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1820

A regular meeting of the Board of Representatives of the City of Stamford, Conn. was held in the Cafeteria of the Dolan Jr. High School, Toms Road, Glenbrook, on Monday, March 3, 1958.

The meeting was called to order by the President, Mr. Norton Rhoades, at 8:05 P.M.

INVOCATION was given by Rev. Stephen A. Grinvalsky, Pastor, St. Benedict's Roman Catholic Church.

Immediately after the Invocation, a moment of silence was observed in memory of the late George Close, former Town Clerk for many years, who recently passed away.

ROLL CALL was taken by the Clerk. There were 34 present and 6 absent at the calling of the roll. However, several members arrived later, changing the roll call to 37 present and 3 absent. The absent members were: J. Joseph Hart, Vincent Vitti and William Murphy.

MR. NOLAN: "Mr. Murphy is away on very important business."

MR. RHOADES: "Thank you, Mr. Nolan, and I might add that we expect Mr. Russell momentarily."

ACCEPTANCE OF MINUTES - Meeting of February 3, 1958

MR. BAKER called attention to page 1797, item (4) under "Holbrook Estates" and asked that the word "ownership" be changed to read "taxation".

There being no other corrections, the Minutes were APPROVED, as corrected.

#### COMMITTEE REPORTS:

##### STEERING COMMITTEE

Mr. Rhoades presented the following committee report:

##### STEERING COMMITTEE REPORT Meeting held Feb. 17, 1958

The Steering Committee met in the Mayor's Office, on Monday, February 17, 1958. The meeting was called to order by the Chairman, Mr. Norton Rhoades at 8:05 P.M.

The following members were present: Norton Rhoades, Chairman; Doris Zuckert, Robert Lewis, Thomas Topping, John Nolan, William Murphy, Clement Raiteri, Jr., and Rocco Colatrella. Joseph Milano and George Russell were also present, but not as members of the Committee. Absent were: Messrs. Fredericks, Huizinga, Baker, Macrides, Connors, Vitti and Geronimo.

The following matters were discussed:

##### Ruling - Two committees having same referrals

This matter was referred to the Legislative & Rules Committee at the February 3, 1958 Board meeting. It was decided that there be some rule set up regarding publicity releases and the seniority of committees.

##### Budget Books

Mr. Rhoades announced that instead of calling a meeting of the Board merely to copy the Finance Board's figures, the books will have the figures in them when

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received by the Board of Representatives. This will be done through arrangements made by Mr. Rhoades with the High School.

#### Housing Committee

It was agreed that this Committee will be appointed subsequent to the receipt of an opinion from the Corporation Counsel as to whether or not the Board has the power to investigate Housing Authorities. Attention was called to the fact that under the provisions of the Charter, a resolution would be necessary.

#### Re Appointment to Personnel and Parks & Recreation Committees (On agenda 2/3/58)

Further discussion will have to be held with Mr. Jack McLaughlin and Mr. William Hearing in regard to the misunderstanding that occurred at the last meeting when they went on the agenda as being transferred from each other's committee.

#### Joint Public Hearing on Budget

Mr. Rhoades announced that a tentative date of March 7, 1958 had been set for the joint public hearing by the Board of Finance and the Board of Representatives on the 1958-1959 Budgets.

#### Rules and Regulations for Park Dept., Board of Recreation and Hubbard Heights Golf Commission

Mr. Raiteri explained that these rules had never been adopted by the Board as part of Ordinance No. 64 for the reason that a motion had been introduced by Mr. Kaminski and carried, that adoption of the rules for all three departments be held up until all have been received. Inasmuch as the Hubbard Heights Golf Commission have never furnished the Board with their rules, none of them could be adopted and made a part of the Ordinance.

The following letters were presented:

- (1) Letter dated 1/31/58 from American Red Cross regarding housing problems.

To be referred to Housing Committee, when appointed.

- (2) Letter dated 2/11/58 from Girl Scouts, regarding use of city-owned property for Day Camp for 1958 season.

Referred to Parks & Recreation Committee.

- (3) Letter dated 2/12/58 from Representatives, 6th District, enclosing petition from residents of Cold Spring Road, Windsor Road and Severance Drive, requesting the re-scheduling of item known as "Cold Spring Road and Windsor Road" (item 29 on page 7) in the Capital Projects Budget, Storm Drains, from the 1959-60 column to the 1958-59 column.

Referred to Public Works Committee.

- (4) Letter dated 2/11/58 from Mayor Givens, replying to Board's request in regard to the placing of City pension plans on a sound actuarial basis.

To be placed under Communications from the Mayor.

- (5) Letter dated 2/14/58 from Mayor Givens regarding nominations to City Boards.

Referred to Appointments Committee.

- (6) Letter dated 2/18/58 from Mayor Givens regarding nomination to Planning Board.

Referred to Appointments Committee.

Inasmuch as there had been no meeting of the Board of Finance, it was decided that all fiscal items approved by them at their meeting on Friday, Feb. 21st would be placed on the Agenda under Fiscal Committee.

There being no further business to come before the Committee, the meeting was adjourned at 9:15 P.M.

Respectfully submitted,

Norton Rhoades, Chairman,  
Steering Committee

vf

MR. RHOADES: "In regard to the Charters, the President would like to report that we had a specific promise that the copies of the Charter for our new members and the amendments to the Charter for all the members will be ready two weeks from today. This is a promise from the Purchasing Agent, who has long since proved to your President to be a man of his word. I know that many members are anxiously awaiting their copies.

"With respect to the Budget, the President is very glad to report that copies of the Mayor's budget are at present here in the front of the room. They will be distributed tonight to the members of this Board, preceding the issuance of this material to the Press."

The President announced that the Public Hearing on the Budget (Joint Hearing with members of the Board of Finance) will be held one week from tonight at 8 o'clock in the Auditorium of Burdick Jr. High School.

Mr. Connors announced that Mr. Vitti had just telephoned that he would not be able to attend the meeting tonight, because of a recent illness.

#### APPOINTMENTS COMMITTEE

MR. LEWIS: "The Appointments Committee met in the Mayor's office last Saturday, March 1st at 10 A.M."

Mr. Lewis read the qualifications of the following nomination. The ballots were distributed by the Tellers.

- (1) PARKING AUTHORITY - LEONARD W. LEEDS (Republican) Term Expiring 1/1/60  
(Replacing Hugh J. Mathews, resigned)

VOTE: 34 in favor  
2 opposed

Mr. Lewis read the qualifications of the following nomination while the ballots were distributed by the Tellers.

- (2) URBAN REDEVELOPMENT COMMISSION - DR. EDWARD ALLEN (Independent) Term  
Expiring 8/7/62

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VOTE: 33 in favor  
3 opposed

Mr. Lewis did not read the qualifications of the following nomination, for the reason that they were presented at a previous meeting, this being the third time the name has been brought before this Board for approval of the appointment.

(3) PLANNING BOARD - JACK FLAHERTY (Republican) Term 1957-1962

VOTE: 13 in favor  
22 opposed

FISCAL COMMITTEE

MR. HUIZINGA read his committee report of meeting held on Tuesday, February 25, 1958, in the office of the Board of Representatives, City Hall, at which meeting all members were present, with the exception of Edward P. Wynn, Jr.

- (1) \$400.00 - Mayor's Office - Code 300.5, Telephone & Telegrams Account  
(See Mayor's letter 1/20/58)

MR. HUIZINGA MOVED for approval of the above request. Seconded by Mr. Topping and CARRIED unanimously.

- (2) \$150.00 - Mayor's Office - Code 300.3, Stationery and Postage Account  
(See Mayor's letter 1/20/58)

(Note: REDUCED by the Board of Finance)

MR. HUIZINGA MOVED for approval of the above request. Seconded by Mr. Georgoulis and CARRIED unanimously.

- (3) \$10,000.00 - Dept. Public Works - Code 412A.6, Supplies and Materials  
(See Mayor's letter 2/7/58)

MR. HUIZINGA MOVED for approval of the above request. Seconded by Mr. Hearing.

This matter also having been referred to the Public Works Committee, Mr. Topping read from his committee report, recommending approval of this request.

VOTE taken on item (3) above and CARRIED unanimously.

- (4) \$300.00 - Board of Representatives - (See Mayor's letter 2/14/58)

(a)	Code 200.3, Stationery & Supplies	-----	\$100.00
(b)	Code 200.1A Overtime meetings	-----	50.00
(c)	Code 200.4 Official Notices	-----	150.00
	Total	-----	\$300.00

MR. HUIZINGA MOVED for approval of item (a); seconded by Mr. Connors and CARRIED unanimously.

MR. HUIZINGA MOVED for approval of item (b); seconded by Mr. Rybnick and CARRIED unanimously.

MR. HUIZINGA MOVED for approval of item (c); seconded by Mr. Marciano and CARRIED unanimously.



- (5) \$200.00 - Zoning Board & Zoning Board of Appeals - Code 550.3, Stationery and Postage Account  
(See Mayor's letter 2/13/58)

MR. HUIZINGA MOVED for approval of the above request; seconded by Mr. Fortunato and CARRIED unanimously.

MR. HUIZINGA explained that in the coming budget for the next fiscal year the above items will be broken down in order to obtain better control, so that each individual Board will have their own appropriations for Stationery and Postage.

- (6) \$100.00 - Corporation Counsel - Code 450.3, Stationery & Postage Account  
(See Mayor's letter 1/23/58)

MR. HUIZINGA MOVED for approval of the above additional appropriation. Seconded by Mr. Kelly and CARRIED unanimously.

- (7) \$10,000 - Corporation Counsel - Code 450.60, Settlement of Non-Contract Claims  
(See Mayor's letter 1/23/58)

This having also been referred to another committee, namely the Education, Welfare and Government Committee, Mr. Macrides, its Chairman, read from his committee report.

