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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, June 2, 1958.

The Meeting was called to order by the President, Mr. Norton Rhoades, at 8:07 P.M.

INVOCATION was given by Rabbi J. Marx of Temple Sinai.

ROLL CALL was taken by the Clerk. There were 39 present and 1 absent, the absent member being George E. Georgoulis, 4th District member.

ACCEPTANCE OF MINUTES - Meeting of May 1, 1958
Meeting of May 5, 1958

MR. HUIZINGA called attention to page 1885 of the Minutes of May 1st, 1958, fourth paragraph in the Resolution, and asked that the blank space in the second line from the bottom be filled in to read \$383,265.00. The Minutes were approved, as corrected.

MR. HUIZINGA called attention to page 1906 of the Minutes of May 5, 1958, first paragraph, fourth line, third word from the left and asked that the word "an" be changed to read "of".

MR. HUIZINGA also called attention to page 1906, fifth paragraph, first line, starting after the words "MOVED that the..." be changed to read "MOVED that the follow through of.....".

MR. MURPHY called attention to page 1915, ninth paragraph, after the word "CARRIED" and asked that the word "unanimously" be stricken out and it be inserted at that point the words "Mr. Murphy voting against". The Minutes were approved as corrected.

The President announced that immediately following the meeting, there would be a meeting of the Personnel Board of Appeals for further action of that body.

COMMITTEE REPORTS

STEERING COMMITTEE:

MR. RHOADES, Chairman, presented the following report of the Steering Committee:

STEERING COMMITTEE REPORT Meeting held May 19, 1958

The Steering Committee of the Board of Representatives met in the Mayor's Office, City Hall, on Monday, May 19, 1958.

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

Present were: Norton Rhoades, Doris Zuckert, Rutherford Huizinga, Thomas Topping, John Nolan, Clement Raiteri, Jr., William Murphy, Robert Lewis, Bernard Geronimo, John Macrides, Vincent Vitti and George Connors.

Also present, but not as members were: Joseph Milano, George Russell and Stephen Kelly. Mr. Connors could not remain for the meeting because of conflict of meeting with Personnel Commission and the Personnel Committee. (which meeting is always held the same evening the Steering Committee meets)

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The following members were absent: Alanson Fredericks, Ellis Baker and Rocco Colatrella.

The following matters were discussed:

(1) Appeals Board Hearing on Edward Talentino case

Mr. Rhoades, who serves as Chairman of the Appeals Board, explained that a hearing had been held on Wednesday, May 14, 1958, but that no decision had been reached until further facts could be ascertained. Another meeting will be scheduled at a later date.

(2) Appointments

The Appointment of RAYMOND G. CUSHING, as Corporation Counsel, which was kept in Committee at the May 5, 1958 Board meeting, was ordered placed on the Agenda for the June meeting under Appointments Committee.

(3) Appeal from Planning Board

An appeal from Planning Board decision re application of Allan and Esther Leslie for change in Master Plan. REFERRED TO LEGISLATIVE & RULES COMMITTEE

(4) Bidding Procedures

A letter dated May 19, 1958 from Mayor Givens regarding bidding procedures and suggestions as to how they might be changed. REFERRED TO LEGISLATIVE AND RULES COMMITTEE

(5) Fees - Park Commission

Letter dated May 7, 1958 from Park Commission, enclosing list of fees. REFERRED TO LEGISLATIVE & RULES COMMITTEE AND PARKS & RECREATION COMMITTEE

(6) Extension of Sick Leave Benefits

Letter dated April 24, 1958 from Supt. of Schools, addressed to Chairman of Personnel Committee, re extension of sick leave benefits for school Custodian. REFERRED TO FISCAL COMMITTEE.

This was discussed and the opinion was that any request for funds for use in this manner would have to necessarily originate with the Board of Education in the usual manner of requesting additional appropriations.

