

A regular meeting of the Board of Representatives of the City of Stamford, Conn. was held on Monday, October 7, 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 8:25 P.M.

INVOCATION was given by Father Baleslaus Rarus, Assistant Pastor of Holy Name of Jesus Church.

ROLL CALL was taken by the Clerk. There were 33 present and 7 absent. The absent members were: William Brett, Mary Bankowski, Joseph Iacovo, Robert Findlay, Eugene Barry, Edward Czupka and John Lilliendahl. Mr. Rhoades reported that Mrs. Bankowski and Mr. Iacovo were ill.

ACCEPTANCE OF MINUTES - Meeting of September 9, 1957.

MR. FREDERICKS called attention to page 1698, third paragraph from bottom of page, where it states that Mr. Fredericks then went on to ask several questions of Mr. Hanrahan as to how he arrived at his decision. Mr. Fredericks said it was his recollection that he asked no questions of Mr. Hanrahan, but that Mr. Georgoulis asked him the type of questions he was going to ask and he then gave it to him at that time. He said that after Mr. Hanrahan made the statement that he did not want any debate, that Mr. Georgoulis rose almost immediately.

MR. FREDERICKS: "I think the Minutes would be correct if you would strike out after the quote: "This Board has granted me the right to ask you questions about your opinion" and then take Mr. Georgoulis immediately thereafter."

CHAIRMAN: "You want that part deleted?"

MR. FREDERICKS: "I would like it deleted."

There being no further corrections, it was MOVED the Minutes be approved, as corrected, by Mr. Baker, seconded by Mr. Hearing and CARRIED unanimously.

ACCEPTANCE OF MINUTES - Meeting of September 16, 1957

MR. FREDERICKS called attention to page 1705, 10th line from top of page, the word "swaddlings". He requested that this word be deleted and replaced by the word "actions".

MR. GEORGOUPLIS MOVED the acceptance of the Minutes as corrected. Seconded by Mr. Nolan and CARRIED unanimously.

#### REPORTS OF COMMITTEES

Mr. Macrides read the following Minutes of the Steering Committee report:

#### STEERING COMMITTEE REPORT Meeting held Sept. 23, 1957

The Steering Committee of the Board of Representatives met in the Mayor's office, City Hall, on Monday, September 23, 1957.

The following members were present: Alanson Fredericks, Norton Rhoades, Vincent Vitti, Joseph Milano, Rutherford Huizinga, Helen Peatt and Clement Raiteri, Jr. The following members were absent: George Connors, George Georgoulis, John Macrides, Stephen Kelly, William Kaminski, Joseph Iacovo, Robert Lewis and Irving Snyder.

The Chairman, Mr. Connors, being absent because of illness, Mr. Fredericks was asked to serve as Chairman, pro tem.

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Mr. Fredericks called the meeting to order at 8:30 P.M.

The following matters were introduced and referred to various committees concerned:

- (1) Appeal from Planning Board decision - Newfield Avenue - Alfred DeCarlo, et als.

Referred to Legislative & Rules Committee and Planning & Zoning Committee.

- (2) Letter dated September 20, 1957, from Irving Snyder, 1st District Representative, regarding property of URC recently conveyed to First National Stores for warehouse purposes and use of railroad in crossing Jefferson Street, proposing an ordinance be adopted to prevent the railroad crossing this street during certain hours.

Because at this time it can only be surmised as to what will happen, it was agreed to defer this until such time as more information on the use of the railroad is forthcoming.

- (3) Petition for acceptance of Deacon Hill Road Extension.

Referred to Planning & Zoning Committee.

- (4) Petition dated September 23, 1957, from Chamber of Commerce, requesting the usual permission for parade and Christmas lighting program.

Referred to Parks and Recreation Committee.

- (5) Invitation from Mayor Quigley to attend the cornerstone laying of the new Health Building on Thursday, October 3rd at 11 A.M.

Inasmuch as this will not come before the Board in time for the members to receive notification, it was decided to request the local press and radio to publicize the invitation to the Board members.

- (6) Petition from residents and property owners on Horan Avenue Extension to change the name to High Clear Drive and re-number houses.

Referred to Legislative & Rules Committee to consider the advisability of an Ordinance to change the name of this street, which is not a city-owned street.

- (7) Two communications regarding suggested change of name of Southfield Park to the J. FLEMMING RUTLEDGE MEMORIAL PARK. One communication, dated Sept. 12, 1957, from Local 1083 of the AFL-CIO State, County and Municipal Workers, and another letter dated September 16, 1957, from Mayor Quigley, both recommending that this be done.

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

- (8) Communication from Mayor Quigley dated September 16, 1957, re vault space for Probate Court, answering memo to him in which he was requested to provide vault space for the Probate Court at the same time it was provided for the City Clerk.

Copy ordered sent to Mr. Macrides, who brought the subject up at the last Board meeting, and place on Agenda under Communications from the Mayor.

- (9) Petitions for road acceptances were referred to the Planning & Zoning Committee.

- (10) Undated memo, with no address given, from Helen Odomirok, regarding necessary road repairs to Pepper Ridge Place, a privately-owned street.

Referred to Planning & Zoning Committee.

- (11) Request for traffic light at corner of St. George Avenue and West Broad Street.

Referred to Health and Protection Committee.

- (12) Letter dated August 19, 1957 from Mayor Quigley (copies sent to all Board members) re conveyance of small parcel of city-owned property to State for the sum of \$1.00. Property for use by the Turnpike.

Referred to Legislative and Rules Committee.

- (13) Several carbon copies of letters, for information, as follows, were ordered filed:

- (a) Letter dated 9/13/57 to Mayor Quigley from Board of Finance, requesting further information regarding pension for retired Probation Officer, John P. Riley.
- (b) Letter dated 8/29/57 to Mayor Quigley from Planning & Zoning Director, re recommendations for sale of city-owned property.
- (c) Letter dated 9/3/57 to Tax Assessor from Corporation Counsel, listing 50 assessment actions.

- (14) PUC notice of hearing on application, for Sept. 24, 1957, re taxi service.

Ordered filed.

- (15) Letter and brief, dated Sept. 20, 1957, from Alanson Fredericks, 18th District Representative regarding salary adjustments in 1956-57 and 1957-58 budgets being given to certain officials of the City under Sec. 402 of the Charter.

Referred to Fiscal Committee, with request that they obtain from the Commissioner of Finance and Corporation Counsel the necessary information and report back to the Board at the October meeting.

There being no further business to come before the Committee, the meeting was adjourned at 9:35 P.M.

Respectfully submitted,

George V. Connors, Chairman  
Alanson Fredericks, Chairman, pro tem

Fiscal Committee:

MR. KAMINSKI MOVED for suspension of the rules to consider a pension for John P. Reilly, former Probation Officer of the City Court. Seconded by Mr. Fredericks and CARRIED unanimously.

