 penetration. Immediately after application of the asphalt, one-half inch (1/2") stone chips shall be spread to fill the voids, the surface then to be broomed and rolled.

A one inch (1") compacted thickness of Asphalt Concrete shall then be spread. Material for this course shall conform to Connecticut State Highway specifications for Asphalt Concrete, Reference File #109 or #121.

This material shall be spread by means of an approved mechanical spreader and thoroughly rolled and compacted to the required thickness by a tandem steel wheel roller, weighing not less than ten (10) tons.

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

MR. RUSSELL MOVED for approval for publication of the following proposed Ordinance for changing the names of certain City Streets:

ORDINANCE NO. _____ SUPPLEMENTAL

CHANGING THE NAMES OF CERTAIN CITY STREETS

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

The following street names shall be changed as shown below.

Eden Avenue running from Newfield Avenue Easterly to Hope Street, be changed to EDEN ROAD;

Elm Place (Glenbrook) running from Church Street Northerly to Union Street, be changed to ELM TREE PLACE;

Fowler Street (Glenbrook) running from Center Street, Easterly to a dead end, be changed to CENTER TERRACE;

Maple Avenue (Glenbrook) running from Courtland Avenue Easterly to the Darien town line, be changed to MAPLE TREE AVENUE; and

Hall Place (Glenbrook) running from Center Street Easterly to a dead end, be changed to HALLMARK PLACE.

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

MR. RUSSELL introduced the following proposed resolution and MOVED for publication; seconded by Mrs. Mitchell 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 October 7, 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:

Acosta Street (from West Avenue to 125 feet beyond Depinedo Street)
Alvord Lane
Amelia Place (from Bonner Street to Durant Street)
Applebee Road
Ardmore Road
Barrett Street
Berges Avenue (from Reynolds Avenue Northerly to Borglum Street)
Bonner Street
Borglum Street
Burley Avenue
Cardinal Place
Catoona Lane
Clearview Avenue (from Hope Street Westerly and Southerly to Cad'y Street)
Colahan Street
Davenport Street (from Waterside Place Southerly to Selleck Street)
Douglas Avenue (from Hope St. Easterly for approx. 425 ft. to a dead end)
Duncanson Street
Fenway Street
Ferris Avenue
Gilford Street (from Knapp St. Northerly for approx. 425 ft. to a dead end)
Haig Avenue (from Pershing Ave. to Gray Farms Rd.)
Knickerbocker Avenue (from Elizabeth St. to Northhill Street)
Leslie Street
Ludlow Place
McClurg Avenue
Melrose Place
Minor Place
Moore Street
Orlando Avenue
Parsorage Road
Pell Place

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Randall Avenue
 River Place
 Rockland Court
 Rockland Place
 Rugby Street
 Ryan Street (from Greenway St. Northerly for approx. 300 ft. beyond
 Camp Ave.)
 Southfield Avenue (from Selleck St. Southerly to Burwood Ave.)
 Stanton Road
 Stillview Road (from Stillwater Rd. to Stanton Rd.)
 Stone Street
 Travis Avenue
 Tuttle Street
 Viaduct Road (from Hope St. Easterly and Southerly to Larkin St.)
 Warshaw Place
 Waterside Place
 West Avenue (from Stillwater Ave. Southerly to approx. 300 ft. beyond
 Selleck St.)
 West Hill Road
 Whitmore Lane
 Windsor Road

MR. RUSSELL MOVED for acceptance of the following roads as city streets, which have previously been recommended for acceptance by the City Engineer; seconded by Mr. McLaughlin and Mr. Georgoulis and CARRIED unanimously:

BERTMORE DRIVE: Extending Northerly from Club Road to and including a turn-around. Length: 925 ft. Width: 30 ft., and located on Map #5137 in Town and City Clerk's office.

CLUB ROAD: Extending Westerly from Newfield Avenue to Kerr Road. Length: 885 ft. Width: 30 ft., and located on Map #5027 in Town and City Clerk's office.