(7) Transfer of funds, Lawn Avenue Evacuation Expenses

Letter dated May 19, 1958 from Commissioner of Finance on above subject. (Also see letter from Mayor dated 5/6/58) This was approved by Board of Finance in reduced amount of \$1,916.34 on 5/13/58. REFERRED TO FISCAL COMMITTEE

(8) Drainage problem on Unity Road

Letter dated May 16, 1958 from Commissioner of Public Works regarding above matter, which originated in letter from Mr. Fredericks, 18th District Representative. REFERRED TO PUBLIC WORKS COMMITTEE

(9) Hatch Field - Use as playground and damage to greenhouse

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Letter dated 5/10/58 from Park Commission re above, and complaint from Mrs. Colamonico re damage to greenhouse owned by her. REFERRED TO EDUCATION, WELFARE & GOVERNMENT COMMITTEE and PARKS & RECREATION COMMITTEE

(10) Traffic hazard on Summer Street

Letter dated 5/19/58 from Bernard Geronimo, 6th District Representative, re traffic hazard on Summer Street, opposite Town & Country Shopping Center. REFERRED TO HEALTH & PROTECTION COMMITTEE

(11) Petitions (All referred to PARKS & RECREATION COMMITTEE)

- (a) Letter dated 4/28/58 from San Manghese Social Club for commemoration of Feast of St. Theodore by procession on August 30th and 31st.
- (b) Hubbard Heights Garden Club - Request dated May 7, 1958 for Street Fair on September 10, 1958 from 9 A.M. to 5 P.M., and permission to extend it to the following two days in event of rain.
- (c) Stamford Yacht Club request dated 5/9/58, re fireworks display on July 4th.

(12) Harbor Patrol

The question of availability of use of the Coast Guard for Harbor patrol was brought up. Mr. Rhoades explained that a letter had been written to the Chief of Police of the City of Norwalk, inquiring as to their method of obtaining this protection from the Coast Guard.

(13) Naming of Richmond Hill Bridge in memory of J. Flemming Rutledge (Note: See Minutes of 2/3/58, page 1987, item #8)

Mr. Vittti brought this matter up again and asked that the name of this bridge be changed.

Respectfully submitted,

Norton Rhoades, Chairman
Steering Committee

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APPOINTMENTS COMMITTEE:

MR. LEWIS, Chairman, presented the following appointment:

Corporation Counsel - RAYMOND G. CUSHING

MR. RAITERI: "Mr. President, I would like to call your attention to Rule No. 9 of the Rules of Order of this Board. Rule No. 9 states that 'It shall be the duty of each of the above named Committees (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 the matter.' As I see it, Mr. President, the Appointments Committee has not furnished us with a recommendation as to whether or not they recommend the approval or rejection of Mr. Cushing's nomination. I feel that at this time the Board is not in a position to act on this appointment, because the rules of this Board have been violated, and I further submit to you, Mr. President, that if it is the intention of the Chairman of the Appointments Committee to ask for a suspension of the rules, I do not think that is a valid motion, either,

and that the Committee is not prepared with a recommendation. Therefore, a suspension of the rules would serve no useful purpose. The only action that this Board can take is to stall this matter until next month, when the Appointments Committee is prepared to make a recommendation."

MR. KETCHAM: "May I point out to Mr. Raiteri that this Board, not so very long ago has apparently violated the section which he just cited, with no particular objections from anyone present, and therefore, we have set a precedent in this particular question."

MR. VITTI said he agreed with Mr. Raiteri.

MR. LEWIS: "Mr. President, I am a little stunned at Mr. Raiteri's objections. I had the pleasure of running into him last Tuesday, and am wondering why he did not tell me about this then. In the light of Mr. Macrides' remarks which are in the Minutes of our last meeting, I was saving Mr. Macrides the embarrassment of having to publicly state my first findings. I believe that Mr. Macrides at the end of it, agreed that Mr. Cushing had tried cases, which, at this meeting he brought up that he had not. I would MOVE, Mr. President, for a five minute recess at this time, to excuse the Appointments Committee....."

MR. RHOADES: "The President does not feel that such a recess is necessary. The President feels very strongly that this name is properly before this Board and should be voted on."

MR. LEWIS: "Thank you."