PENSION for JOHN P. REILLY, former probation officer, City Court - \$1,968.00 for fiscal year July 1st, 1957 to June 30, 1958, as authorized by Special Act No. 293, 1957 Special session of Legislature. (As requested in Mayor Quigley's letter of July 19, 1957)

MR. KAMINSKI explained that Mr. Mackler, Chairman of the Board of Finance had contacted the Secretary of the Board and explained that for the reason that his Board would not have a meeting until October 18th, in order to expedite the pension for Mr. Reilly, who was a hardship case, he had contacted the members of his Board and obtained their verbal approval for this pension. He thought perhaps this Board might wish to act upon the matter now instead of waiting for the Board of Finance meeting which would not bring it before the Board of Representatives until their November meeting.

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MR. KAMINSKI MOVED for approval of the pension for Mr. John P. Reilly, (as stated above) subject to the approval of the Board of Finance. Seconded by Mr. Fredericks and CARRIED unanimously.

Salary Adjustments in 1956-1957 and 1957-58 Budgets given to certain officials of the City under Sec. 402 of the Charter. (As requested in letter and brief dated Sept. 20, 1957, from Alanson Fredericks, 18th District Representative - See 3rd paragraph from top of page 1699 of Minutes of Sept. 9, 1957)

The following letter and attached brief was referred to the Fiscal Committee (see #15 under Steering Committee report) with a request that they report on same at the October Board meeting:

ALANSON R. FREDERICKS  
100 Broadway  
New York 5, N.Y.

September 20, 1957

Hon. George Connors, President  
Board of Representatives  
Town Hall  
Stamford, Conn.

Dear George:

At the September meeting of the Board, upon proper motion, I was asked to submit any further questions which I might have in connection with the Salary Adjustment problem to the Steering Committee. Herewith a memorandum with specific questions which I would appreciate your placing on the agenda for the Steering Committee meeting on Monday, September 23rd.

I had high hopes to be able to get this memorandum finished in time so that it could be proof read and then mimeographed so that there would be sufficient copies for each member, dependent upon the action of the Steering Committee. However, I was unable to do this. I do, however, have several additional copies.

Sincerely,

ALANSON R. FREDERICKS  
18th District Representative

(Attachment)

The following brief was enclosed in the above letter:

RE: SALARY ADJUSTMENTS IN 1956-1957 and 1957-1958 FOR THE  
MAYOR, THE CORPORATION COUNSEL, THE COMMISSIONERS OF  
PUBLIC WORKS, HEALTH, FINANCE AND WELFARE.

Section 402 of the Charter, after fixing the salaries of the above officers, continues:

"provided that, at the request of the mayor, the board of finance, with the approval of the board of representatives, may increase or decrease the salaries herein specified - - - ."

It is my understanding that prior to the submission of the operating budget for the fiscal year 1956-1957, no changes were made in the salary bases

although a year or so before the Mayor submitted to the Board of Finance and to the Board of Representatives, a request for additional appropriation to increase these salary bases. However, the Board of Finance refused to approve the Mayor's request and, consequently, no action was taken by the Board of Representatives.

In the Mayor's budgetary requests in connection with the Operating Budget for the fiscal year, 1956-57, on Page B thereof, the following language will be found:

"The welfare of the families of our employees is only one of the factors involved. The Personnel Commission will report to your Honorable Boards the difficulties they are experiencing in obtaining replacements for all classifications. Because of the almost universal objection to the cost of living bonus program, my request envisions the elimination of this program and provides for an 18% increase on the basic salaries with a minimum increase of \$156.00 over the present base plus cost of living bonus. It is impossible to estimate an average increase because a percentage is being substituted for an across the board flat amount. However, an examination of the figure discloses that the net increase will range between 5% and 11% for those employees presently enjoying the cost of living bonus.

My requests also include sums for additional personnel in some of the departments. How many of the new positions we can afford to create is a matter for you to determine. However, it must be remembered that the rapid growth of the City places additional burdens on the respective departments, some of which can be absorbed and some cannot. The department heads will gladly explain in detail the problems which confront them."

It is respectfully submitted that the language used seems to belie any thought that the salary bases of the City Officials and the Department Heads listed in Section 402 of the Charter would be increased from the Salary Adjustment account. Note that reference is made to the Personnel Commission which generally does not have jurisdiction over such City Officials and Department Heads. Note also that reference is made to "replacements for all classifications", language clearly excluding such City Officials and Department Heads.

The above quoted language indicates that the monies in the Salary Adjustment Account are to be utilized to overcome the objections to the "Cost of living bonus program". Note particularly also these words "that the net increase will range between 5% and 11% for those employees presently enjoying the cost of living bonus".

QUERY: Were the City Officials and the Department Heads, listed in Section 402 paid a cost of living bonus?

QUERY: Is it not a fact that the cost of living bonus did not change or increase the basic salaries of those who received it?

The budgetary message states that the net increase would range between 5% and 11%.

QUERY: Upon what basis was the percentage of increase determined and by whom?

QUERY: What was the average percentage of increase?

QUERY: Upon what basis was it determined that the Mayor would receive a percentage increase of .092; The Corporation Counsel of .123; the Town Clerk of .10;

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Commissioner of Finance, .10; Commissioner of Welfare .12; Commissioner of Health, .09; as well as the increase for the Commissioner of Public Works?

The budgetary message contained in the Operating Budget for the Fiscal year 1957-58 on Page B thereof, makes the following references to the "Salary Adjustment Account":

"The other large increase, you will observe, appears in the Salary Adjustment Account, in which I have asked for a 6% increase or a minimum of \$260 per annum. The raise granted last year was a big step in putting city salaries on a comparable basis for this locality. We still experience some difficulty in filling positions and we also suffer somewhat from the loss of trained personnel to industry.

It cannot be denied that living costs have increased and that wages throughout the country have been increased across the line to offset this rise. Municipal employees are no different from industrial employees and, in my judgment, they should receive the same consideration. A separate analysis of the salary changes is being presented under separate cover in order to facilitate the work of your Honorable Boards.

The Salaries shown in the respective appropriations are based on the current salaries being paid. A single item for this increase appears under the Salary Adjustment Account at the end of the budget."

It will be noted that the requested adjustment is a 6% increase on the basic salary. No specific reference is made to the basic salaries of any of the City Officials or Department Heads listed in Section 402 with the exception of the Commissioner of Public Works, in connection with which the message contains this language:

"I also wish to direct your attention to the fact that I am requesting an increase in the salary of the Commissioner of Public Works to \$9,000. This request appears to me to be fully justified, in view of the fact that this is one of the largest departments in the city, and you will find that two of the bureau chiefs serving in this department currently receive more money than the Commissioner, the head of the department."

It will be recalled that salary adjustment requested for the Commissioner of Public Works was cut by the Board of Representatives.

It is respectfully submitted that the singling out of the Commissioner of Public Works for an increase in his salary is somewhat misleading.

I must confess that I, for one, did not appreciate the fact that approval of this specific salary increase would result in the Commissioner of Public Works receiving two salary adjustments for the same budget.