MR. MACRIDES: "The request by the Corporation Counsel's office for settlement of non-contract claims which has been cut down to \$10,000 by the Board of Finance, has also been unanimously approved by this Committee. We feel that a much larger fund should be set up for the Corporation Counsel so that he would be in a position to make earlier settlements of these claims. The Committee is convinced that this would ultimately result in large savings to the City of Stamford."

MR. HUIZINGA: "For explanation to the new members of the Board. We do not have a Workmen's Compensation Insurance for the City employees, and any claims against the City (most of them are of that nature) have to come out of the appropriation which is made at the beginning of the year, which obviously is just an estimated figure, so you will always have additional appropriation requests for settlement of non-contract claims, which are judgments against the City, settled by your Corporation Counsel."

MR. HUIZINGA MOVED for approval of the \$10,000 additional appropriation as set forth in (7) above. Seconded by Mr. Milano and CARRIED unanimously.

- (8) \$60,000 - Public Welfare Dept. - Code 460.61, Cash Relief Account  
(REDUCED by Board of Finance) (See Mayor's letter 1/30/58)

MR. HUIZINGA: "This item was originally requested for \$100,000 and it has been reduced to \$60,000 by the Board of Finance."

MR. HUIZINGA MOVED for approval of the above requested additional appropriation. Seconded by Mr. Fortunato. (Also referred to Education, Welfare & Government Committee)

MR. MACRIDES: "I would like to read from my Committee report referring to this item: 'The Welfare Commission also explained requested emergency appropriations which are presently before our Board. The Committee unanimously approves the request for \$60,000 Cash Relief, since something in excess of this figure will unquestionably be needed to finish the remaining five months of the fiscal year. The month of January required the expenditure of \$17,000 for Cash Relief; February

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will probably be \$18,000 and the prospects appear to indicate an increase, rather than decrease, for the average monthly expenditure for the remainder of the period."

MR. HUIZINGA: "I would also like to point out at this time for the benefit of the new members of the Board that, as far as the Budget of the Welfare Department is concerned, we in the Fiscal Committee, have always had quite a problem knowing what to do. Personally, I don't see how the Welfare Department can honestly operate on a Budget like the other departments of the city. As I understand it, the Commissioner of Public Welfare is required by law to take care of anyone coming into his office who is in need of food or clothing, regardless of whether he has been in the city two or three days, as a matter of fact. And, if the Welfare Department does not provide these benefits, I am told also that Mr. Laturney is the only department head who can really be jailed for not doing his duty. He also mentions the fact that if the Board does not appropriate the funds by law, the State will appropriate them and they, in turn, will charge the City for the funds they have expended. I do believe that when we go over the Budget again next time for the coming year, this annual problem should again be investigated."

VOTE TAKEN on item (8) above. CARRIED by unanimous vote of approval.

(9) \$5,682.32 - Public Welfare Dept. - (See Mayor's letter 1/24/58)  
(REDUCED by Board of Finance to \$6,350.32)

(a) Code 460.6A	Shoes, Repairs & Clothing -----	\$2,000.00
(b) Code 460.68	Soldiers' Burial & Markers -----	1,000.00
(c) Code 460.61	Salaries:	
	Sr. Clerk Typist -----	1,109.66
	Case Worker-----	1,572.66
	Total -----	\$5,682.32

MR. HUIZINGA MOVED for approval of (a) above. Mr. Macrides said the Education, Welfare & Government Committee concurs. Seconded by Mr. Topping and CARRIED

MR. HUIZINGA MOVED for approval of (b) above. Mr. Macrides said his Committee approved. Seconded by Mr. DeForest. Mr. Macrides clarified the appropriation by explaining: "By way of explanation, the \$1,000 for Soldiers Burial is necessary under State law, which entitles every Connecticut veteran to receive \$150 toward burial and \$8.50 towards his monument. The sums requested for this item would be far greater if all of the families of the estimated 140 to 150 veterans who die each year were to take advantages of the rights afforded by this law. The aforesaid \$150 is paid back to the City by the Veterans Association and goes into the General Fund."

VOTE on (b) above. CARRIED by unanimous vote of approval.

MR. HUIZINGA: "The next item will differ from the amount shown on your Agenda. It's the total amount for Code 460.61, Salaries, which your Fiscal Committee is approving, namely, \$2,682.32. The reason for the apparent discrepancy in the figures from the ones as approved by the Board of Finance is due to the fact that we estimated our figures would be the amount that they would need for the balance of the fiscal year. Here again, this request was made a month or two ago and that's why the amounts are larger - because of the greater period before the end of the fiscal year. These amounts which I just gave you are predicated upon a Case Worker's annual salary of \$4,771.00 and a Clerk-Typist's salary of \$3,068.00 which we secured from the last Budget. I might also say this - that in the last Budget they requested an additional Case Worker at a salary of \$4,771.00.

At that time, the Fiscal Committee and you also approved it - reduced the appropriation by the additional Case Worker because we didn't think it was necessary. Now, due to the increased load that they have had during the past five to six months, with unemployment up as it is, we believe that the need is there now, and that is the reason we are approving the appropriation of additional funds at this time."

MR. HUIZINGA MOVED for approval of the total figure of \$2,682.32 for (c) above. Seconded by Mr. Topping.

MR. MACRIDES said his Committee had considered the total figures without taking into consideration the number of remaining months still to be taken care of, and said they concurred in the approval of this item.

MR. MACRIDES: "I would like to read from my report on this. The need for an additional Senior Clerk Typist is indicated by the fact that only one typist presently does the work for all six existing Case Workers. The need for an additional Case Worker is indicated by the present three week lapse before new matters can be attended to and the fact that the present Case Workers have found it necessary to take their work home with them in an attempt to keep up."

VOTE taken on additional appropriation as set forth under (9c) above and CARRIED by unanimous vote.

(10) \$272.00 - Parking Authority - Salary Account Code 500.1 (See Mayor's letter 2/17/58)

Reclassifications as approved by the Personnel Commission:

Albert Nichols, Meter Collector - Grade 4 to Meter Repairman, Grade 7  
Helen Thrope, Senior Clerk - Grade 4 to Secretary, Grade 6

MR. HUIZINGA: "This increase is requested because they have made the above changes in reclassifications and the amount represents the appropriation necessary to take care of these increases for the balance of the fiscal year, and the increases are retroactive to November 5, 1957."

MR. HUIZINGA MOVED for approval of the above request. Seconded by Mr. Fortunato.

The total salaries of the above employees was explained as being \$4,030.00 for each employee's yearly salary.

VOTE taken on (10) above and CARRIED by unanimous vote of approval.

LEGISLATIVE & RULES COMMITTEE

MR. RAITERI read the report of the Committee. He said the Committee held meetings on February 6, 13 and 20 and that all members of the Committee were present at all meetings. He stated that the meetings of February 6 and 13 were devoted to consideration of the Electrical Code portion of the revised Building Code.

Mr. Raiteri said another meeting was held on February 20th which was devoted to consideration of agenda items.

(1) Final Adoption - Ordinance "Regulation of Rent and Housing Accommodations"

MR. RAITERI MOVED for final adoption of the following Ordinance. Seconded by Mr. Nolan.

ORDINANCE NO. 71 SUPPLEMENTALREGULATION OF RENT AND HOUSING ACCOMMODATIONS

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

1. FINDING AND DECLARATION OF NECESSITY

It is declared: That as a result of the lack of construction of private rental housing accommodations during the period of World War II and as a result of the construction of the State Thoroughway, it is hereby found and declared that there exists a shortage of rental housing accommodations, which shortage has and will lead to unreasonable increases in rent to the resulting injury to the public health, safety and welfare of the City.

2. DEFINITIONS

As used in this Ordinance, the term "housing accommodation" shall mean any building or part thereof, occupied or suitable for occupancy as a place of abode, with any land or buildings appurtenant thereto and any services, furniture and facilities supplied in connection therewith; "rent" shall mean any consideration, including any bonus, benefit, or gratuity, demanded or received for the use of occupancy of any housing accommodation.

3. FAIR RENT BOARD

Upon passage of this Ordinance, the Mayor shall appoint a Fair Rent Board, consisting of six persons, three of whom shall be recommended for appointment by the Majority Leader of the Board of Representatives and three of whom shall be recommended for appointment by the Minority Leader of said Board. The Commissioner of Finance shall furnish such Board with such necessary clerical assistance as they may need for the purpose of maintaining its records.

4. REGULATIONS

Said Board may make orders and regulations necessary to carry out its duties under this Ordinance and for the purpose of preventing unreasonable increases in rents and the resulting injury to the public health, safety and welfare. Such regulations shall provide for the making of individual adjustments in cases in which the rent is deemed to be inequitable, having due regard to the investment of the property owner, increases in property maintenance, taxes or other applicable costs.

5. ADJUSTMENT OF RENTS

In any case where increases in rent are considered excessive by the tenants, they may apply to the Board for relief within thirty (30) days of written notice of said increase. Pending a determination of the Rent Board, the tenant shall continue to pay the rent in existence immediately prior to notice of said increase. The Board may determine the rent effective as of the date of such notice.

6. STUDIES AND HEARINGS

The Board may make studies and conduct hearings for the purpose of obtaining any information it considers necessary for the administration and enforcement of this Ordinance. For such purpose it may require any landlord or tenant, or



any agent or employee of any landlord or tenant, to furnish, under oath, any information required by it and may require the production of any records or other documents and may inspect housing accommodation. Such Board may, for such purposes, administer oaths and issue subpoenas. The Board shall not disclose any information so obtained if a request for confidential treatment is made by the person furnishing such information, unless such Board determines that the withholding thereof is contrary to the public interest.