MR. MACRIDES rose on a point of personal privilege. "What happened at the last Board meeting was that I was asked as to what my recollection was as to what Mr. Cushing had said during the interview which our Committee held. At that time, I stated what my recollection was. I was stating my recollection as to what Mr. Cushing had said, and I was informed by Mr. Cushing that he had not said that - that he had said something entirely different from what I recalled. Now, it was simply a matter of getting the matter straight afterward, for of course, I must have been wrong in what I recollected as to what had been said. As to the merits of the question, one way or the other, I have no personal information and I gave none."

The President reminded the members that it was his duty to see that the Board meetings were carried on in an orderly manner, and that an orderly procedure now calls for a vote on the nomination, without any discussion as to whether it should be favorable or unfavorable by the president.

MR. VITTI stated that it was his opinion that Mr. Pimpinella, former Corporation Counsel, was entitled to a hearing under the provisions of the Charter. He said he questioned the legality of the Mayor's action on this matter.

The President informed Mr. Vitti that the question of legality was a matter that would have to be settled in Court rather than by a Legislative body.

MR. RAITERI: "I would first like to say that I am afraid Mr. Lewis is reading an ulterior motive into my statement, and I don't think I indicated anything of that nature when I made it. As far as meeting Mr. Lewis, when he says I should have informed him of my feeling in the matter - I wasn't aware of this particular thing at that time myself. As a matter of fact, it was in the writing of the Minutes of my Committee for this meeting this evening and in going through my material, that I came upon the Rules of Order, read them, and noticed that particular section. If I had been aware of it sooner, I no doubt would have contacted some of the members of the Board and made them aware of it, so that it might not have been placed on the

Agenda, or if it was placed on the Agenda, a recommendation would have been forthcoming.

"I am interested, Mr. President, in hearing your opinion as to why you think this matter is legally before the Board, because, as I have stated, it is not my feeling that it is before the Board and that we will violate our rules. I am not too concerned about whether or not we have set a precedent in the past, because we are not discussing last month now, we are discussing this evening. Would you please give me your ruling?"

MR. RHOADES: "Yes, Mr. Raiteri, the President feels that this matter was properly referred to the Appointments Committee previous to last month's meeting - that the Appointments Committee made their report which was necessary for them to make at that time - that the recommendation was, and as the President indicated, and was stated in the Minutes at the previous meeting, to give members an opportunity to secure information for themselves as individuals. This is why the motion to investigate, I am sure, was defeated. The President therefore feels that this motion is properly before this Board and Mr. Cushing's name should be voted on at this time and the Tellers will please distribute the ballots. Following the distribution, they will then be collected."

MR. RAITERI: "I MOVE that this matter be recommitted." Seconded by Mr. Vitti.

MR. RAITERI: "Mr. President, I would like to further that motion by adding that the Appointments Committee be instructed to take note of Rule No. 9 when they bring their report in to this Board at the next meeting." Mr. Vitti said he still seconded the motion.

MR. LEWIS: "Mr. Chairman, if there is any further doubt, Mr. Cushing was very gracious in furnishing us with a little resume of his complete qualifications..."

MR. RHOADES: "You may read it, Mr. Lewis."

MR. LEWIS then read a letter, dated June 2, 1958 addressed to himself as Chairman of the Appointments Committee, outlining the qualifications of Mr. Cushing.

MR. RHOADES: "Mr. Raiteri has placed the president in a rather difficult position. It would be possible, Mr. Raiteri, for the President to rule that you spoke for the third time and therefore your motion is out of order; it would be possible to rule that the ballots have already been distributed, and therefore the voting has started and no one can speak. But, without taking sides in this controversy, the President must concede that it is the duty of this Board to enforce orderly government in the City of Stamford. Orderly government cannot be carried on in this City without a Corporation Counsel, whether it happens to be Mr. Cushing or somebody else. There is a motion before this body to recommit."

VOTE taken on Mr. Raiteri's motion. LOST by a vote of 18 in favor and 19 opposed.

MR. FREDERICKS MOVED the question.