We have now learned that the per capita 6% increase paid from the Salary Adjustment Account had the effect of raising the basic salaries of the recipients. In other words, this 6% increase was computed on salaries increased by the adjustment made from the Salary Adjustment Account in the Operating budget for the fiscal year 1956-57. This same method of computation was utilized in connection with the salaries of those City Officials and Departmental Heads listed in Section 402 of the Charter.

It is respectfully submitted that unless the salary base for such City Officials and Department Heads has been legally increased, pursuant to the

provisions of Section 402 of the Charter, the 6% increase in the Operating Budget for the fiscal year 1957-58, if legally payable to such City Officials and Department Heads, must be computed upon the salary basis set forth in Section 402. For example, if a 6% increase to the Mayor was legal in 1957-58, it should have been computed on a base salary of \$10,000, the amount set forth in Section 402 rather than on a base salary of \$10,920.00.

There appears to be no question that in accordance with the reasoning of our City Officials the use of the Salary Adjustment Accounts in the 1956-57 and 1957-58 Operating Budgets resulted in an increase in the base salary of the City Officials and Department Heads listed in Section 402.

That brings us to this question: "What is the exact nature of the budgetary entry entitled "Salary Adjustments"? It bears no code number, nor is it allocated to any City Department.

QUERY: How was it changed from a general appropriation to a specific coded item in the various departments?

Section 618 of the Charter provides as follows:

"Control of Appropriations. All appropriations made by the Board of Representatives shall be made by items, specifying the amount of money appropriated therein and the purpose for which the amount is appropriated. There may be an item of appropriation termed "Sundries," but that item shall not exceed three per cent of the total appropriation for the office, department or board concerned. No money appropriated for any item shall be used for any other purpose, but transfers of appropriations may, with the approval of the Board of Finance, be made in proper cases from one item to another. At the end of each fiscal year, any unexpended balance in any group of appropriations not necessary to meet liabilities already incurred with respect to such group, shall cease to be available for the purpose for which it was appropriated."

QUERY: If Section 618 was the authority, would not the transaction be a transferral of an appropriation?

Section 618 seems to apply generally to transfers of appropriations within the city office, department or board and requires only the approval of the Board of Finance, but it is submitted that this cannot be an intra-departmental transfer since Salary Adjustments was initially a general appropriation

Section 656 of the Charter provides as follows:

"Transfers. The Board of Finance shall have power, upon request of the Mayor, to transfer appropriations from one agency to another, provided the Board of Representatives concurs therein."

It is my understanding that this Section applies to transfers from one department to another and requires the concurrence of the Board of Representatives.

Section 402 of the Charter requires action by the Board of Finance and the approval of the Board of Representatives and it is submitted that any other provision of the Charter to the contrary notwithstanding the use of appropriated funds which results in the increase of the salaries of City Officials and Departmental Heads listed in Section 402, require the specific approval of the Board of Representatives.

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obtain a specific answer to each question contained in this Memorandum, as well as a specific detailed answer to this final question:

QUERY: What specific Sections of the Charter authorize and permit the use of monies generally appropriated to "Salary Adjustment Account" so as to increase the basic salaries limited in Section 402, without the approval of the Board of Representatives?

Respectfully Submitted,

ALANSON R. FREDERICKS  
18th District Representative

MR. KAMINSKI offered the following Committee report:

FISCAL COMMITTEE MEETING  
Held October 3, 1957

The Fiscal Committee met in the Mayor's office on Oct. 3, 1957, at 7 P.M.

The following members were present: Mrs. Zuckert, Mr. Huizinga, Mr. Wynn and Mr. Kaminski, Chairman.

The question of Mr. Fredericks' request of the Fiscal Committee to obtain from the Commissioner of Finance and The Corporation Counsel the necessary information and report back to the Board of Representatives was taken up.

The following are the queries of Mr. Fredericks' and the answers thereto:

QUERY 1: Were the City Officials and the Department heads listed in Section 402 of the Charter paid a cost-of living bonus?

ANSWER: No.

QUERY 2: Is it a fact that the cost-of-living bonus did not change or increase the basic salaries of those who received it?

ANSWER: Yes, it is a fact.

QUERY 3: Upon what basis was the percentage of increase determined and by whom?

ANSWER: This was determined by the Mayor's request.

QUERY 4: What was the average percentage of increase?

ANSWER: This would require a study by the Commissioner of Finance' office which would take considerable time. However, the intention was to keep an average of about 6%.

QUERY 5: Upon what basis was it determined that the Mayor would receive a percentage increase of .092, the Corporation Counsel of .123, the Town Clerk of .10 and so on?

ANSWER: These increases were within the upper limits as set by the Board of Finance and the reason for these particular salaries being increased

at a higher percentage was due to the fact that the persons receiving a higher percentage were those people excluded when the \$315.00 increase, replacing the cost-of living bonus was given.

QUERY 6: How was it changed from a General Appropriation to a Specific coded item in the various departments?

ANSWER: It was not a general appropriation. It was a specific appropriation of an item known as Salary Adjustment Account. The disbursement was handled by the Board of Finance in their control over distribution of the salary increases.

QUERY 7: If Section 618 of the Charter was the authority, would not the transaction be a transferral of an appropriation?

ANSWER: Section 618 was not the authority and this was not a transfer of an appropriation; as we mentioned previously this money was specifically appropriated for salary adjustments and so used. The second action by the Board of Finance was supervision of the distribution of these adjustments.

QUERY 8: What specific sections of the Charter authorize and permit the use of monies generally appropriated to the Salary Adjustment Account so as to increase the basic salaries limited in Section 402 without the approval of the Board of Representatives?

ANSWER: This money was not generally appropriated, but specifically appropriated for the Salary Adjustment Account, for which it was used.

As far as approval by the Board of Representatives is concerned, we gave that approval when we passed on the 1957-58 Operating Budget. There is no specific sections of the Charter which control the raising of the basic salaries of the persons mentioned in Section 402. but when an appropriation of this nature follows the regular appropriating procedures that are normally followed, it can be presumed that, in substance, the Charter was complied with.

This report is only on the questions and request of Mr. Fredericks.

The Committee felt that it is not within our prerogative to recommend either one way or another, since this question is highly technical, and perhaps can only be answered by the Courts to the satisfaction of those requesting it.

William C. Kaminski,  
Chairman  
Fiscal Committee

MR. GEORGOULIS: "Mr. Chairman, at this time I would like to present for the approval of the Board, a resolution to settle this question once and for all...."

At this point there was an interruption from Mr. Huizinga on a point of personal privilege.

MR. HUIZINGA: "This report which was just given was given as the Fiscal Committee report. It does not represent the thinking of the entire Committee regarding this matter. I wish to also present a Fiscal Committee report which represents the thinking of those who do not agree with the first report."

It was requested that Mr. Georgoulis yield the floor to Mr. Huizinga, which he refused to do, saying he came up with a resolution first which he wished to present.

MR. HUIZINGA: "There are two separate reports of the Fiscal Committee. They are divided equally and I think we should be allowed to present our report also."