DONNAMARIE CIRCLE: Approximately 320 ft. long, as shown on Map #5388 on file in Town and City Clerk's office.

JANES LANE: Extending Westerly and Southwesterly from Scofieldtown Road for a total distance of 3,800 ft., and located on Map: #5431 and #5608 filed in Town and City Clerk's office.

KERR ROAD: Extending Northerly from Vine Road to Club Road, Length: 370 ft. Width: 30 ft., as shown on Map #5027 in Town and City Clerk's office.

- * LINDSEY AVENUE: Approximately 333 ft. long, as shown on Map #5388 on file in Town and City Clerk's office.

*Note: See notation in Committee report on above road.

MACGREGOR DRIVE: Extending Westerly from West Hill Road to and including a turn-around. Length: 1,009.18 ft. Width: 26 ft., as shown on Map #5507 on file in Town and City Clerk's office.

STARK PLACE: Extending easterly from Long Ridge Road to Westerly side of Jessup Street. Length: 270 ft., as shown on Map #1336 on file in Town and City Clerk's office.

MR. RUSSELL MOVED for REJECTION of the following road as a city street:

RE: SUMMIT RIDGE ROAD: Approximately 632 ft., as shown on Map #5381 on file in the Town and City Clerk's office.

Mr. Russell gave as his reason for recommending rejection, that the road is inaccessible and it would be impossible for City trucks to get through to work on the street. However, because the road has been constructed in accordance with City specifications, the performance bond should be released by the Planning Board.

MR. FREDERICKS MOVED that the Board hear from Mr. DiVita, who represents the builder. Seconded by Mr. Georgoulis and CARRIED unanimously.

MR. DIVITA addressed the members of the Board and explained that the road had been constructed in accordance with the city specifications and he thought it only fair that it be accepted by the city. He said the location of the road gave access across property owned by another developer and extends into Westover Road, and at such time as this other developer completes his development, that road also will probably be petitioned for acceptance by the city, giving the city access to Summit Ridge Road. However, he said that until such time, they have an agreement whereby they are granted right-of-way across the property of the other developer. He also said he thought the road would deteriorate without maintenance and did not believe the burden of keeping it in condition should be imposed upon the property owners, inasmuch as the builder has provided a road acceptable to the city at this time.

MR. SNYDER said he agreed with Mr. Russell's motion and did not think the city should try to maintain a road that was inaccessible.

MR. KETCHAM said he did not see how we could refuse the acceptance of this road if it meets all conditions for acceptance.

MR. RAITERI said he did not think the street should be accepted in this particular case, because they would be expected to maintain a street that could not be reached because of poor road conditions on the access streets, and called attention to the fact that a maintenance bond is now required to maintain a street by the builder even after the street has been accepted by the City. (Ordinance No. 59)

MR. RUSSELL: "The maintenance bond will not be in effect for another year."

MR. RAITERI said he did not recommend acceptance of this street because of the problems involved, and suggested that it be rejected without prejudice and notify the developer that an easement into the adjoining roads must be provided.

MR. DIVITA replied that they already have an easement.

MR. HUIZINGA said he thought Mr. Russell had done a great deal of work on this and the Board should accept the recommendation of the Chairman of the Committee.

VOTE taken on REJECTING the acceptance of SUMMIT RIDGE ROAD, without prejudice. CARRIED by a vote of 33 in FAVOR and 2 OPPOSED.

MR. FREDERICKS: "So that it will be a matter of record, I MOVE that this Board advise by letter the appropriate city boards or departments as to the manner in which this road was rejected, giving the reasons for our refusal because of poor access conditions and the problem of the inability of the city to maintain it because of these conditions." Seconded by Mr. Huizinga and CARRIED unanimously.

RE: BRODWOOD DRIVE: 950 ft., Starting at a point intersecting Bartina Lane and then proceeding 950 ft. Northwest, as shown on Map #5102 filed in the Town and City Clerk's office.