The Tellers collected the ballots. Result of vote on Mr. Cushing's appointment: LOST, by a vote of 18 in favor and 20 opposed.

FISCAL COMMITTEE:

MR. HUIZINGA, Chairman, read his Committee report, stating that a meeting had been held on May 13, 1958 in City Hall, at 8 P.M. Present at this meeting were the following: Mrs. Zuckert; Messrs. Topping, Kolich, Robertucci, Fortunato and Huizinga. Absent were Messrs. Wynn and Cummings.

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(1) Suggested amendments to Classified Employees Pension Plan

MR. HUIZINGA: "Under date of January 14, 1958, Mr. Andrew M. Thorpe, then the President of the Municipal Employees' Association, addressed a letter to the Board of Representatives in which he submits several amendments to the Ordinance known as "Classified Employees' Pension Plan". After a thorough discussion of the proposed amendments, it is the recommendation of the Fiscal Committee that the following letter be addressed to Mr. Andrew M. Thorpe, President of the Municipal Employees' Association, or his successor, over the signature of the President of the Board of Representatives:

Dear Sir:

With reference to the proposed amendments to the Classified Employees' Pension Plan", as outlined in your letter dated January 14, 1958, it is the suggestion of the Board of Representatives that this matter of the proposed changes in the "Classified Employees' Pension Plan" be referred to the Trustees of said Plan, and, if in the opinion of the Trustees any changes are to be made, the proposal should then be presented to the new Committee, which is to be appointed by the Mayor, which Committee will be charged with finding ways and means for establishing all pension funds of the City on a sound and actuarial basis.

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

MR. RHOADES: "Perhaps this might be a good time to discuss the letter which Mr. Huizinga's committee is writing, a letter which we have received from the Mayor, some conclusions in regard to it which have been arrived at during the past few days, and discussions among various members of this Board."

MR. HUIZINGA granted the President the privilege of making a statement in regard to the above matter.

MR. RHOADES: "The situation in regard to the Pension Funds of the City of Stamford has become extremely difficult. Members of the Board of Finance report to us that there may already be an arrears item of as much as \$12,000,000 which will very soon become \$15,000,000. The Buck report, made in 1952, at some expense to the City, has been buried, and none of the City Boards seem to wish to take action on the matter. This request which has come to us from the Classified Employees regarding certain changes in the Pension Plan, appears to find no welcome. In short, the whole situation involving City Pensions has become very difficult. Your President has done a good deal of research on this matter over the past few weeks and it is his conclusion, in addition to that of other members of the Board with whom he has talked, that this specifically is the responsibility of the Board of Representatives. There is language contained in an enabling Act passed by the Legislature a few years ago, which says in so many words that if the Classified Employees' Pension is to be changed, it must be done by this Board alone, and by a two-thirds vote.

"The President felt that it might be a good idea to appoint a Special Committee of this Board, to study the matter and report to us, within perhaps a period as long as a year. However, further discussion has revealed that that is not feasible, either. We require the expert advice of men trained in this field. We require the assistance on such a Committee of people who have studied the Buck report. The President would therefore like to continue for the Steering Committee meeting his own investigation as to what sort of a Committee should be set up, in the hope that we may do one of two things: either refer the matter to our own Fiscal Committee for a recommendation

from them as to what steps should be taken next, or to set up a Committee, made up of some members of this Board, some members of the Board of Finance, perhaps a member of the Classified Employees' Pension Fund, and certainly, the Commissioner of Finance.

(2) Request dated 4/24/58 from Supt. of Schools re extension of sick leave benefits for school Custodian

MR. HUIZINGA: "A letter from the Supt. of Schools, addressed to Mr. Gerald Rybnick, pertaining to extension of sick leave benefits for a Mr. Walter Broderick, was referred to the Fiscal Committee for study. After a thorough discussion of this problem with Mr. McCutcheon, the Personnel Director, it was determined that neither the Personnel Commission nor the Board of Representatives, has the authority to legally empower a department to pay in advance, or retroactively, wages that were not accumulated in accordance with the sick and annual leave schedule, as outlined in Civil Service regulations, inasmuch as such regulations very clearly state:

'Employees shall be entitled to their current sick leave as it becomes earned. Sick leave shall not be taken in advance.'