MR. GEORGOULIS: "That's a minority report."

MR. HUIZINGA: "It is not a minority report."

MR. NOLAN: "If I might clarify a point - I think that Mr. Georgoulis does have the floor at this time and he might yield the floor to Mr. Huizinga, thereby keeping his place on the floor."

MR. HUIZINGA: "May I request that you yield the floor?" (remark addressed to Mr. Georgoulis)

Mr. Georgoulis yielded the floor to Mr. Huizinga.

MR. HUIZINGA explained the reason for bringing in a second Committee report, for the reason that there had been a split in the members of the Committee as to their thinking. He said that although Mr. Bradbury had not been present at the Committee meeting, he had read the report and concurred in the thinking presented therein.

MR. HUIZINGA read his report at this time, which was signed by himself and Mrs. Zuckert, and approved by Mr. Bradbury.

There followed a great deal of discussion as to the merits and views of both reports.

Mr. Georgoulis then offered a resolution, setting the salaries of the various officials listed in Section 402 of the Charter. When questioned as to his reasons, he explained his resolution was intended to clarify the situation by confirming previous action of the Board when they approved the appropriations in the Budget for Salary Adjustment Account.

The debate went on for some time.

MR. HUIZINGA called attention to Mr. Georgoulis' resolution which was before the Board for a vote and suggested all resolutions in regard to appropriations require a two-thirds vote.

MR. FREDERICKS asked the President for a ruling as to the vote required. The President ruled that a simple majority vote was required.

MR. HUIZINGA appealed from the ruling of the Chair.

MR. KAMINSKI explained that the resolution was merely to confirm action that had already been taken by the Board when the Budget was approved and that the appropriation itself had been passed at the time the Budget was approved.

MR. MILANO MOVED the previous question.

MR. TOPPING said he had a question that he would like to have answered and called attention to the 1954-55 budget where an attempt was made to raise the Mayor's salary under Section 402 of the Charter, and which was denied by the Board of Finance. He said that this year the Mayor had requested a raise for the Commissioner of Public Works, also under Section 402 of the Charter, which was approved in part by this Board. In view of this, he stated this would seem to indicate it was necessary to use the provisions of Section 402 in order to grant raises for the seven officials listed.

MR. TOPPING: "All the publicity that was released on these salary increases was directed toward the Classified Employees and we were not told that the raises contemplated also included city officials listed under Section 402 of the Charter. Had I known at the time that the executive branch was going to be included in these raises, I would have voted against it. Every bit of publicity that was released on this thing was directed toward the Classified and not the Executive branch. Now, I want someone to clear that little item up for me."

MR. KAMINSKI explained that the Board of Finance sat in Executive session and passed on the manner in which this money was to be allocated to the various departments and they had been furnished with specific allocation data. He went on to say that it was not necessary to make specific reference to Section 402 of the Charter when requesting salary raises for city officials, and that the appropriation was granted at the time the Board approved the Budget; that the appropriations followed their normal procedure and the allocations made to the various departments. He said: "As Mr. Nolan has previously stated, in view of the fact that we failed to object at the time the budget was approved, in essence it creates approval of the appropriation."

MR. HUIZINGA again called attention to the appeal from the ruling of the Chair as to the vote required on Mr. Georgoulis' resolution.

CHAIRMAN: "You stated that you wished to appeal from the ruling of the Chair? It states here in Robert's Rules of Order: 'If any debate or business has intervened, it is too late to appeal...'. Your question was asked some time ago."

After considerable debate, Mr. Georgoulis withdrew his resolution.

MR. KAMINSKI MOVED for approval of his Fiscal Committee report. Seconded by Mr. Nolan and CARRIED by a vote of 17 in favor and 16 opposed.

MR. HUIZINGA MOVED for approval of his Fiscal Committee report. Seconded by Mr. Topping and LOST by a vote of 16 in favor and 17 opposed.

Attention was called to the fact that because the second Fiscal Committee report (the one offered by Mr. Huizinga) was not approved, that it be filed in the office of the Board of Representatives, but not printed in the Minutes of the meeting.

MR. FREDERICKS MOVED that the Board request the Corporation Counsel to submit this question (i.e. of salary raises for city officials mentioned in Sec. 402 of Charter) to the Courts for a Declaratory Judgment if such procedure is permissible under the Statutes of Connecticut. If not, to take such legal procedure as may be necessary to have this question legally adjudicated by the Courts and that such action be initiated by the Corporation Counsel within ten days of date hereof. Seconded by Mr. Ketcham.

LOST by a vote of 16 in favor and 17 opposed.

MR. FREDERICKS: "I trust by that vote that the majority did not take into consideration what Mr. Kaminski said in his Committee report -- that this was a matter that should be left to the discretion of the Courts to decide."

#### Legislative & Rules Committee:

MR. RAITERI presented the following report of his Committee:

#### REPORT LEGISLATIVE & RULES COMMITTEE

October 1957

Meetings of the Legislative and Rules Committee were held on the evenings of September 12, 19, & 26 and October 3, all at Avignone's Restaurant.

The first three meetings were devoted to work on the Building Code. The Plumbing Code portion has now been completed and is ready for publication. The Sewer Code and Heating Code portions are progressing and will be ready shortly. The Master Building Code will then be coordinated and the entire Code will then be ready for publication.

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The meeting of October 3 was given over to agenda items for the Board meeting of October 7. The first portion of the meeting was a joint session with the Planning and Zoning Committee and will be covered in that Committee's report.

The items discussed with the action recommended for each were as follows:

1. Appeal from Decision of Planning Board - Re Newfield Avenue, Alfred De Carlo et al:

The Committee requests that this matter be recommitted since the transcripts of the public hearing had not been furnished by the Planning Board.

2. Petition from Residents on Horan Ave. Extension for Change of Street Name to High Clear Drive:

The Committee recommends that Horan Ave. from the Northern most boundary on Lot 37, approximately 600 feet to dead end at the property of the Housing Authority be changed to High Clear Drive.

3. Suggested Change of Name of Southfield Park to the J. Flemming Rutledge Memorial Park:

The Committee requests that the matter be recommitted and that a letter be written to the Park Commission for an appropriate recommendation since that Commission is responsible for all matters relating to parks.

4. Conveyance of Small Parcel of City-Owned Property on Brookside Drive to State for Use by Turnpike for Sum of \$1.00:

The Committee recommends approval and that the appropriate resolution be passed.

5. Conn. Power Co. Offer to Purchase City-Owned Land on Holcomb Ave. for Transformer Station:

The Committee requests that the matter be recommitted to determine exactly which portions of the total city area at that location is involved and to further consider a request from an abutting property owner for the opportunity to purchase a 25' strip.

6. Easement to Norcton Water Co. for Water Main Installation. Area Maple Ave. Bridge:

The Committee recommends that easement be granted, and the Mayor be authorized to execute any and all documents in this connection.