7. PROTEST TO BOARD.

Any person affected by any order or regulation of the Board, may file a protest, setting forth his objections thereto, with written evidence in support of such objections. Statements in support of such order or regulation may be received by the Board. As soon as possible after such filing, the Board shall grant or deny such protest, provide for a hearing thereof, or provide an opportunity to present further evidence in connection therewith. If the Board denies such protest, in whole or in part, it shall inform the protestant of its reasons therefor. If the Board fails to grant or deny such protest within thirty (30) days after such protest is filed, it shall be deemed to be denied.

8. APPEALS

Any person aggrieved by any such decision of the Board may, within thirty (30) days, appeal to the Court of Common Pleas, or to any Judge thereof, when said Court is not in session, and said Court or such Judge shall review the findings of the Board in such case. Pending any such appeal to the said Court, or said Judge, the orders or regulations of the Board shall be in effect.

9. EVICCTIONS

So long as the tenant continues to pay the rent to which the landlord is entitled, the landlord shall have no substantive right to recover possession of, and no tenant shall be removed from, any housing accommodations by action to evict or to recover possession, by exclusion from possession or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated and regardless of any contract, lease, agreement or obligation heretofore or hereafter entered into which provides for entry of judgment upon the tenant's confession for breach of the covenants thereof, or which otherwise provides contrary hereto, unless:

- (a) The tenant who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration, but not in excess of one year, for a rent not in excess of the rent as prescribed by Sec. 5, but otherwise on the same terms and conditions as the previous lease or agreement, except so far as such terms and conditions are inconsistent with this Ordinance; or
- (b) The tenant has unreasonably refused the landlord access to the housing accommodation for the purpose of inspection or of showing the accommodation to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein; provided such refusal shall not be ground for removal or eviction if such inspection or showing of the accommodation is contrary to the provisions of the tenant's lease or other rental agreement; or

- (c) The tenant has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or is committing or permitting a nuisance, or is using or permitting, a use of the housing accommodations for an immoral or illegal purpose; or
- (d) The tenant's lease or other rental agreement has expired or otherwise terminated, and at the time of termination the occupants of the housing accommodations are sub-tenants or other persons who occupied under a rental agreement with the tenant, and no part of the accommodation is used by the tenant as his own dwelling; or
- (e) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the housing accommodation, or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required; or
- (f) The landlord owns or has acquired the right to buy the housing accommodations and has an immediate compelling necessity to recover possession of such accommodation for use or occupancy as a dwelling for himself or for members of his immediate family, or has served during the period of the war emergency in the armed forces of the United States and in good faith seeks possession for his own occupancy; or
- (g) The Board certifies, on grounds other than those stated above, that the landlord may pursue his remedies in accordance with law. The Board may grant such Certificate if the landlord establishes that the ground for removal or eviction is not inconsistent with the purpose of this Ordinance. The Certificate of the Board in such case shall set forth the date after which the remedy in accordance with law may be pursued, which shall not be earlier than three (3) months from the date of the filing of the Petition by the landlord.

#### 10. RECEIPTS

The landlord shall in every case of payment of rent, give a receipt, setting forth the amount and period for which the rent is paid.

#### 11. PENALTY

Any person, who, after any such adjustment, as provided in Section 5, demands or receives rent in excess of the amount so determined, or who violates any regulation or order issued under Section 4, or who removes, or attempts to remove, any tenant from any housing accommodation in violation of Section 9, or because such tenant has taken, or proposes to take action authorized by this Ordinance, or any order or regulation issued thereunder, or shall refuse to give a receipt in violation of Section 10, shall be fined not more than twenty-five (\$25.00) dollars, or imprisoned not more than thirty (30) days, or both.

#### 12. INJUNCTION

When, after inquiry, the Board finds that any person has engaged, or is likely to engage in any practice designated in Section 11, it may apply to the Court of Common Pleas, or to the City Court, or to any Judge thereof, when said Courts are not in session, for an order enjoining such practice.

The provisions of this Ordinance shall not apply to any building, the construction of which was not completed to such an extent that the premises were occupied July 7, 1947, and to any building which may be constructed after said date.

This Ordinance and all regulations promulgated and orders issued hereunder shall cease to be effective upon termination by the Board of Representatives of the City of Stamford, or on March 31, 1959, whichever is sooner.

This Ordinance shall take effect upon its adoption.

MR. FREDERICKS said that although he would vote in favor of this Ordinance, that he was still of the opinion that it was unconstitutional, in spite of the ruling of the Superior Court in favor of it.

MR. NOLAN MOVED the previous question. Seconded by Mrs. Zuckert.

A roll call vote was taken on Ordinance #71 Supplemental and CARRIED by a vote of 32 in FAVOR and 1 OPPOSED, as follows:

ANSWERED "PRESENT"

Bernard Geronimo  
Robert Lewis  
Alan Ketcham

(Note: Mr. Anthony Kolich arrived late, so was unable to vote on this Ordinance)

Edward Wynn, Jr.  
Thomas Topping  
Julius Wilensky  
George Russell  
John DeForest  
Rutherford Huizinga  
William Hearing  
Norton Rhoades

Jack Cummings  
Alanson Fredericks  
Virginia Horner

(2) Sale of city-owned property on Holcomb Avenue

MR. RAITERI: "No action having been taken by the Board of Finance on this matter, no action by this Board is necessary."

(3) Two Committees having same referrals (See Minutes 2/3/58, item #5 page 1797 & 1798)

MR. RAITERI: "The Committee unanimously recommends that the Rules of Order of this Board be amended in accordance with the attachment to these Minutes to clarify the duties of the Standing Committees and their responsibilities on matters which may be referred to more than one Committee."

MR. BAKER: "Mr. President, may I ask if everyone here has been furnished with a copy?"

MR. RHOADES inquired if everyone had a copy. There being no objection, it was not read.

MR. RHOADES: "Any amendments to our Rules and Regulations must be presented at a meeting and voted on at the following one. Therefore, this can be read at our next meeting, if satisfactory to everyone."

MR. BAKER: "I believe that is incorrect. It must not be presented at one and acted on at the next. It must be presented in writing at least with the notice of the meeting at which the action is taken."

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

MR. RAITERI: "Therefore, you are not in a position to vote on it this evening, but there must be a notice, either with our Agenda or with the Minutes of this meeting, with a notice saying that the rules will come up for amendment, and a copy of the amendment."

MR. RHOADES: "The President will withdraw his statement of postponement, but in response to a request from Mr. Fortunato, I will ask that you read the amendment."

MR. FREDERICKS rose on a point of parliamentary procedure, quoting from the Rules: ".....at a meeting in which the notice of said meeting includes the text of the amendment."

MR. FREDERICKS: "Our notice of meeting does not include the text. I am not being captious about it, but I don't want to set any precedent on amendments."

MR. RAITERI explained that he was referring to the text of the amendment for the next meeting. "In other words, we will vote on it at our next meeting, but we are presenting it tonight."

THE PRESIDENT asked for a ruling from Mr. Nolan, Parliamentarian by the next meeting, as to whether or not merely including a copy of this amendment in the letter which accompanies the Agenda for the next meeting will be sufficient.

MR. NOLAN: "Mr. President, if I may offer a curbstone opinion. Seeing that the Board has adopted their Rules by a two-thirds vote, it would seem to me that they could do almost anything they wished with a two-thirds vote. This is only by way of precedent. However, I think we can do what we wish by a two-thirds vote, even tonight, if we so desire."



MR. RHOADES: "I wish, Mr. Nolan, that you would rule at the next meeting as to whether merely mailing it constitutes its being part of the notice of the meeting."

It was agreed that Mr. Nolan would give his ruling by the next Steering Committee meeting.

MR. RAITERI presented the following:

PROPOSED AMENDMENTS OF RULES OF ORDER OF THE  
BOARD OF REPRESENTATIVES

It is proposed that the two following additions be made to the Rules of Order under the heading of COMMITTEES:

9. It shall be the duty of each of the above named Standing Committees, other than the Steering Committee, to fully investigate any matter properly referred to that Committee and to report the Committee's findings to the Board with a recommendation concerning the action to be taken by the Board in connection with that matter. All Committee reports shall be in writing and shall contain the names of the members present, the votes taken, or the feelings of the members on any matter and the Committee's reasons for action taken; the time, the date and place of the meeting. The Chairman or his appointee shall make the Majority report; any member may make a Minority report. All reports shall be filed with the Clerk of the Board.

\* (See below)

MR. HUIZINGA: "I would like to state publicly that I believe this amendment has arisen out of a comment that I made (and I certainly didn't mean it) which has to do with a Fiscal Committee meeting and Mr. Macrides' Committee meeting, and I misunderstood the action of my Committee members and it has all been straightened out. I have talked with Mr. Macrides about it. It certainly was not intentional at all. I wish to make that statement publicly before the Board.

"Now, as far as this amendment which Mr. Raiteri is presenting tonight to our Rules of Order, there is one thing that I would like to bring up. I think there is a question of practicability here. The Chairman of the senior committee involved to arrange for a joint meeting of the committees involved to discuss the matter."

MR. NOLAN interrupted suggesting that discussion be limited to any amendments that might be offered at this time, and debate to take place at the following meeting.

MR. RAITERI: "We discussed the business of publicity releases and it was the opinion of the Committee members at the time, although I am not speaking for them, that all publicity releases be given by the Chairman of the Committee and I would like to propose at this time that after the word "meeting," that a short sentence be included there, to read:

"All publicity releases shall be made by the Chairmen only."

MR. RHOADES: "The Chairman has the right to make such a change, and if this is included in the copy which accompanies the next meeting, it will be in order."

MR. RAITERI: "The next section of the proposed amendment is as follows:

\* 14. When any matter has been referred to more than one Committee by the Board, the President, the Clerk or the Steering Committee, it shall be the responsibility of the Chairman of the Senior Committee involved

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to arrange for a joint meeting of the Committees involved to discuss the matter. For the purpose of this paragraph, the seniority of the several committees of the Board shall be in the order of listing in paragraph 1. above, unless specifically otherwise ordered for a particular matter by the referring authority.