"The Fiscal Committee is aware of the fact that this is a needy and no doubt worthy case. However, to approve a change in the regulations for one individual, would, we believe, be a very dangerous precedent. If additional sick leave benefits are to be paid to Mr. Broderick, we believe a request for an additional appropriation to pay these funds should originate with the Board of Education, in the same manner any other additional appropriation would be requested."

MR. HUIZINGA MOVED that a letter be sent to Mr. Neuwien, informing him of the results of the above recommendations. Seconded by Mr. Macrides and CARRIED unanimously.

(3) \$508 - Code GG-488, Employee Medical & Hospital Account (See Mayor's letter dated 4/29/58)

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

(4) \$400 - Commissioner of Finance - Code 480.9, Special Stenographic Services (See Mayor's letter 3/19/58)

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

(5) \$200 - Small Claims Court - Code 823.10 (See Mayor's letter 4/8/58)

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

(6) \$2,000 - Wright Technical School - Code 511.16A Boiler Repairs (See Mayor's letter 4/22/58)

MR. HUIZINGA MOVED for approval of the above request. Seconded by Mr. Macrides and CARRIED unanimously. (The Committee on Education, Welfare & Government also approved this request)

(7) \$81,000 - Welfare Department (See Mayor's letter 4/22/58)

Code 460-9	Outside Professional Fees	-----	\$ 4,000.00
Code 460-61	Cash Relief	-----	40,000.00 *
Code 460-61A	Other Town Charges	-----	1,000.00 *

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Code 460-68	Soldiers' Burials & Markers -----	\$ 1,000.00
Code 461-A	General Hospitals -----	30,000.00
Code 461-B	Other Institutions -----	5,000.00 *
	Total -----	\$81,000.00 *

*REDUCED by Board of Finance

MR. HUIZINGA MOVED for approval of each of the above items, which were all seconded by Mr. Macrides, who said that the Committee on Education, Welfare & Government also concurred in the recommendations for approval. CARRIED unanimously.

- (8) \$700 - Sunset Home - Code 20WH-462.6B, Clothing & Medical Supplies (See Mayor's letter 5/6/58) (REDUCED by Board of Finance)

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

- (9) \$150 - Board of Selectmen - Code 130.4, Advertising and Notices (See Mayor's letter 3/19/58)

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

- (10) \$9,000 - Registrars of Voters - Code 100.54, Primary Expense (See Mayor's letter 3/25/58)

MR. HUIZINGA MOVED for approval of the above request. Seconded by Mr. Vitt. Mr. Macrides said the Education, Welfare & Government Committee concurred in the recommendation for approval. CARRIED unanimously.

- (11) \$1,000 - Civil Defense - Code 444.E, Civil Defense Exercises (See Mayor's letter 3/25/58)

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

- (12) \$535.85 - Pension for Fireman John Kurz (See Mayor's letter 4/17/58) Beginning May 3, 1958, in above amount, based on annual pension of \$3,270.12, or two-thirds of his annual salary of \$4,905.68

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

- (13) \$2,500 - Code 832., Social Security (As listed in Mayor's letter 5/7/58)

MR. HUIZINGA MOVED for approval of the above request. Seconded by Mr. Macrides who said the Committee on Education, Welfare & Government concurs in the approval of this appropriation. CARRIED by unanimous vote.

- (14) \$1,916.34 - Transfer from Sundries (page 73 of 1957-58 Operating Budget) to Code 300., Lawn Avenue Evacuation Expenses (As requested in Mayor's letter 5/6/58 and follow-up letter to Steering Committee dated 5/19/58 from Commissioner of Finance) (REDUCED by Board of Finance)

MR. HUIZINGA MOVED for approval of the above request. He said: "This is an item which, according to Section 656 of the Charter gives the Board of Finance the power to transfer from one department to another, providing it is approved by the Board of Representatives." Seconded by Mr. DeForest.