7. Concerning Grade of Private Roads to be Established:

The Committee feels that this is an administrative function and not a proper subject for an ordinance. It therefore recommends that the proposed Ordinance not be enacted and that this Board recommend to the Building Inspector that before permits are granted for construction on undeveloped streets that the applicants be referred to the City Engineer to ascertain grade.

8. Proposed Ordinance Permitting Assessment of Property Owners on Acceptance of Private Roads:

227:45 The Committee feels that Section 640 of the Charter as amended in the 1957 session of the Legislature provides the basis for such assessment. It

therefore recommends that the proposed Ordinance not be enacted and that a public notice be placed in the newspaper once every 3 months for one year directing the attention of interested citizens to the rights available to them under Section 640 as amended.

The papers associated with the above items are attached hereto and made part of this report.

The Committee also voted to ask the Board to request the Mayor to initiate action for an appropriation of \$750.00 to cover the expenses of preparing the Building Code and the expenses of the necessary public hearings in connection therewith. This will, of necessity, be brought up under suspension of rules.

Respectfully submitted

Approved:

Ellis B. Baker, Clerk

Att.

C. L. Raiteri, Jr.  
Chairman

(1) Appeal from decision of Planning Board - Newfield Avenue, Alfred De Carlo, et als

MR. RAITERI MOVED that this matter be recommitted to Committee for the reason that the transcript of testimony had not yet been received from the Planning Board. Seconded by Mr. Baker and CARRIED unanimously.

(2) Petition from residents on Horan Avenue Extension for change of street name to High Clear Drive

MR. RAITERI MOVED that this be REJECTED WITHOUT PREJUDICE. Seconded by Mr. Nolan. Mr. Raiteri said that since the Committee reported on this matter that Mr. Ketcham had come up with additional data and suggested that he be heard at this time.

MR. KETCHAM spoke briefly, explaining that although the agenda states this to be a private street, that it is not. He said the street is referred to as Horan Avenue on the original map filed by High Clear Acres, Inc. He explained the location of the street and urged that the name be changed.

MR. KETCHAM MOVED that this matter be referred to the Legislative & Rules Committee for a proper Ordinance to be prepared. Seconded by Mr. Raiteri.

MR. RAITERI withdrew the previous motion made by him, in favor of Mr. Ketcham's motion. VOTE taken on Mr. Ketcham's motion and CARRIED unanimously.

(3) Change of name of Southfield Park to the J. Flammig Rutledge Memorial Park (also referred to Parks & Recreation Committee)

MR. RAITERI MOVED that this matter be recommitted to committee and that a letter be written to the Park Commission for an appropriate recommendation for the reason that they are responsible for all matters pertaining to parks.

MR. KELLY, Chairman of the Parks & Recreation Committee said his committee concurs in the recommendations and seconded the motion.

Several letters were introduced at this point, objecting to the change of name.

VOTE taken on recommitment to committee and CARRIED unanimously.

At this time (9:45 P.M.) Mr. Connors, the President, requested permission to leave. Mr. Kolich also requested permission to leave. Upon MOTION of Mr. Rhoades, duly seconded, this was approved by unanimous vote.

The Chair was taken by Mr. Macrides, the Clerk.

(4) Conveyance of small parcel of city-owned land on Brookside Drive to State for use by Turnpike for sum of \$1.00

Mr. Raiteri said the Committee recommends approval and that an appropriate resolution be passed.

MR. RAITERI MOVED for approval of the following resolution. Seconded by Mr. Nolan and CARRIED unanimously: (See Mayor's letter dated August 19, 1957)

RESOLUTION NO. 264

BE IT RESOLVED by the Board of Representatives of the City of Stamford that the Mayor be authorized to accept an offer for \$1.00 from the State of Connecticut for the purchase of city-owned property located on Brookside Drive, approximately 0.07 of an acre, and be authorized to execute any and all documents in connection therewith.

(5) Conn. Power Co. offer to purchase city-owned land on Holcomb Ave. for transformer Station (See Mayor's letter 9/10/57)

MR. RAITERI MOVED this be recommitted to Committee in order that they may determine what portion of the city area is involved, and also to further consider a request from an abutting property owner to purchase a 25 foot strip. Seconded by Mr. Baker.

MR. TOPPING suggested that the Board of Education be consulted before any particular disposition is made of this property, as it had been under consideration by them for use as a north entrance to the stadium. This would be to determine if they had any use for this piece of property, before final disposition is made.

VOTE on motion to recommit. CARRIED unanimously.

(6) Easement to Noroton Water Co. for water main installation, area Maple Avenue Bridge (See Mayor's Letter 9/10/57)

MR. RAITERI MOVED for approval of this request and that the Mayor be authorized to execute any and all documents in this connection. Seconded by Mr. Snyder.

The map was examined on this at Mr. Topping's request. There being no further discussion, VOTE taken and CARRIED unanimously.

(7) Concerning grade of private roads to be established (See bottom of page 1648 and top of page 1649 of 7/1/57 Minutes - also page 1682 (2) and page 1683 (4) of Minutes of 9/9/57)

MR. RAITERI read the committee report regarding this (see report above) and MOVED that the Board recommend to the Building Inspector that before permits are granted for construction on undeveloped streets that applicants be referred to the City Engineer to ascertain grade. Seconded by Mr. Topping, and CARRIED unanimously.

(8) Proposed Ordinance permitting assessment of property owners on acceptance of private roads (See page 1683 (3) of Minutes of 9/9/57)

MR. RAITERI read his committee report regarding this matter and MOVED that no ordinance be enacted, but that a public notice be placed in the newspaper once every three months for one year, directing the attention of interested citizens to the rights available to

then under Section 640 as amended. Seconded by Mr. Topping.

MR. NOLAN said he objected to the expense involved in publishing a public notice every three months as to certain provisions in the Charter. He requested that reference to publication be stricken from the motion. Seconded by Mr. Snyder.

MR. NOLAN said he doubted the usefulness of placing an advertisement buried under Legal Notices in the back of the newspaper and thought this was not the way to go about it, because the ordinary householder would not be reading the legal notices, and it would be a waste of money.

MR. HUIZINGA: "I would like to ask a question. As I understand Section 640, the State Statutes provide similar requirements to what had been planned to put in the Ordinance, namely that 50% of the property owners can petition and then the other 50% will have to go along with it whether they want to or not - is that correct?"

MR. RAITERI: "No, they don't have to go along with it if they don't want to. They send a petition to us, requesting that a survey be made as to the cost of bringing their road up to standards for acceptance. We will consider their petition and along with that consideration, we will process it in accordance with Section 640 of the Charter and we will come up with the cost. Then, their representative will discuss it with us and we will tell them what the assessment will be. If they are willing to go along, then the Public Works Department will go in and do the road, bring it up to city specification requirements for acceptance and they will be assessed for the expenses involved."

MR. HUIZINGA: "What if the other 50% do not want to be assessed, will they then be forced to pay for this work?"