MR. RUSSELL MOVED for REJECTION of this road. Reason: bad surface and poorly installed gutters. Seconded by Mr. Rhoades and CARRIED unanimously.

MR. RHOADES MOVED for approval of the Committee report. Seconded by several and CARRIED unanimously. Mr. Russell received an ovation from the Board for his work.

MOTION FOR REMOVAL FROM TABLE - RE: PETITION FOR ACCEPTANCE OF APPLE TREE DRIVE, BOXWOOD DRIVE, HOLBROOK DRIVE AND PINE TREE DRIVE (See page 1631 of 6/3/57 Minutes; pages 1649-1650 of 7/1/57 Minutes and page 1661 of 8/5/57 Minutes)

MR. BAKER rose on a point of personal privilege and MOVED that a petition for road acceptance for roads in the Holbrook Estates, as above named, be once more referred to the Planning and Zoning Committee for report at the next regular meeting of the Board. Seconded by Mr. Findlay and CARRIED unanimously.

Parks and Recreation Committee:

MR. KELLY, CHAIRMAN, read a letter addressed to Mayor Quigley regarding recent request from the Girl Scouts (Letter dated Aug. 13, 1957) on their desire to initiate the proper action for lease of city-owned property for a Camp site.

Education, Welfare & Government Committee:

(1) Vault Space for Probate Court:

MR. MACRIDES MOVED that a letter be written to the Mayor, suggesting that he look into the advisability of providing vault space for the Probate Court and the Town Clerk at one and the same time, in order that a savings might be effected by providing both at the same time. Mr. Macrides suggested the use of the space now being used by the Public Works Department for their timekeepers. He said this is directly over the proposed vault for the Town Clerk and there will be ample space for the present personnel underneath. Seconded by Mr. Rhoades and CARRIED unanimously.

(2) Status of 2 Members of Board of Education, no longer residents of City.

MR. MACRIDES also brought up the subject of the present status of two members of the Board of Education who have moved away and the possibility of requesting replacements at this time, from the Town and City Committees.

There was considerable discussion at this point as to the Charter provisions on this question. Also, because of the imminence of the fall elections, it was suggested that things be allowed to stand as they are until after elections are held.

MR. FREDERICKS said he thought that a letter from this Board to the Town and City Committees would be slightly presumptuous and overstepping our authority.

MR. KAMINSKI said that this Board must take into consideration the provisions of the Charter -- that members of City Boards must be resident electors. He said this Board should have the right to declare a vacancy when and if the person is no longer an elector. He said he would like a clarification and MOVED that the matter be referred to the Charter Revision Commission for clarification at some future time. No seconder.

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MR. RAITERI MOVED it be referred to the Steering Committee. Seconded and CARRIED unanimously.

Mr. McLaughlin was excused from the meeting at 10:30 P.M.

COMMUNICATIONS FROM OTHER BOARDS AND INDIVIDUALS

- (1) Opinion from Corporation Counsel dated August 19, 1957, re interpretation of Section 402 of Charter on question of inclusion of City officials in salary increases granted in 1956-57 and 1957-58 operating budgets.

OFFICE OF CORPORATION COUNSEL

August 19, 1957

To:

Board of Finance
Board of Representatives

Dear Board Members:

Reference is made to your request for an opinion as to whether or not the money granted in the 1956-57 and 1957-58 Operating Budgets under the heading: "Salary Adjustment Account" could be legally allocated to other than classified employees, in view of the provisions of Section 402 of the Charter or whether separate action is required by Section 402 with respect to those officials named therein.

I have examined the context of the budgetary requests in question and the explanations thereof contained in the letters of transmittal, and in my opinion, the requests were in proper form to satisfy the requirements of Section 402. Consequently, the funds in said accounts could legally be allocated in the manner in which they were allocated by the Finance Department.

Very truly yours,

John M. Hanrahan,
Corporation Counsel

MR. FREDERICKS requested, and was given permission, to question the Corporation Counsel, who was present.

MR. HANRAHAN: "In fairness to me and in fairness to the Board, I don't know of any reason why I should debate my opinion with Mr. Fredericks."