MR. COLATRELLA said he had a question on this appropriation. He said: "Section 619.1 of the Charter says that no liability shall be incurred for expenditures made by any officer or employee which is not provided for in the annual appropriation resolution or a special appropriation resolution or by a bond issue, nor shall the Controller pay out any money for any purpose not authorized by an appropriation. Am I to understand that the word 'transfer' here means appropriation?"

MR. HUIZINGA explained that this was not an appropriation - that the appropriation has already been made to an item of "Sundries" which is for emergency situations such as this one.

MR. COLATRELLA said he understood that some of the tenants were perfectly willing to pay their share of the expenses.

MR. HUIZINGA: "There certainly are, and there are a lot of the tenants who are going to pay it, and if they pay it, then it will go right back into the 'Sundries' account again to reimburse this item."

VOTE taken on item (14) above and CARRIED unanimously.

- (15) \$175,000 - Urban Redevelopment Commission, Meadow Street Project, City Area
(See Mayor's letter 5/19/58 asking approval of bank loan. Also see Resolution No. 259 adopted by Board of Representatives Aug. 5, 1957 - Page 1665 of Minutes - And, Section 633 of Charter)

MR. HUIZINGA: "I want everyone to know very definitely what they are doing when they vote on this item, because this has come before this Board before and some people may think it is a duplication, so I am taking the time to read these explanations so that we will all understand what we are doing. Under date of August 2, 1957, the Board of Finance passed the following resolution: 'It was resolved by unanimous vote to amend the 1957-58 Capital Projects Budget by adding thereto an item to be known as URBAN REDEVELOPMENT, MEADOW STREET PROJECT, CITY AREA, in the amount of \$175,000, and it was further resolved, by unanimous vote to request the Corporation Counsel to recommend the form of resolution required in the event the foregoing \$175,000 or any part thereof, is to be raised by bonds.'

"Three days later, and some of you may remember this, the Corporation Counsel, Mr. Hanrahan, came before our Board and insisted that it was a must that this be approved that night without waiting for it to go through the Fiscal Committee; that there was a question of tax rate involved, etc. We even called a recess that night. But, in any event, we decided to approve Resolution No. 259 at that time.

"Resolution No. 259 which we approved on August 5, 1957, read as follows:

BE IT RESOLVED by the Board of Representatives of the City of Stamford, that the 1957-1958 Capital Projects Budget be amended by adding an item of \$175,000 to be known as Urban Redevelopment Meadow Street Project, City Area.

Since this Board has acted on this, everything is legal. Although both the Board of Finance and the Board of Representatives have taken the necessary legal steps by the aforesaid resolutions for the appropriation of the \$175,000, it has not been actually determined as of this date, how much of this money will be forthcoming from the sale of property and how much should be raised by bond issue. Therefore, the Mayor in his letter of May 19, 1958, has requested the authority to make a temporary bank loan in the amount of \$175,000 to be repaid by proceeds of a bond issue, or proceeds from the sale of Urban Redevelopment Meadow Street property, or both.

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MR. HUIZINGA MOVED for approval of the following resolution:

RESOLUTION NO. 277

BE IT THEREFORE RESOLVED by the Board of Representatives of the City of Stamford, under the authority granted under Section 633 of the Charter, and said Board hereby authorizes the Mayor of the City of Stamford to borrow \$175,000 on a temporary basis, for a term of one year or less, to be repaid by proceeds of a bond issue or proceeds from the sale of Urban Redevelopment Meadow Street property, or both.

Mr. Huizinga requested the reading of Section 633 of the Charter for explanatory purposes.

MR. FREDERICKS: "I shall read the last two sentences:

'.... These notes shall be repaid, so far as may be possible, from the income of the town received during the current fiscal year. If any of the moneys so borrowed shall remain unpaid at the end of the fiscal year the amount thereof shall be included in the estimates and appropriations for the succeeding fiscal year.'"