MR. RAITERI: "No, they won't be forced to pay. The assessment will be levied against those who have signed the agreement. Now, if the assessment were to be say \$10,000 and five people wanted to go along with it and were willing to accept the \$10,000 assessment among the five of them, the road will go in and will be paid for by them."

MR. RHOADES: "I believe the ordinance states 50% of the people affected?"

MR. RAITERI: "We are not asking approval of the Ordinance."

MR. RHOADES: "It's not that - I want to ask a question and I can't unless I know what the language is. Does it say 'people affected' or 'property owner'; just what does it say?"

MR. RAITERI: "Abutting proper owners."

MR. RHOADES: "Now, in the case of one very large area in the city of Stamford, where the abutting property owners do not own the road, who is affected?"

MR. RAITERI: "They can't get title to a road if they don't own it. Therefore, it is incumbent upon the person who owns that property."

MR. TOPPING said he would like very much to see this published at least three times, three months apart. He said a great many property owners want improvements on their property and don't know how to get it done. If we publish this three times, then we have given the opportunity to anyone interested to come forward - and it is up to them.

MR. NOLAN said he thought we were starting a very bad precedent by informing the people what the Charter contains. He said: "It is not our duty to make everyone conversant with the provisions of the Charter. If we are going to inform them of one section, then we should inform them on other sections."

MR. RAITERI said they were not interested in informing people of what the Charter contains

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but merely to give a better standard of roads in the community. He said: "We know there are private roads that do not meet standards. These people would like to have these roads brought up to specification. If they were brought up to specification the maintenance problem for the city would be lower. We are just interested in bringing these roads up to a better standard."

MR. RAITERI said he did not accept Mr. Nolan's amendment to his motion.

VOTE taken on Mr. Nolan's amendment to do away with the publication. LOST by a vote of 8 in favor and 24 opposed.

VOTE taken on Mr. Raiteri's motion. CARRIED by a vote of 31 in favor and one opposed.

(9) \$750.00 additional appropriation to cover expenses of Building Code and the necessary public hearings and expenses in connection therewith.

MR. RAITERI MOVED for suspension of the rules in order to take up the above subject. He said: "This is to defray expenses in connection with the publication, hearing, and secretarial work in connection with the preparation of the Building Code." Seconded by Mr. Nolan and CARRIED unanimously.

There were several questions put to Mr. Raiteri and he explained that by publication he did not mean publication of the entire Building Code in the newspaper, because it would require several editions of the paper to do so; that he was merely referring to publication that the Building Code (before adoption) could be examined in the office of the Town and City Clerk.

MR. RAITERI MOVED for approval of a request to the Mayor to initiate action for an appropriation of \$750.00 to cover the above expenses of preparing the Building Code and the expenses of the necessary public hearings in connection therewith. Seconded by Mr. Nolan and CARRIED unanimously.

Public Works Committee:

Mr. Topping said he had no report to present to the Board.

MR. RAITERI: "Under Public Works I wish to bring this matter up. I believe it was in the month of June I requested Mr. Topping to make a survey of the problems which exist on Weed Avenue. My consideration at that time was the dangerous condition which existed. There were no fences separating the road from a drop-off of the wall there into the water and at a later date he told me it was impossible to do anything because there was no money available. Since that time I have asked Mr. Chase whether due to the fact that the budget has been passed if there would be any money available at this time in the budget. He has informed me that the money is not available. I therefore would ask this Board to have a letter written to the Mayor, asking him to investigate the conditions there, telling him that we are concerned with it and that if it is necessary to appropriate money in that regard that it be initiated."

MR. RAITERI MOVED that a letter be written to the Mayor, asking him to investigate the dangerous conditions at Weed Avenue and to initiate a special appropriation to remedy them. Seconded by Mr. Topping.

MR. RYBNICK: "I have been in conference with the Mayor on several occasions in regard to this matter and he has talked with Mr. Chase on that and they do intend widening Weed Avenue to eliminate some of these dangerous areas."

MR. SNYDER: "I'm sympathetic with Mr. Raiteri's thoughts, but rather than have it in the form of a motion by this Board that we request the Mayor to appropriate the money to put up a fence, I would like to ask that this be amended that we have a report back

224:33

for study on it as to the plan, if there is a plan, perhaps changing the course of the road, it would certainly be out of order for us to ask that a fence be built where the road is not going to continue to stay. Would it be in order that we have a report back on the thing in regard to the necessity of the fence? And, if it appears that the need continues, then let's proceed with our request."

MR. RAITERI: "I will accept your amendment, but I wouldn't want the wording to be as to whether there is a necessity. As far as I'm concerned, I would want it understood. My motion concerns the fact that there IS a necessity and what are the plans to rectify it?"

VOTE taken on sending a letter to the Mayor on the above subject. CARRIED unanimously.

MR. BAKER: "While we are on the subject of public safety, I would like to rise on behalf of my district to express our appreciation to Red Chase and the Police Department for eliminating what we believe to be one of the worst traffic hazards in the city. It is in the area of Strawberry Hill Avenue at the intersection of 5th Street and Colonial Road. Progressively, they have installed traffic lights, and they have painted directional arrows on the roadways. Most noticeably they have eliminated a very serious gutter situation, particularly in the winter time when cars would slide on the crown of the road into the gutter. That has been eliminated and at this time I would like to commend the two departments for the constructive work they have done."

MR. TOPPING also spoke in commendation regarding the elimination of the deep ditch on Davenport Road.

Health & Protection Committee:

MR. MILANO, Chairman presented his committee report, as follows:

Re: Traffic light, corner St. George  
Avenue and West Broad Street

HEALTH & PROTECTION COMMITTEE REPORT

The Health and Protection Committee met at the Police Building on Friday, October 4, 1957, with Chief Kinsella in regards to a petition received from residents of St. George Avenue and West Broad Street, for a pedestrian walklight at St. George Avenue and West Broad Street.

The Committee recommends that a letter be forwarded to the petitioners notifying them such a light will be installed just as soon as a few details are worked out with the hospital officials.

Joseph P. Milano, Chairman  
Frank Longo  
Stephen E. Kelly  
John L. DeForest  
Robert Lewis

Re: Traffic stopping when school bus stops

MR. MILANO requested permission for one of the members of his committee to speak on the above subject, which permission was given.

MR. LEWIS spoke in reference to the refusal of traffic to comply with the law requiring the stoppage of all traffic on both sides of the road when a school bus stops. He said he thought this should be enforced.

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MR. SNYDER also spoke in regard to this problem and mentioned a resolution he introduced in this Board some time ago regarding the same situation and said at that time he had tried to get the Connecticut Company to identify their buses which were being used to transport school children. He said the company did not elect to comply with the request. He said there was a problem here and he agreed with Mr. Lewis that something needed to be done.

This was discussed at some length and several suggestions were made by various members as to how this might be handled. Attention was called to the fact that the Connecticut Company cannot be forced to identify their buses as being school buses, for the reason that other passengers are also carried on the bus besides school children and it is therefore not solely used for the transportation of school children.