MR. RHOADES: "I do not feel that there should be any further discussion of this matter at this time. Mr. Raiteri, will you proceed?"

MR. HUIZINGA: "I do not wish to take issue with the President on this matter, but as I understand it from the Chairman of the Legislative & Rules Committee, this is a draft which is presented to us tonight for possible amendment. Don't we have the right to discuss item 14 here with the thought of possible amendment?"

The President informed Mr. Huizinga if he had an amendment to offer, he could do so.

MR. HUIZINGA: "The only thing I have in mind is the fact that in the wording of this amendment it is mandatory for the senior Committee to have all committees concerned at a joint meeting. Now, I am thinking primarily of the Fiscal Committee. Any additional appropriation of over \$2,000 must be referred to the Committee involved. It could very well be that we could have a Fiscal Committee meeting with 25 or 30 people there. Now, of course, it could be arranged that we could stagger the time of their arrival, to discuss their part of the matter before us. I am wondering, however, if it wouldn't be possible to have the Chairman or the Vice Chairman of the committee attend these meetings, rather than the whole committee membership. I would like to hear some comment on that by the Chairman. The only thing I was wondering about was the practicability of having four or five committees meeting jointly, even though you make an attempt to try to stagger the time, it is almost impossible to do it efficiently. This would naturally result in having an awful lot of people waiting at most every meeting.

Mr. Kolich arrived at this time.

MR. ROCHE said he felt that the Fiscal Committee should make time available to the full committees involved.

MR. FREDERICKS said he thought it merely a question of language. That if it was up to the Chairman of the Senior Committee to arrange a meeting at a time which was mutually convenient to each member of each of the committees, it would be extremely difficult to do. He said he thought if it was up to the Chairman of the senior committee to arrange for such meetings, he would interpret it to mean that the Fiscal Committee would advise each of the other committees involved of that date, and if that was interpreted to mean a joint meeting of the committees, he saw no difficulty, provided the agenda of the Fiscal Committee was known in advance. But, if it meant that a mutually agreeable date was to be arranged, then it would be most difficult to accomplish. He suggested that the Legislative & Rules Committee consider the question of language on that portion.

(4) Interpretation of Provisions regarding Mayor's appointments - Chapter 40 and 50 of the Charter

MR. RAITERI: "The Committee carefully reviewed the provisions of these two Chapters in the Charter relating to appointments by the Mayor of Department heads and of appointive Board members respectively, with a view to determining what differences, if any, exist with respect to interpretation of the provisions of these two chapters.

"It was concluded that, while the literal wording of these Chapters differs in that Chapter 40 contains specific reference to the re-submission of nominations rejected by this Board and a limitation on the number of times the same nomination may be re-submitted, whereas no such specific reference or limitation appears in Chapter 50, the two Chapters have in the past been interpreted and are presently interpreted, as if the specific reference and limitation appeared in both.

"In order to clarify the position of the Board in respect to past and existing practice, the Committee unanimously recommends two actions:

(a) The adoption of the following resolution:

BE IT RESOLVED AND IT IS HEREBY RESOLVED THAT:

*see next Page →*  
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In the event the Mayor has submitted to the Board of Representatives his nomination of an appointive Board member in accordance with Section 503 of the Charter, and, in the event that said nomination shall have failed of approval by the Board of Representatives, the Mayor may submit a new nomination or resubmit the same nomination to the Board of Representatives at the next regular meeting, provided, however, that the Board of Representatives will not further consider for approval any such nomination which shall have three times failed of approval by the Board of Representatives within any one term of office of that Board.

MR. RAITERI MOVED for approval of the above resolution. Seconded by Mr. Fortunato.

After some discussion, Mr. Raiteri explained the meaning of the resolution.

MR. RAITERI: "I will tell you what the intention is here. In Chapter 50 of the Charter, it says that the Mayor shall submit the names of appointive Board members to the Board of Representatives, who shall either accept or reject them. We don't limit the number of times that a name may be submitted, either the same name or any other name. Therefore, it is a question of saying whether, when it is the first time and it is rejected, is that the end of it, or can we take the same name again for two times or for three times, four times, or as many times as the Mayor may care to resubmit the names. There is nothing in the Charter that actually spells it out. Now, in Chapter 40 of the Charter, there is, because here we are dealing with department heads and it states specifically that he may submit the names for approval or rejection and may resubmit them again, with a limitation of three submissions. So, where it is spelled out in one chapter, it is not spelled out in the other.

"Now, we have always worked under the impression that Chapter 40 applies also to Chapter 50 and have always accepted the names of appointive board members for three times. However, it has never been spelled out, so your committee's feeling on the thing was that, although there is nothing actually specific in the Charter that says what number of times a name may be submitted after the original submission, if we establish a rule, this Board goes on record as saying that we will accept these names, but we will only accept three submissions and no more."

MR. RHOADES: "Mr. Raiteri, if we are adopting a rule....."

MR. RAITERI: "It is not a rule - it is a resolution."

MR. RHOADES: "I am wondering if the resolution does not become a rule, and I am also concerned about the matter of Charter change, and I think there is also a



suggested Charter change in the second part of your report. I think that the members should have that information as a part of this discussion, because I am sure there is a question in the minds of many of our members as to whether this is not a Charter change in itself.

MR. RAITERI: "Well, the second part is that the entire matter should be referred to the Charter Revision Committee for consideration of the inclusion of a similar provision in Section 503 of the Charter."

MR. RHOADES: "It is the President's understanding, then, that you are merely presenting a temporary interpretation of a section of the Charter under which this Board would operate in the meantime - is that correct?"

MR. RAITERI: "It is not an interpretation merely, Mr. President, because there are no provisions in there to be interpreted - it is just disregarded. We are establishing a rule to operate under."

MR. RHOADES: "The President believes that you are establishing a rule, and therefore that this matter cannot be acted upon at this meeting."

- \* MR. LEWIS MOVED to amend the resolution to incorporate the words: "At three consecutive meetings." He said if these words were incorporated he would be very much in favor of the resolution because it would eliminate many of the problems.

THE PRESIDENT ruled that this will need a two-thirds vote, if acted upon tonight.

MR. FREDERICKS called attention to the fact that this cannot possibly be binding upon the Charter. He said that a Charter revision would be necessary in order to make it binding upon everyone concerned.

MR. NOLAN reminded Mr. Fredericks of a time when this was done in regard to the acceptance of roads, when it was just an agreement among the members of the Board as to how they would proceed.

There ensued a great deal of discussion on how this should be handled.

MR. LEWIS said he would MOVE for SUSPENSION OF THE RULES if the President considers it necessary.

THE PRESIDENT said he considered it necessary. And the motion was accepted and seconded by Mr. Nolan. CARRIED unanimously.

MR. RAITERI said he did not intend that the resolution become a part of the Rules of the Board - it was merely to indicate the feeling of the Board as to the way in which these things would be handled in the future.

MR. MACRIDES said he would agree with Mr. Fredericks in his doubts as to the legality of doing it this way. He said: "I think if you can entitle this as an expression of intention that it will take care of the meaning."

- \* MR. RAITERI said he would accept Mr. Lewis' amendment to the resolution.

MR. BAKER: "It was the feeling of the Committee that we are not in a position to dictate to the Mayor that he must submit a nomination at a consecutive meeting. Whether or not he wishes to submit a nomination is his prerogative and not our's to dictate. I think we can limit it to any regular meeting of the Board and beyond that I do not think we have the power."



MR. MACRIDES: "I think what we all have been trying to say is that we are not in a position to dictate any of this. We are merely expressing our intention and if the Mayor feels like acting contrary to our intentions, he may do so."

MR. FREDERICKS pointed out that a vote must first be taken on Mr. Lewis' amendment, and then on the resolution, as amended.

MR. NOLAN indicated that this is the correct parliamentary procedure.

\* MR. CONNORS MOVED for a vote on Mr. Lewis' amendment. Seconded by Mr. Huizinga.

VOTE taken on Mr. Lewis' amendment to the resolution by inserting the words "at three consecutive meetings" and CARRIED with one negative vote (Mr. Fredericks).

There was a great deal of discussion on the resolution, as amended.

MR. RAITERI MOVED for approval of the following resolution, as amended: and seconded by Mrs. Zuckert.

RESOLUTION NO. 270

BE IT RESOLVED AND IT IS HEREBY RESOLVED THAT

In the event the Mayor has submitted to the Board of Representatives his nomination of an appointive board member in accordance with Section 503 of the Charter and in the event that said nomination shall have failed of approval by the Board of Representatives, the Mayor may submit a new nomination or resubmit the same nomination to the Board of Representatives at the next regular meeting, provided, however, that the Board of Representatives will not further consider for approval any such nomination which shall have three times failed of approval by the Board of Representatives within any one term of office of that Board.

MR. LEWIS: "I don't believe that incorporates our amendment."

MR. FREDERICKS: "The words 'the next regular meeting of the Board' takes care of it."

MR. RHOADES asked if there were any further discussion. He said "The question is on the adoption of the resolution as read by Mr. Raiteri."

VOTE taken on Resolution No. 270, as read by Mr. Raiteri and CARRIED unanimously.

MR. RHOADES: "The President would like to state that he is not at all sure that such a resolution can legally be passed by this Board. He intends to consult Counsel and find out. There is a very serious question as to the legality of the whole matter."

MR. RAITERI: "The Legislative & Rules Committee feels that this matter should be referred to the Charter Revision Committee for consideration of the inclusion of a similar provision in Section 503 of the Charter, and I so MOVE." Seconded by Mrs. Zuckert and CARRIED unanimously.