MR. HUIZINGA: "That gave the Committee a little pause, because it is humanly impossible to include the \$175,000 into the scheduling of the tax rate, when the tax rate has already been set. In other words, we have to look at this from a practical standpoint, so therefore, I suggested that we ask for a ruling from the Corporation Counsel on that point and here is the ruling which he gave us:

May 29, 1958

Mr. Rutherford G. Huizinga
Chairman, Fiscal Committee
Board of Representatives
City Hall
Stamford, Connecticut

Dear Sir:

The question has been asked by you and the Commissioner of Finance as to the significance of the last sentence in Section 633 of the Charter as it affects the proposal to borrow \$175,000 to be considered by the Board of Representatives at its meeting of June 2nd.

Since the Charter requires submission of the budget by the Mayor before May 1st and also requires fixing of the tax rate by May 17th, it obviously would be impossible to include this item as a hold-over from the past fiscal year.

The mere fact that this item is being submitted a few weeks before the end of the fiscal year does not, in my opinion, constitute it a hold-over item. Therefore, approval of this item would not require amendment of the budget and tax rate.

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If any part of this sum remains unpaid at the end of the coming fiscal year, however, the provision referred to above will then clearly be applicable.

Very truly yours,

RAYMOND G. CUSHING,
Corporation Counsel

MR. MACRIDES: "I have a question. Is there any available figure as to the amount of money that we presently have at any given time in the General Fund?"

MR. HUIZINGA: "My answer would be that it varies continually."

MR. MACRIDES: "The only reason for asking the question is as to the possibility that we have \$175,000 in the General Fund which we might borrow from without having to pay interest."

MR. HUIZINGA: "I think the reason - well, in other words you are thinking why can't we use the general fund and not have to borrow the money. You see, the General Funds have been used to pay these judgments. They were paid out of the General Fund, with the understanding that there would be \$175,000 coming into this Fund from these two resolutions. This must be done for bookkeeping purposes - the Auditor's can't reconcile the books. We must have \$175,000 in this Fund by June 30th."

MR. MACRIDES: "When do we get moneys from the State for the General Fund for a certain percentage of money to be spent for education? I was wondering if something like that couldn't be used to tide us over to the following year."

MR. HUIZINGA: "I don't think we could do that - all of those funds are earmarked for a special purpose, and although they go into the General Fund, I do not believe they could be used for any other purpose other than the one designated."

MR. FREDERICKS: "In reading Section 633 of the Charter, it says that the money should be replaced so far as it may be possible from the income of the Town. I have no quarrel with the Corporation Counsel's opinion, but I do believe that the letter of May 19th requests specifically for a separate bank loan, pending the sale of the Meadow Street property as a temporary expedient....."

Mr. Fredericks talked at some length, explaining how this could be done, and offered an amendment, which is incorporated in the resolution above, having been accepted by Mr. Huizinga.

Mr. Baker and Mr. Topping seconded Mr. Huizinga's motion for approval of Resolution No. 277 and CARRIED by a standing vote, Mr. Macrides not voting.

LEGISLATIVE & RULES COMMITTEE:

MR. RAITERI, Chairman, presented the report of his committee. He stated that meetings were held May 13, 15, 22 and 29 - that all meetings were held in the Mayor's office and started promptly at 8 P.M. He stated that the meetings of the 13, 15 and 22 were devoted to the plumbing and electrical code and the meeting of the 29 to regular Board business, and present at this meeting were Mr. Russell, Mr. DeForest and Mr. Raiteri.

- (1) Appeal from Planning Board decision - Re: Application of Allan and Esther Leslie for Change in Master Plan

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MR. RAITERI: "Your Committee requests that this matter be recommitted. The transcript of the public hearing was not available until last week and the chairman of this committee and the Planning & Zoning Committee were unable to set a meeting date because of the time element. This must be acted upon by the next meeting by Charter provision. MR. CHAIRMAN, I MOVE that this be referred back to committee." Seconded by Mrs. Zuckert.

MR. RHOADES: "The President would like to state that Mr. Raiteri is correct. The date of the letter of transmittal is May 6th, which means that it may be acted upon at the meeting of July 7th."