MR. LEWIS said even though the school buses are plainly marked and have flashing red lights on both the front and the rear of the buses, that traffic still does not stop for them.

It was pointed out that violators are turned in by the driver.

MR. MILANO was given permission to recommit to committee the question of a plaque in the new Police Building.

Planning & Zoning Committee:

MR. RUSSELL presented the following committee report:

A meeting of the Planning and Zoning Committee was held at 8 P.M. on Thursday, October 3, 1957, at Avignone's restaurant and the following items were considered:

- (1) Re: Newfield Avenue appeal from Zoning Board decision.
- (2) Hold, on proposed Ordinance for new road specifications.
- (3) Final adoption of Ordinance changing names of certain City streets.
- (4) Final action on resolution published in September for accepting old roads as public highways.
- (5) Acceptance of new roads.
- (6) Road Performance Bond subject.
- (7) Other items referred to committee for study.

Item (1): Committee action postponed until November, due to lack of receipt of Planning Board hearing transcript.

Item (2): Committee awaiting action of Planning Board as a result of joint meeting held September 24th. Final action expected in November

Item (3): Committee agreed on the changing of the names of those published streets which were presented at the September meeting. Committee wishes the Board and local paper to note that it is only desirable to undertake the changing of names of City streets where a duplication of names or phonetic sounding duplications create a public safety or welfare problem.

Item (4): Committee agreed on list published in September and presented to Board with the exception of a question concerning Parsonage Road. Committee agreed to move resolution to accept the streets listed in the Minutes of the Board's September 9, 1957 meeting. (See attached report)

Item (5): Acceptance of new roads (see attached report).

Item (6): As a result of joint meeting with Planning Board, it was agreed that some change in wording and handling of Performance Bonds was desirable. It was

also agreed that a procedure should be set up whereby the City, within a period of approximately 60 days from the date of expiration of the Performance Bond would undertake the completion of road or roads to specifications. This procedure should eliminate the lengthy hardships presently being faced by residents on roads where developer has defaulted.

A follow-up meeting between the Planning Board, City Engineer, Superintendent of Roads and Highways, Planning & Zoning Committee and the Legislative and Rules Committee is planned for October to further clarify and clear up this problem, as well as to receive final draft of new road specifications.

- Item (7): (a) Mr. Baker's re-tabling of Holbrook Estates' road problem  
 (b) Mr. Fredericks' petition and letter regarding Deacon Hill Road extension.  
 (c) Letter concerning Pepper Ridge Place.

George E. Russell, Chairman  
 Planning & Zoning Committee

- (1) Appeal - Decision of Planning Board re Newfield Avenue, Alfred DeCarlo, et als

Above matter was deferred for the reason that the transcript of testimony of Planning Board hearing had not yet been received.

- (2) Final adoption of Ordinance concerning road specifications (See pages 1691-1692 of Minutes of 9/9/57)

This matter was also deferred for the reason that the specifications are being changed.

- (3) Final adoption of Ordinance changing names of certain city streets.

MR. RUSSELL MOVED for final adoption of the following Ordinance. Seconded by Mr. Snyder, and CARRIED unanimously:

ORDINANCE NO. 66 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.

- (4) Final adoption - Published resolution re acceptance of city streets built prior to April 16, 1950 (See pages 1694-1695 of 9/9/57 Minutes)

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

RESOLUTION NO. 265

BE IT RESOLVED AND IT IS HEREBY RESOLVED THAT:

The following names streets and highways, which were open to vehicular travel prior to April 16, 1950 as public streets and highways are hereby accepted as City Streets:

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

(5) Petitions for acceptance of roads as public highways

MR. RUSSELL said 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. He said they have been inspected and received favorable approval by the Committee and that all maps referred to are filed in the office of the Town and City Clerk:

<u>BIG OAK LANE</u>	Approximately 580 ft., located on Maps #5440 and 6004
<u>BRODWOOD DRIVE</u>	Approximately 950 ft., located on Map #5192
<u>CRYSTAL LAKE ROAD</u> (extended)	Approximately 313 ft., located on Map #5396
* <u>DEEP LANE</u>	Approximately 1055 ft., located on Map #5033
<u>DENISE DRIVE</u>	Approximately 900 ft., located on Map #5671
<u>DENISE PLACE</u>	Approximately 300 ft., located on Map #5671
<u>FAWN DRIVE</u>	Approximately 1400 ft., located on Maps #5671 and 5733
<u>FOUR BROOKS ROAD</u>	Approximately 2420 ft., located on Maps #5440 and 6005
<u>FOUR BROOKS CIRCLE</u>	Approximately 260 ft., located on Map #6005
<u>FRIAR TUCK LANE</u>	Approximately 900 ft., located on Map #5742
<u>LIMERICK STREET</u>	Approximately 665 ft., located on Map #5471
<u>NORTH LAKE DRIVE</u>	Approximately 2,400 ft., located on Map #5509
<u>OLD WELL ROAD</u>	Approximately 960 ft., located on Map #5033
<u>QUAKER RIDGE ROAD</u>	Approximately 700 ft., located on Maps #4994 and 5272
<u>RED FOX ROAD</u>	Approximately 1,845 ft., located on Maps #5440, 6004 & 6005
<u>ROBIN HOD ROAD</u> (extended)	Approximately 550 ft., located on Map #5742
<u>WAKE ROBIN LANE</u>	Approximately 1,265 ft., located on Map #6005
<u>WILDER ROAD</u> (extended)	Approximately 539 ft., located on Map #5396

\*DEEP LANE: This street name must be changed in the near future because of the phonetic duplication with Dee Lane and Deer Lane.

MR. RUSSELL MOVED for approval of all the above roads. Seconded by Mr. Kelly and CARRIED by unanimous vote. Mr. Topping voting his disapproval of the acceptance of Denise Drive, Denise Place and Fawn Road.

MR. RUSSELL: "The following roads did not meet requirements when inspected and will have to be brought up to specifications by October 31st or they will be brought in for rejection at the November meeting. The Board will then be requested to have the Planning Board and the Corporation Counsel call in any bonds that are past due. Most of these roads have been presented for acceptance for a considerable length of time and corrections have not been taken care of up to this date:"

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AQUILA ROAD  
EMERY DRIVE, EASTKRAMER ROAD  
INDIAN HILL ROAD  
VANECH DRIVE

(6) Report on Road Performance Bond:

MR. RUSSELL: "As a result of a meeting with the Planning Board on September 24th, it was agreed to make a change in the wording of the Performance Bonds. It was agreed that a procedure should be set whereby the City within a period of approximately 60 days from the date of expiration of the Performance Bond would undertake the completion of the road or roads to specifications. This procedure should eliminate the lengthy hardships presently being faced when the developer has defaulted, by the residents on these roads. A follow-up meeting with the Planning Board, City Engineer, Superintendent of Highways, Planning & Zoning Committee and the Legislative & Rules Committee is going to be held in October to further clarify and clear up the problems involved, as well as to receive the final draft of the new road specifications.