PUBLIC WORKS COMMITTEE

MR. TOPPING said the Committee met in the Mayor's Office on Feb. 19th and the following members were present: Mr. Topping, Chairman, Llewellyn Nilan, Alan Ketcham, Anthony Marciano and John Maffucci.

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MR. TOPPING: "A layout of new lights for the Thruway frontage road lighting which was submitted by the Hartford Electric Light Co. was viewed and discussed. This was submitted for study only."

#### Welcoming Signs

MR. TOPPING: "There was no further information furnished by the Chamber of Commerce on welcoming signs."

#### Petition - Petition from residents of Cold Spring Road, Windsor Road and Severance Road submitted by Mr. Geronimo

MR. TOPPING: "This was read and discussed. An item in the 1958-59 Capital Budget has been earmarked for this work."

#### HEALTH & PROTECTION

MR. MILANO: "The Health and Protection Committee met at the Police Building on February 21, 1958. Members of the Committee present were: Mr. Milano, Chairman, Mr. Hearing, Mr. Marciano, and Mr. Lewis. Mr. Longo was unable to attend.

"The Committee met with Chief Kinsella, in regards to a request from Mr. Fredericks, Representative from the 18th District, about the timing of the traffic light at Atlantic Street and Station Plaza. Chief Kinsella assured the Committee that the traffic light will be synchronized with the new lighting system along the frontage roads of the Thruway."

#### PLANNING & ZONING

Mr. Russell read the Minutes of the Meeting of his Committee held Thursday, February 20, 1958. He stated that the following members were present: George Russell, Chairman, and Julius Wilensky. He said they considered the following matters:

1. Final enactment of Ordinance re street name changes
2. Referral of confliction of Scofield Town Road-Sunset Road street names.
3. Amended ordinance concerning roads and pavements construction specifications.
4. Additional street name changes.

MR. RUSSELL presented the following Ordinance for final adoption, several streets being left out of the final form because of objection of property owners. (See Minutes of 2/3/58, pages 1813 (5) and 1814.)

MR. RUSSELL MOVED for adoption of the following Ordinance, seconded by Mr. Fredericks and CARRIED unanimously:

#### ORDINANCE NO. 72 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:

Barrett Street (Shippan) to be changed to MARINERS LANE;

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Clovelly Place to be changed to SCOTT PLACE;

Mill Lane to be changed to OLD MILL LANE;

Union Street (Cove) and Charter Street, to be changed to ST. BENEDICT CIRCLE;

Wilson Street (Springdale) to be changed to CLEVELAND STREET;

That portion of Lindsey Avenue, running Northerly from Crane Road North to an existing dead-end, about 125 feet beyond Brighton Place (formerly Donnamarie Circle) to be changed to SOUTH LINDSEY AVENUE;

North Frontage Road, starting at the intersection of South Street, running in an Easterly direction to intersection with South State Street (one block East of Lafayette Street), to be changed to NORTH STATE STREET;

South Frontage Road, starting at the intersection of Greenwich Avenue, running in an Easterly direction to intersection with Main Street (opposite Crystal Street), to be changed to SOUTH STATE STREET.

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

- (2) Investigation, reason for change of name on street signs from Sunset Road to Scofield Town Road (Note: See page 1790, Minutes 1/13/58 and page 1813, Minutes 3/3/58, item (4) )

MR. RUSSELL: "The Committee studied all letters of residents concerning the conflict of the two existing names for a single road. Some residents favor and some oppose one or the other name. It was again noted that since the legal name, as far as the City Departments and city Map is concerned, is Scofield Town Road. It also was noted that there is an existing Sunset Street in the Springdale area, creating a duplicate name situation. This report is only for information and requires no action by either our Committee or the Board."

MR. HUIZINGA: "On this matter of Sunset Road. All the residents in my District who live on Sunset Road are very much concerned with this apparent change in name. It has been shown that Sunset Road never was the legal name of that road - legally the road has always been Scofield Town Road. In view of the fact that all of the residents on Sunset Road are very upset about it and their deeds contain the words Sunset Road, I would like to refer to the Legislative and Rules Committee the task of drawing up and Ordinance, to be presented at our next meeting, which would contain, in essence the following: 'That that portion of Scofield Town Road, which by common usage for more than 35 years has been known as Sunset Road, be hereby legally known as Sunset Road'. Now, I don't know about the correct wording, but that is the essence of the Ordinance that I would like to have the L & R Committee consider and put in proper form."

MR. RHOADES suggested that Mr. Huizinga prepare the suggested Ordinance in writing and bring it to the Steering Committee for referral to the proper Committee. Mr. Huizinga agreed to do this.

- (3) Proposed amendment to Ordinance No. 67 Supplemental regarding road and pavement construction specifications

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MR. RUSSELL: "In view of the timing on this matter, it is imperative that this Ordinance be adopted before the start of the spring road building program. In order to do this, waiver of publication would be necessary, so that this could be adopted tonight."

MR. RUSSELL MOVED for waiver of publication of the proposed Ordinance. Seconded by Mr. Geronimo.

MR. RHOADES: "For the reason that copies are not available for members of the Board, it will be necessary to read this Ordinance in its entirety."

MR. KETCHAM said he did not believe it should be adopted at this meeting, because of the length of the Ordinance and the technical nature of it.

MR. TOPPING said he agreed with Mr. Russell.

MR. RUSSELL explained the emergency nature of this Ordinance, because, he explained if it were allowed to go into April, it would create a hardship situation in subdivision programs, etc.

MR. RAITERI: "I would like to ask Mr. Russell a question. Mr. Russell, is it the feeling of your Committee that an emergency exists on this particular Ordinance? And, is that the reason why you are asking for waiver of publication?"

MR. RUSSELL: "Definitely, yes."

MR. RAITERI: "Are these specifications the result of meetings with the Planning Board, the Engineering Department, Mr. Chase, the City Engineer and other interested departments, officials and road builders?"

MR. RUSSELL: "We have just put this Ordinance together from facts which they have presented to us."

A great deal of discussion ensued on the proposed resolution.

MR. RHOADES asked if there were any further discussion of the proposed Ordinance and stated that the question was on waiving publication, which could only be passed by a two-thirds vote.

MR. RUSSELL re-stated his MOTION for suspension of the rules and of publication. (the seconder was Mr. Geronimo)

VOTE taken on waiver of publication under suspension of the rules, on the Ordinance CARRIED with a more than two-thirds vote. Mr. Topping and Mr. Ketcham voting against it.

MR. RUSSELL then read the following Ordinance, which amends previous Ordinance No. 67 Supplemental and MOVED for adoption. Seconded by Mr. Georgoulis and CARRIED with a vote of 34 in favor, one opposed and Mr. Fredericks answering "Present" instead of voting for or against.

ORDINANCE NO. 73 SUPPLEMENTAL

AN ORDINANCE CONCERNING ROAD AND  
PAVEMENT CONSTRUCTION SPECIFICATIONS

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:



Ordinance No. 67 Supplemental is hereby repealed and the following substituted therefor:

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

#### 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. Stones in earth fill shall be well distributed and no stone over 4" diameter shall be left within 12" of the finished subgrade.

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.

Rough tolerance - Rough subgrade shall be formed and compacted in accordance with City Engineer approved drawings and work shall be performed within tolerance of 1-1/2" of indicated levels.

#### Surface Drainage

A complete system of surface drainage, to the satisfaction of the City Engineer, 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.

#### Gravel Course

Upon the prepared subgrade, finished parallel to and 12" 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 8". The largest stone size permitted in this course is 4". This course 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, and to the satisfaction of the City Engineer.

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Pavement - Alternate No. 1

Alternate No. 1 shall be used in all Designed, Commercial and Industrial zones, also on primary Residential roads, but may be used in all zones.

Fine Grade Course

Upon the completed bottom course, as specified above, a layer of crushed 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. When fine graded, the road shall have a crown of 4".

Undercoat

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.

Top Coat

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.

Final Tolerance - The finished grade, prior to final surfacing shall be smooth and even and shall not vary more than 3/8" in 10 feet from true profile and cross section or more than 1/2" from true elevation.

All of Alternate No. 1 shall be to the satisfaction of the City Engineer.

Pavement - Alternate No. 2

Alternate No. 2 may be used only on secondary Residential roads in all one-half (1/2) acre (R-20) or less, Residential zones.

Fine Grade Course

Upon the prepared subgrade which has been brought to the proper grade, thoroughly compacted, place a layer of screened gravel to bring to the true grade. This layer when thoroughly compacted, shall be not less than 2". Stones in this screened gravel to pass through a 1" screen. The proportion of sand and stone shall be about 60% stone and 40% clean sand.

When fine grade is completed, ready for finished surface, there shall be a crown of 4".

Top Coat

Upon the completed fine grade base place a course of Asphaltic Concrete which is to comply with the Connecticut State Highway - 121F Mix consisting of:

800 lbs. sand  
760 lbs. 1A stone  
320 lbs. #1 stone  
120 lbs. asphalt

Wherever feasible and practical, an approved mechanical spreader shall be used.

When thoroughly compacted with not less than a ten (10) ton roller, it is to be not less than two (2") inches in thickness.

The entire installation to extend not less than six (6") on each side beyond the required road width for the purpose of receiving an Asphaltic Concrete curbing to be 4" in height 9" at the base and 4" at the top.

Final Tolerance - The finished grade, prior to final surfacing, shall be smooth and even and shall not vary more than  $3/8$ " in 10 feet from true profile and cross section or more than  $1/2$ " from true elevation.

All of Alternate No. 2 shall be to the satisfaction of the City Engineer.

Pavement - Alternate No. 3Armor Coat Pavement

Alternate No. 3 allowable on secondary Residential roads in RA-1 (one-acre) and RA-2 (two-acre) zones only.