MR. FREDERICKS: "This Board has granted to me the right to ask you questions about your opinion." ~~Mr. Fredericks then went on to ask several questions of Mr. Hanrahan as to how he arrived at his opinion.~~ *Mr. Fredericks requested these be stricken out*

MR. GEORGIULIS stated that the Board had asked the Corporation Counsel for his opinion, and he had given it to the Board, in writing, and he saw no reason to open a debate on the subject.

MR. FREDERICKS: "I merely want to know if these city officials received a cost-of-living bonus in addition to their salaries." He referred to Section 402 of the Charter which states the salaries certain elective city officials are to receive.

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MR. FREDERICKS: (Referring to the operating budget for 1956-57) "Is this a transfer? It is listed in the 1956-57 budget under "Salary Adjustment Account". This method of handling salary adjustments is one that is contrary to the provisions of Section 402 of the Charter. It is also handled the same way in the 1957-58 budget."

MR. NOLAN rose to a point of order. "This soliloquy, or debate, or whatever you want to call it -- I find I am unable to follow it because I do not have the information before me which Mr. Fredericks is talking about. Perhaps it should be referred to the Fiscal Committee to go into this further. I do not think we can have a debate between Mr. Hanrahan and Mr. Fredericks on this question as none of us are prepared with the material he is quoting from. The best thing to do, in my opinion, is to refer this to the proper Committee."

MR. RHOADES: "I agree with Mr. Nolan that this point should be clarified and I think that Mr. Fredericks should present whatever questions he feels should be asked, in writing, to this Board at their next meeting, or to the Steering Committee, to refer to the proper committee, for study and report back to the Board, and I so MOVE." Seconded by several voices and CARRIED unanimously.

- (2) Opinion from Corporation Counsel dated August 22, 1957, re whether or not other means of providing for referendum can be used other than that stipulated under Public Act #465.

OFFICE OF CORPORATION COUNSEL

August 22, 1957

Board of Representatives
City Hall
Stamford, Conn.

Dear Board Members:

This is in response to your request for an opinion as to whether your Board has the power by resolution or ordinance to have the Question of the forty-two hour work week for the uniformed fire forces decided by referendum at the November election.

Such power can only be exercised when granted by express statutory authority, either by general or special act. You are, of course, aware of Public Act No. 465 of the General Assembly of The State of Connecticut, passed at its 1957 session.

Prior to the passage of said Act, Section 271d of the 1955 Supplement to the General Statutes of Connecticut provided a means whereby a referendum might be held upon a two-thirds vote of the Board of Representatives. However, this statute was expressly repealed by the Legislature in enacting Public Act No. 465 above.

I therefore conclude that there is no other means of providing for a referendum on the above question, except that set forth in Public Act No. 465 providing for the appointment of a Charter Revision Commission.

Very truly yours,

John M. Hanrahan,
Corporation Counsel

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NEW BUSINESS

MR. RHOADES requested Mr. Kelly to repeat a remark he had made in reference to Mr. Aaron Chase, Supervisor of Roads and Highways.

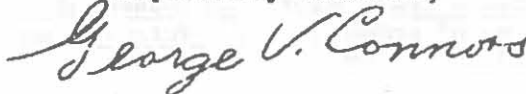
MR. KELLY: "Mr. Rhoades is proably referring to the remark I made when I said that I have been 8½ years on this Board and Mr. Chase has faithfully attended every meeting of this Board that he was able to attend, and I think he deserves to be commended." (Applause for Mr. Chase)

Re: Board of Representatives' 1957 Annual Picnic

MR. KAMINSKI MOVED that a letter be written to Webster Givens, thanking him for his hospitality at the recent picnic of this Board and telling him what a nice time everyone enjoyed. Seconded by several voices and CARRIED unanimously.

MR. IACOVO MOVED for adjournment at 11:10 P.M. Seconded and CARRIED unanimously.

Respectfully submitted,



George V. Connors, President
Board of Representatives

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