(7) Holbrook Estates Roads: Holbrook Drive, Boxwood Drive, Apple Tree Drive and Pine Tree Drive.

MR. RUSSELL: "As a result of our meeting, a resolution was drafted in order to start something rolling in regard to these roads, because the property owners up there are in need of something to be done very badly. The roads, unfortunately, are owned by the original developer."

MR. RUSSELL MOVED for adoption of the following resolution: Seconded by Mr. Topping and CARRIED unanimously, with the exception of one negative vote, Mr. Fredericks voting "No" and Mr. Lewis being excused from voting

RESOLUTION NO. 266

WHEREAS, the streets of the area known as Holbrook Estates, namely Holbrook Drive, Boxwood Drive, Apple Tree Drive and Pine Tree Drive are private roads, not having been accepted as public streets of the City of Stamford: and

WHEREAS, said streets have been open to vehicular travel since many years prior to April 16, 1950, the date on which the Planning Board of the City of Stamford established specifications for street construction and set up requirements for bonds: and

WHEREAS, said roads have deteriorated through use and are in need of repair: and

WHEREAS, title to said roads is vested in one Mr. Walter N. Maguire, developer of the area and not in the abutting property owners: and

WHEREAS, the property represented by said roads does not appear on the Grand List of the City of Stamford and apparently has not been assessed for payment of real estate taxes:

BE IT RESOLVED BY THE BOARD OF REPRESENTATIVES OF THE CITY OF STAMFORD,  
AND IT IS HEREBY

RESOLVED, that the Corporation Counsel of the City of Stamford determine by consultation with the Assessor and the Collector of Taxes of said City whether said property has been omitted in error from the Grand List and from assessment: and

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However, I would like to say this: that due to the fact that it is rather complicated and that several people perhaps in listening to it did not realize the full significance to it, that before we take any action, we should have copies made available to every member of the Board in order that they can study it and decide what they think the answer to this problem should be, and at the next meeting we would then be in a position to decide as to what action we should take."

MR. RHOADES: "Mr. President, I think that is an excellent suggestion. I think we should postpone action on the specific motion until everyone has had an opportunity to study it further."

VOTE taken on acceptance of the report, with the exclusion of the recommendations contained in the last paragraph. CARRIED unanimously.

MR. MACRIDES resumed the Chair.

#### COMMUNICATIONS FROM THE MAYOR

(1) Invitation to cornerstone laying of new Health Building on Oct. 3, 1957

Inasmuch as this letter was publicized through the radio and press to those Board members wishing to attend, it was not read at this time.

(2) Threats purportedly made to tenants of city housing developments:

MR. MACRIDES read the following letter to the Board dated Oct. 7, 1957:

#### CITY OF STAMFORD, CONNECTICUT

October 7, 1957

Mr. George V. Connors, President  
Board of Representatives

Dear Mr. Connors:

Recently there appeared in the press a story reporting that there were certain threats made to tenants of our housing developments in an effort to secure their political support, otherwise they would be evicted.

In view of the fact that the Chairman of the Housing Committee of your Board claimed that he had proof of such incidents being factual, I would ask that you secure for me all data and evidence with reference to the charges that were made.

I believe the Housing Authority and this office is entitled to know, as well as your Board, if such conditions actually exist.

Very truly yours,

Thomas F. J. Quigley  
Mayor

The above letter was  
Referred to the Steering Committee.

(3) Vault Space for Probate Court

October 7, 1957

## CITY OF STAMFORD, CONNECTICUT

September 16, 1957

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

Re: Vault Space for Probate Court

Dear Mr. Connors:

Your note of September 13 on the above subject has been received.

May I advise you that I expect Mr. Burt of the Connecticut State Library in the city shortly to review this program which we have been working on in making some alterations here in City Hall.

Very truly yours,

Thomas F. J. Quigley  
Mayor

## COMMUNICATIONS FROM OTHER BOARDS AND INDIVIDUALS

- (1) Letter dated Oct. 6, 1957 from W. P. Penencud re Wilder Road repairs

Ordered filed.

- (2) Letter dated September 20, 1957 from Board of Education to Chairman of Charter Revision Committee re steps to be taken in new Legislature to amend Charter to Provide an automatic vacancy in city Boards when a member moves out of town.

MR. KAMINSKI MOVED that this be referred to the future CHARTER REVISION COMMISSION and NOT the Charter Revision Committee, explaining that the prerogative lies within the Board of Representatives and not in a Committee. Seconded and CARRIED unanimously.

- (3) Letter dated Sept. 20, 1957 from Board of Education in answer to request from this Board for a map showing the schools and school population and square mileage within each school district (See page 1681 of Minutes of Sept. 9, 1957, 6th paragraph)

Ordered filed.

- (4) Letter dated Sept. 20, 1957 from Mr. Irving Snyder, 1st District Representative, regarding railroad service to Urban Redevelopment property on Meadow Street after contemplated sale to First National Stores as a warehouse location.

MR. MACRIDES explained this had been deferred by the Steering Committee until the new Board takes office.

- (5) Letter dated Sept. 27, 1957 from Albert W. Petrone, 79 Holcomb Avenue, to the attention of Mr. Clement L. Raiteri, Jr. regarding offer to purchase property owned by the city on Holcomb Avenue in order that he may build a garage thereon.

Referred to Steering Committee so that it may be referred to the Legislative & Rules Committee.

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- (6) Two letter and petition regarding change of name of Southfield Park to the J. Flemming Rutledge Memorial Park.

Copies ordered sent to all members of Legislative & Rules Committee, the Park Commission and the Parks & Recreation Committee for consideration when this is brought out of committee. (See item #3 under Legislative & Rules Committee)

NEW BUSINESS

Re: Suggestion to purchase recording machine

MR. NOLAN spoke regarding the recording machine being used at tonight's meeting for demonstration purposes and also demonstrated at the September 16th meeting. Mr. Nolan said he thought all members should listen to the recording device and consider the possibility of the purchase of same and the benefits to be derived from its use. MR. NOLAN MOVED that the question of acquiring this device be referred to the Steering Committee. Seconded by Mr. Huizinga and Mr. Baker and CARRIED unanimously.

MR. SNYDER spoke in reference to his letter (see #4 under Communications) and objected to its being referred to the next Board, saying he had requested in his letter that this be referred to the Legislative & Rules Committee to investigate and so MOVED. Seconded by Mr. Nolan and CARRIED with the exception of two voting no.

MR. FREDERICKS explained the reason why the Steering Committee decided to hold this matter for the new Board was because it would take some time to investigate the problem and by the time the new Board would take over and it could not be resolved in the time now left to the members now in office.

MR. MACRIDES called attention to the next regular meeting of the Board which will be held on Friday, November 1, 1957.

There being no further business to come before the Board, by Motion of Mr. Huizinga, duly seconded and CARRIED, the meeting was adjourned at 11:40 P.M.

Respectfully submitted,

*George V. Connors*

George V. Connors  
President  
Board of Representatives

vf