Gravel Course and Undercoat

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 8". The largest stone size permitted in this course is 4". Upon this completed bottom course shall be applied by pressure distributor R C Special cut back asphalt, at a rate of  $3/4$  to 1 Gallon per square yard.

Immediately thereafter, a cover of  $1/2$ " crushed stone, approximately 50 pounds per square yard, shall be applied. Rolling with a 10 ton roller shall continue until thorough compaction is acquired. All to the satisfaction of the City Engineer.

Top Coat

After 24 hours, broom drag surface of the above first course, and apply to this surface, by pressure distributor, RC-4 or RS-2 Asphalt, at a rate of one-half ( $1/2$ ) gallon per square yard. Immediately thereafter, a cover of  $1/2$ " crushed stone, at approximately 40 pounds per square yard, shall be applied, and then rolled thoroughly with a ten ton roller.

Final Tolerance - The finished grade, prior to final surfacing shall be smooth and even and shall not vary more than  $3/8$ " in 10 feet from true profile and cross section or more than  $1/2$ " from true elevation.

All of Alternate No. 3 shall be to the satisfaction of the City Engineer.

Curbing

Where curbing is installed, all loose stone shall be removed from the area, and a tack coat of RS-2 Asphalt, for bonding, shall be applied. After curbs are installed, complete grading to top edges of curb shall be made. All to the satisfaction of the City Engineer.

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

Enacted March 21, 1958

(4) Proposed Ordinance changing the names of certain city streets

MR. RUSSELL: "I wish to propose another Ordinance changing the names of certain city streets. Two of them are rather important.

MR. RUSSELL read the following Ordinance and MOVED for adoption for publication. Seconded by Mr. Connors and CARRIED unanimously:

PROPOSED ORDINANCE NO.----SUPPLEMENTALCHANGING 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:

Deep Lane (Springdale) to be changed to DEEP SPRING LANE:

Manin Street to be changed to TAYLOR STREET;

Taylor Street, running southerly and westerly from Richmond Hill to be extended to intersect with Fairfield Avenue;

Waverly Place, running westerly from Fairfield Avenue to be extended to intersect with Harvard Avenue.

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

MR. RHOADES: "The President informed the Steering Committee that he had agreed under the report of the Planning & Zoning Committee at tonight's meeting to recognize Mr. Baker. This was inadvertently omitted from the Agenda. It should be there."

Re: Holbrook Estates - Roads

MR. BAKER: "At the request of a number of my constituents, many of whom are here tonight, I rise to bring to your attention again the matter of the roads in the area of the 8th District, known as the Holbrook Estates. This is a matter which I first introduced to the Board during its previous term, although my esteemed predecessor, Mr. Phil Coulter had, prior to that time, presented his views on the subject. I am sorry that I must immediately follow the reading of a lengthy Ordinance and I respectfully request that you bear with me during the presentation of this matter.

"On June 3, 1957, I presented to the Board a petition signed by 31 residents of Apple Tree Drive, Boxwood Drive, Holbrook Drive and Pine Tree Drive, requesting



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acceptance of those roads as public streets. After some discussion, the petition was referred to the Planning & Zoning Committee and the Public Works Committee for recommendation. This is recorded on page 1631 of the Board Minutes.

"On July 1, 1957, Mr. Topping, reporting for the Public Works Committee, explained that nothing could be done about accepting these roads as city streets, until such time as a clear title could be secured to these roads by the petitioners. In the course of the ensuing discussion, it developed that title for the roads does not vest in the abutting property owners, but in the developer of the area, Mr. Walter N. Maguire of 78 Hubbard Avenue. (This is not the Commissioner of Public Works)

"The matter was referred back to me for discussion with the petitioners and the petition was tabled, pending further information. This is recorded on pages 1649, 1650 and 1661 of the Board Minutes. The petition was removed from the Table and again referred to the Planning & Zoning Committee for report at the October 1957 Meeting. This is recorded on page 1732 of the Board Minutes.

"At the October meeting, Mr. Russell, reporting for the Planning & Zoning Committee, stated as follows; and I quote:

'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 then moved for the adoption of Resolution No. 266, calling upon the Corporation Counsel to determine by consultation with the Assessor and the Collector of Taxes of Stamford, whether said property has been omitted in error from the Grand List and from assessment, and if so determined, that steps be taken at once to cause the error to be corrected and to effect collection of such taxes as the City of Stamford may legally be entitled to.

"This Resolution was adopted, as noted on pages 1732 and 1733 of the Board Minutes.

"On October 15, 1957, a letter was written to the then Corporation Counsel, with copies to the then Mayor, the Assessor and the Collector of Taxes, enclosing a copy of the Resolution.

"On October 24, 1957, the Assessor was requested to furnish the Corporation Counsel with all the information relative to the facts in the matter. No answer having been received by January 6, 1958, Mrs. Farrell telephoned both Mr. Pimpinella and the office of the Tax Collector and was advised by the Secretary of the Tax Collector that there was a very logical reason for these streets not appearing upon the Grand List, as it was never done in the case of a developer, and was the practice employed by their office in all cases of this sort and there was nothing unusual about it.

"Mr. Dawless, the Assessor, later telephoned Mrs. Farrell and said he had answered the Corporation Counsel's letter by telephone and that he considered the matter closed. The gist of his telephoned reply was that, in such cases, the value of the abutting property is considered to have been enhanced by the construction of the roads and the assessment of the abutting property is increased to reflect this enhanced value. This reply was reported to the Board by the Board President, Mr. Rhoades, after he had verified the information by telephone to Mr. Dawless. This is recorded on page 1797 of the Board Minutes.

"This, then, ladies and gentlemen, is the latest Chapter in the story. "(certain words have been deleted here) "In short, the residents have been had, but good, and

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I appeal to you to recognize and to eliminate this obviously gross injustice.

"Let us review, briefly, the basic facts. First, the four streets involved: APPLE TREE DRIVE, BOXWOOD DRIVE, HOLBROOK DRIVE and PINE TREE DRIVE were constructed, as early as can be determined, in 1938, approximately 20 years ago. Two - at the time of their construction they were hard surfaced roads of a type that is compatible with present specifications, although no specifications were set up until April 16, 1950. Three - these roads, although private in name, have been, from the time of their construction, been open to public vehicular travel. Four - because of substantial public use during the intervening 20 years, surfaces have become worn and have deteriorated to the point where repair is needed. Fifth - the streets are in the B Tax District, assessment for which includes a factor for road maintenance. Sixth - the assessments of the abutting properties have been established, based on the existence of the roads, and the owners have been paying higher taxes by reason of these roads, even though they do not own them. Seventh - the developer who owns the roads has not been paying taxes on the property. Eighth - the gates of two of the three entrances to the area constitute serious fire hazards in that they are too narrow to allow the passage of large fire apparatus, necessitating entrance by the third route, with consequent delay.

"Given all these facts, what can and should be done? Mr. Jack P. Gould, President of the Holbrook Association, has discussed the problem with Mr. Maguire, the owner of the roads and has been assured that he, Mr. Maguire, is agreeable to the acceptance of the four roads as city streets and he will convey title in the roads to the city in order to make acceptance possible. He does not propose to do any work on the roads, since their deterioration has resulted from public use over the extended 20 years.

"The property owners are in the middle, since they do not own the roads. They do not feel any obligation to keep them in repair. The city has levied taxes, derived from the high assessment on these properties. The property owners are not being arbitrary in demanding extensive remedial action. They do not insist on complete resurfacing of these roads, the installation of sidewalks, etc. They would be content to have the worst holes patched, and with the fire hazards to be eliminated by the removal of the gates. More permanent improvements could be undertaken in the normal course of the Public Works program.

"As a Representative of these people, I earnestly plead with you to remedy this extremely unfair situation. It lies within your power to do so, even as you have acted on other roads, constructed prior to April 16, 1950. If these were comparatively new roads, where there was some means of forcing action by the developer, the owners would use those tactics. But competent legal action offers no relief through this medium. In the absence of other recourse, the owners appeal to you for remedial action.

- \* "I therefore MOVE, Mr. President, that Apple Tree Drive, Boxwood Drive, Holbrook Drive and Pine Tree Drive be accepted as public streets of the City of Stamford, subject to and contingent upon, the giving to the City of Stamford by Mr. Walter N. Maguire, the present owner of said streets, a satisfactory Quit Claim deed, or other appropriate legal document, conveying title in said streets to the City of Stamford."

MR. RHOADES RULED the motion out of order. He said: "The Representative from the 8th District was recognized to make a statement. Since it does not appear on our Agenda, we are again in the position of being forced to suspend the rules if you wish to take action on this motion."

MR. BAKER MOVED for suspension of the rules. Seconded by Mr. Ketcham, and CARRIED 2585 unanimously.

MR. BAKER re-stated his previous motion. (see \* above) Seconded by Mr. Cullen.

MR. NOLAN said he thought this motion would have to be presented in the form of a resolution.

MR. FREDERICKS said he thought the motion was a proper one to come before the Board.

MR. RAITERI: "We have just undertaken a project whereby we have accepted other city streets which have long been on city maps, but never accepted as public highways by the city and we have always done this by resolution of the Board. We publish them in the newspaper and then at the following meeting we acted upon the resolution, and I think that we have set a precedent here and I think Mr. Baker's streets should be handled in the same manner - that we pass a resolution, stating that the Board of Representatives, at its next regular meeting, will accept these streets as city streets. It will then be advertised in the paper, and if there is any opposition to it, it will be heard, and then at the next Board meeting we can accept the streets."

MR. BAKER said he had no objection to that procedure. It was then decided to go on to the next order of business while Mr. Baker prepared the proper resolution, which would be presented later in the meeting.

MR. RHOADES said it would be presumed that all motions in respect to this matter have been withdrawn until later in the meeting, and the next order of business would be taken up.

#### PARKS & RECREATION

Mr. Kelly read his committee report. He said the Committee met on February 19, 1958, the following members being present: Messrs. Roche, Hart, McLaughlin, Colatrella and Kelly. Absent were: Messrs. DeVito and Wynn (Mr. DeVito working a night shift)

#### Rules and Regulations, Board of Recreation, Park Commission and Hubbard Heights Golf Commission

MR. KELLY said a meeting had been requested with each of the above Boards in order to discuss plans that might lead to a better understanding of their problems and also to acquire the rules and regulations in order that they might be incorporated under an Ordinance. They were requested to send copies of their rules and regulations to the Chairman of the Legislative & Rules Committee, in order that they might be acted upon at a joint meeting of these committees for presentation to the Board at a later meeting.

#### Welcoming Signs at Entrances to City

MR. KELLY reported that further information is being sought as to the type of signs proposed to be used and will be forthcoming at a later meeting. He exhibited a sample sign that was passed among the Board members.

#### Use of land designated for Parks & Recreation for other purposes

MR. KELLY said the committee voted to go on record as being opposed to any attempts to use land designated for parks and recreation for any other purpose than that intended.

#### PETITION NO. 242 - Use of City-owned property for Girl Scout Day Camp for 1958 season



March 3, 1958

MR. KELLY MOVED for approval of this petition; seconded by Mrs. Zuckert and CARRIED unanimously.

EDUCATION, WELFARE & GOVERNMENT

MR. MACRIDES read his committee report. He said the committee met on February 25, 1958. Present were: Messrs. Truglia, Maffucci, Cullen and Macrides. Also present at this meeting were Messrs. Paul Dubois and Joseph Siladi, of the Welfare Commission and Mr. George Laturney, Director of Public Welfare.

Re: Chronic and Convalescent Hospital

MR. MACRIDES read from his committee report on the request for a \$600,000 appropriation for a Chronic and Convalescent Hospital, which would provide 68 beds at a location of Scofield Town Road opposite Sunset Home. He stressed the need for such a hospital to provide 173 suitable nursing home beds and that the proportion of people over 65 years of age has trebled over three generations and there are now over 7,000 persons in this city over the age of 65.

MR. MACRIDES said that questions propounded by the League of Women Voters had been answered by the Welfare Commission. He stated that although private nursing homes are presently caring for this type of patient, they do not welcome them because of the low fees allowed for payment; and because of the present State requirements in building this type of home, it is not attractive to private capital, so that little relief can be obtained unless it is built by the municipality itself. However, he stressed the fact that the above is not necessarily the views of the Committee, who intend to withhold their decision until such time as it is properly before it as a part of the proposed capital budget.

Note: The full Committee report is on file in the office of the Board of Representatives.

MR. RHOADES: "The President has agreed to recognize at this time, under the report of Education, Welfare & Government Committee, Mr. Truglia."

Re: Standards of discipline in Stamford public schools

MR. TRUGLIA: "During the past month we have read in our local newspaper work done by a committee of the Stamford Board of Education on the standards of discipline in our schools. I believe the work of this committee to be the conscientious action in the keeping of our school system among the best. Therefore, I wish to express my belief that the Curriculum Committee, now referred to as the Staff Relations Committee of the Stamford Board of Education, deserves much praise for the fine work it has done on the standards of discipline in our schools for the welfare of our community."

Re: Proposed Resolution regarding acceptance of streets in Holbrook Estates

MR. BAKER indicated he was now ready with a resolution regarding acceptance of streets built prior to consolidation.

MR. BAKER: "I would like to present a resolution which is exactly like another presented on page 1631 of the Minutes of June 3, 1957 and on other occasions."

MR. BAKER MOVED for adoption of the following resolution for publication. Seconded by Mr. Cullen and CARRIED unanimously:



March 3, 1958

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**PROPOSED RESOLUTION REGARDING ACCEPTANCE OF CERTAIN CITY  
STREETS OPEN TO VEHICULAR TRAVEL PRIOR TO APRIL 16, 1950**

**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 April 7, 1958, 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:

Apple Tree Drive

Holbrook Drive

Boxwood Drive

Pine Tree Drive

**COMMUNICATIONS FROM THE MAYOR**

**MR. RHOADES** read the following letter: (Re City Pension Plans)

**CITY OF STAMFORD, CONN.**

February 11, 1958

Hon. Norton Rhoades, President  
Board of Representatives  
City Hall  
Stamford, Connecticut

Dear Mr. Rhoades:

Due to the pressure of business, I will be unable to call a meeting of the Finance Commissioner, the Board of Finance and the Fiscal Committee of the Board of Representatives regarding the discussing of placing all city pension plans on a sound actuarial basis.

However, I would like to take this up further upon my return from Florida, after March 3. I will set a date at that time if convenient to the interested parties.

Sincerely,

Webster C. Givens, Mayor

**COMMUNICATIONS FROM OTHER BOARDS AND INDIVIDUALS**

**MR. RHOADES** presented two letters which he read in full:

March 3, 1958

**YANKEE DIVISION - NATIONAL CONVENTION  
JUNE 19,20,21,22-1958 STAMFORD, CONN.**

February 25, 1958

Mr. Norton M. Rhoades, President  
Board of Representatives  
City of Stamford  
City Hall  
Stamford, Connecticut

As the governing body of the City of Stamford, we, the members of the Yankee Division and the Marine Corps League, Inc., in joint session, hereby solicit your endorsement and support of our forthcoming National and State Conventions, to be held in Stamford on June 18, 19, 20, 21 and 22, 1958.

We make this request with a sincere intent to promote the general welfare and prestige of our city. Your favorable consideration to this request will be greatly appreciated.

Respectfully yours,

Joseph LiVolsi, Commander  
YANKEE DIVISION

Vito Ottaviano, Commandant  
Marine Corps League, Inc.

**CATHOLIC WAR VETERANS**

St. Mary's Post No. 1008, Stamford, Conn.

February 27, 1958

Stamford Board of Representatives  
City of Stamford  
City Hall  
Atlantic Street  
Stamford, Conn.

Gentlemen:

At a special Board of Officers meeting of this organization held February 17, 1958 the following resolution was adopted unanimously:

WHEREAS the City of Stamford Board of Finance has denied funds for the National Convention of Yankee Division and Marine Corps League, Inc., and

WHEREAS, the City of Stamford has already set up precedence in similar situations such as this, and

WHEREAS, hard-working veterans from the City of Stamford are doing their utmost to promote the City of Stamford, therefore,

BE IT RESOLVED that St. Mary's Catholic War Veterans Post 1008,

March 3, 1958

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Stamford, Connecticut, go on record asking full reconsideration of such request.

It is earnestly requested that the above resolution be given full reconsideration at your next meeting.

Sincerely,

BRUNO GIORDANO, Adjutant  
CATHOLIC WAR VETERANS POST 1008

MR. MARCIANO spoke briefly in regard to the above letters and urged support of the above requests.

MR. RHOADES explained that both of the above letters had come in after the Steering Committee meeting and would now be referred to that Committee.

MR. HUIZINGA also spoke briefly on the letters from the Veterans organizations. He said he was sure that the Administration was not against giving some aid toward the Convention being held in Stamford. He said: "It has come before the Board of Finance and that is where it stopped. The mere fact that the appropriation has again been presented to the Board of Finance for consideration - I think that we will just have to wait until the Board of Finance has acted before we can take any action as it is not properly before our Board at this time. I don't see that we can do anything at this meeting, really."

General discussion ensued on this subject that lasted for some time.

MR. NOLAN said it was his belief that as long as this request was now before the Board of Finance for deliberation, it should not be discussed by the Board of Representatives until it has come before them.

#### OLD BUSINESS

Ruling from Corporation Counsel regarding right to investigate housing conditions in developments under supervision of the Town and City Housing Authorities

#### CITY OF STAMFORD, CONNECTICUT

March 3, 1958

Honorable Norton Rhoades, President  
Board of Representatives  
City Hall  
Stamford, Connecticut

In response to your letter of February 4, 1958 in which you request the opinion of the undersigned with respect to the Board's right to investigate housing conditions in the developments under supervision of the Town and City Housing Authorities, the following is submitted:

#### I

The Stamford Charter provides that the government of Stamford is vested in the Board of Representatives (Sec. 200); and said Board is specifically empowered and authorized to enact ordinances for the government of Stamford and the management of its business, for the preservation of

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good order, peace and health, for the welfare and safety of its inhabitants and the protection and security of their property; and it may prescribe fines, penalties and forfeitures for the violation of any Ordinance and provide for the enforcement and collection of the same (Sec. 204).

In so far as the conditions under which the tenants of the Housing Authority, or any other tenants or residents are living, affect their health, welfare and safety, and in the interest of preserving good order and the peace of the community, the Board may investigate those conditions in the same manner and to the same extent that it investigates any condition preparatory to taking legislative action. Clearly, such investigative power is necessary in order to enable the Board to legislate fairly and intelligently for the best interests of Stamford and its inhabitants.

## II

The question now arises as to whether or not the Board of Representatives may investigate the Housing Authority under the provisions of Section 204.2 of the Charter. That provisions empowers the Board, by a two-thirds vote of its entire membership, to investigate via a special committee "any officer, department or agency."

The Housing Authority is a distinct corporate entity. It is not a department of the City of Stamford. It may be argued that it is not an agency of the City of Stamford in the sense that the word "agency" is used in Section 204.2 of the Charter (Austin vs Housing Authority of the City of Hartford; 143 Conn. 338, 349). Nevertheless, the Housing Authority could not have commenced business in Stamford until the latter's governing body declared by resolution that there was need for a Housing Authority in Stamford. (Section 437d, 1955 Supplement to the General Statutes of Connecticut). Moreover, the City of Stamford, with the approval of the State Public Works Commissioner, determines within certain limits what payments shall be made by the Housing Authority in lieu of taxes (Section 446d, 1955 Supplement); it has the power to loan city-owned funds to the Housing Authority, although the latter is not required to repay the same unless "it has money available therefor" (Section 442d, 1955 Supplement); and if there are proceeds remaining after the disposal of a project, the City of Stamford is entitled to one-half (Section 451d, 1955 Supplement).

In any event, the powers of the Housing Authority are vested in its Commissioners. It is the function and responsibility of the Commissioners to manage and operate its housing projects in an efficient manner and at the lowest possible rates consistent with providing decent, safe and sanitary dwelling accommodations (Section 441d, 1955 Supplement). The Commissioners are appointed by the Mayor (Section 438d, 1955 Supplement) and approved by the Board of Representatives (Section 503, Charter). They may be removed from office by the Mayor, for inefficiency or neglect of duty or misconduct in office, after service of written charges and the holding of a public hearing (Section 439d, 1955 Supplement). The Mayor's power to remove is an absolute necessity in view of the responsibility placed upon him by Section 304 of the Charter, which provides, in part, that the Mayor "shall be responsible for the proper performance of their duties by all appointive officers".

It is my opinion that the Commissioners of the Housing Authority in the



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City of Stamford, are appointive officers, within the meaning of the Stamford Charter, subject to investigation by the Board of Representatives under and in accordance with Section 204.2 of said Charter.

However, nothing in this opinion is to be construed as limiting the power of the Mayor, upon his own initiative, to investigate, as well as remove, said Commissioners.

Very truly yours,

/Signed/ Frank Pimpinella  
Corporation Counsel

Reactivation of Housing Committee (See pages 1817, 1818, and 1819 of Minutes  
(Bi-partisan 8 member committee) February 3, 1958)

MR. RHOADES said he had requested the Majority and Minority Leaders to bring from their respective caucuses the names of possible members for this committee. He said that four such names were presented by the Majority Leader and four by the Minority Leader, and that although he was under no obligation to accept these names under Board rules, it was his opinion that the selection of committee members would be able to work very efficiently together.

MR. RHOADES named the following as members of the special Housing Committee:

George Russell, Co-Chairman (R)  
Thomas D. Roche  
Joseph A. Cullen  
Michael J. DeVito

Frank W. Longo, Co-Chairman (D)  
William D. Murphy  
Anthony F. Marciano  
Rocco G. Colatrella

MR. RHOADES: "We now have a Committee. The question before this Board is what will this Committee do?" Mr. Rhoades said he would like to hear any suggestions that the members have to make. He pointed out that the Committee would have to hold an organization meeting within one week, as is required with all committees.

MR. RHOADES: "The President indicated earlier to some members of the Board that the beginning of an investigation would have to follow after the adoption of a resolution which would have to be passed by a two-thirds vote of the total membership of this Board."

MR. KELLY: "Might I ask a question?"

MR. RHOADES: "Yes."

MR. KELLY: "You said that the names came from both parties on this Board after a caucus?"

MR. RHOADES: "The names were presented to the President by the Majority and the Minority Leaders. I might have said that they came out of caucus, but I meant that the names were presented when they came out of caucus, not necessarily that they were presented in caucus."

MR. RAITERI: "Mr. President, at the Steering Committee it was decided that when the Corporation Counsel's opinion was given to us and if it was decided then that the Board did have the power of investigation, that the Legislative & Rules Committee would draw up the appropriate resolution. Due to the fact that we did not have that information at our Steering Committee meeting, we did not know anything about it.

2592 However, I have drawn up a resolution that I would like to present, as an individual member of this Board."

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MR. RAITERI MOVED for approval of the following resolution. Seconded by Mr. Georgoulis and CARRIED unanimously:

RESOLUTION NO. 271

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

That the Housing Committee of said Board is authorized in accordance with Section 204.2 of the Charter, to investigate the City Housing Authority and to report to the Board of Representatives its findings, along with any recommendations thereon.

MR. RHOADES announced that the date of the next meeting of the Board of Representatives would be April 7, 1958 and the Steering Committee meeting would be held on Monday, March 24, 1958.

MR. RHOADES also announced that copies of the Capital and Operating Budgets for the ensuing fiscal year were available for members of the Board and could be picked up tonight. He also announced that the date of the Public Hearing on the Budget would be held a week from tonight, on March 10th at Burdick Jr. High School, Forest Street.

NEW BUSINESS

MR. BAKER: "I would like to direct the attention of the Board to something. During the time that I have been a member of this Board, this is the first meeting that I can recall that the member of the Clergy giving the Invocation has remained through the entire meeting and I think he deserves a vote of thanks." (applause)

"This is unusual, indeed, and I am quite certain of this: to have a member of the Clergy remain shows an interest in community affairs. Also, to have him take away from the time which I am sure he is called upon to devote to so many other matters, is something that we should congratulate him on. I, for one, would like to MOVE that this Board go on record as congratulating Father Grinvalsky for devoting his entire evening to this meeting." Seconded by Mr. Topping and CARRIED by unanimous vote.

MR. RHOADES announced that the two Chairmen of the Housing Committee could serve alternately, consecutively or concurrently, whichever they preferred.

Re: Budget for 1958-1959 fiscal year

MR. RAITERI: "Mr. President, I have my copy of the Capital Budget before me, which I picked up here tonight. I also have my copy of the Planning Board's recommended Capital Budget. Now, I have been in touch with members of the Board of Finance and the Planning Board, and I understand that the Planning Board, the Mayor and the Board of Finance agreed that because of inadequacy of time in regards to procedure for transmittal from the various Boards on Budget matters, that they were setting up their own schedule. The Planning Board met on the evening of February 25th and transmitted to the Mayor's office under date of February 26, 1958, their proposed Capital Projects Budget for the year '58-59.

"Today, we have received the Mayor's Capital Projects Budget for the year 58-59, and the Board of Finance has also been made aware of the Mayor's Budget.

"During this period the Mayor has not been in his office, for he has been vacationing. Now, I don't feel that any person in City office should forego his personal pleasure in certain regards as far as meetings are concerned, but I do feel that the Mayor of the City of Stamford should be available at the time the City is considering its budget.

"You will notice, if you will look at the proposed Budget of the Planning Board, that was conveyed to the Mayor for his approval, that the Mayor has made certain revisions and I don't see how he could possibly have considered it while he was in Florida. If that was done, then the only method that was available would be by either telegram or telephone, and I believe that perhaps the latter method was used, either the telephones in the Mayor's office or private telephones.

"However, it is my feeling that the Mayor has not intelligently considered the Budget, because he could not have possibly have done it in Florida. Now, as I said before, I don't believe that every City official has to be available at every possible moment, but during the Budget period he should make every effort to be available, in the consideration of perhaps a fifteen, eighteen or a twenty million dollar Budget.

"I am bringing this up as a point of information. However, I would like to have something referred to Committee, and that is the fact that, according to the Mayor, and the Planning Board, and the Board of Finance, because of the procedure that they set up this year, it is quite obvious that the times involved for this procedure of the transmittal of the Budget is not adequate, and therefore, Mr. President, I MOVE that we refer it to the Steering Committee for referral to the Charter Revision Committee, the entire matter of the Budgets, the transmittals and the time element involved."

Mr. Nolan seconded Mr. Raiteri's motion.

MR. RHOADES informed Mr. Raiteri that he had the calendar of the Budget before him and that the schedule of dates did not seem to be inadequate.

MR. RAITERI replied that he did not wish to go into too deep a discussion of the matter at this time, but would have available at the Steering Committee meeting for various members of the Board, more detailed information.

Considerable debate ensued in regard to this matter. Mr. Wilensky remarked that he personally knew that the Mayor was thoroughly conversant with the Budget before leaving for Florida.

MR. HUIZINGA remarked that having been Deputy Mayor for the past two weeks, that he knew for a fact that practically all the items in the Capital Budget were studied very carefully and were all decided upon before the Mayor left on vacation. He said: "There were only a matter of say two or three items that there still was a question on, and several things came into the Mayor's office while I was there, and it was always with the specific understanding that these things would be discussed with the Mayor. I do believe, that from the standpoint of the Mayor giving this his utmost attention, there was nothing else that he could have done on the matter."

THE PRESIDENT ruled that most of this discussion was out of order - that the question was upon the motion made by Mr. Raiteri to refer the matter to the Steering Committee. Mr. Rhoades asked if anyone wished to be heard on the matter of the motion before the Board.

MR. MACRIDES: "Perhaps I may be ruled out of order with respect to these remarks, but I am not at all certain when they would be in order."

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"I would deplore the Mayor's knocking out of the Budget the \$600,000 item with respect to the Chronic and Convalescent Home. I would deplore this in conjunction with the remarks that were made in connection with the time element, because, it would seem to indicate that whatever action the Planning Board has taken --- whatever action the other interested committees or agencies would have taken in considering the matter, were all unnecessary, because this has been predestined to failure."

THE PRESIDENT ruled Mr. Macrides out of order because his remarks did not concern the motion before the Board.

VOTE taken on Mr. Raiteri's motion to refer to the Steering Committee the entire matter of the Budgets, the transmittals and time element involved. CARRIED unanimously.


Re: Rotary Traffic at Bull's Head

MR. DEFOREST: "The problem of rotary traffic at Bull's Head seems to be still a big problem. Some of us out in the back country are wondering how long it is going to continue to be one. Is there going to be a Rotary, or isn't there? Could this be referred to the Steering Committee and then on to Health & Protection? I believe there is also another situation that Mr. Ketcham will talk about at that time - regarding a Rotary up above at Roxbury."

The above matter was referred to the Steering Committee.

There being no further business to come before the Board, upon motion, duly seconded and CARRIED the meeting was adjourned at 11:40 P.M.

Respectfully submitted,

  
Norton Rhoades, President  
Board of Representatives

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