MR. WILENSKY: "As a new member of the Board, I am at a loss to understand how it could take so long, from May 6th - and Cal mentioned that we did not get it until last Thursday."

MR. RAITERI: "Of course you are only talking about the transcript. You are not talking about the maps, or the excerpts from the meetings of the Planning Board held on March 18th and April 15th. You see, they have a Court stenographer who takes the Minutes of the meetings when they have a public hearing (verbatim Minutes) and the only time he makes a stencil of these things is when there is an appeal and he is requested to make one. I guess he is so jammed up with work that it takes from two to three weeks for him to get a stencil down to us that we can send down to our Mimeograph Department for them to make up the transcripts. And, of course, it takes them a couple of days to run them off; as they have to be collated and everything. Of course, we didn't get it until Wednesday of last week and I did not know when we might receive it, so I did not have a chance to set up a meeting of Mr. Russell's committee in order to discuss the matter."

MR. WILENSKY: "Perhaps you misunderstood my question. I certainly wasn't criticizing our action - we did the only thing we could. I was with you at the first meeting and I know we didn't have a chance. The thing that I think is very poor is the fact that we didn't have a chance. It could happen, and if this new referral - this one on Newfield Avenue - takes that long, the thing might go by default. I am concerned that it does take so long to get those transcripts, and I can't for the life of me believe that it should take a matter of weeks to transcribe a public hearing. We have it now, but if it were gotten through promptly, it shouldn't have taken that long. I hope this slow process can be avoided in the future."

VOTE taken on item (1) above that it be recommitted to committee; and CARRIED by unanimous vote.

- (2) Bidding procedures and suggestions for change (See Mayor's letter 5/19/58)
(Also attached letter from Commissioner of Finance to Mayor dated 5/16/58)

MR. RAITERI: "The Committee, after considering both letters, found that there was not a specific plan presented for adoption. This could be accomplished by the Purchasing Agent, Commissioner of Finance, Corporation Counsel and the Mayor agreeing on a plan for presentation to this Board. However, we feel that Section 484.1 of the Charter, dealing with the duties of the Purchasing Agent, has been overlooked. This Section provides that the Purchasing Agent 'shall let to the lowest responsible bidder who gives adequate security, all contracts for supplies, materials, or equipment which shall exceed the sum of Five Hundred Dollars'.

"The Committee recommends that a letter be sent to the Mayor, advising him of the above, along with the name of the Chairman of the Charter Revision Committee (Mr. Macrides), who will assist him if he wishes to propose a Charter change, and I so MOVE." Seconded by Mr. Colatrella and CARRIED unanimously.

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(3) Park Commission - Fees

MR. RAITERI presented the following letter from Mr. Connell:

May 7, 1958

Mr. Clement L. Raiteri, Jr., Chairman
Legislative & Rules Committee
Board of Representatives
239 Main Street
Stamford, Connecticut

Dear Mr. Raiteri:

Please note the enclosed list of fees which have been in effect prior to the passing of the recent Ordinance. Will you file this with the Board of Representatives, as required by the Ordinance?

Very truly yours,

Edward A. Connell, Sup't.
Dept. Parks & Trees

Enclosure

PARK DEPARTMENT FEES

MARINAS:

Cummings dockage -----	\$15.35
" shore -----	5.35
" open -----	5.35
Southfield dockage -----	12.35
Dyke dockage -----	10.35
Cove Island dockage -----	5.35
" " Shore -----	5.35
Seasonal Boat Trailer -----	5.35
Daily -----	.50

TENNIS:

Hourly rate per court -----	.40
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LAWN BOWLING:

Seasonal rate per person -----	2.00
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WEST BEACH LOCKERS:

Season -----	20.00
Daily per person -----	.50

PARKING STICKERS:

Resident -----	1.00
Non-Resident -----	

(Suggested policy will be presented to Board of Representatives in near future)

MR. RAITERI: "The letter from Mr. Connell refers to Ordinance No. 64 Supplemental which incorporates the rules of the Park Commission, etc., which we approved at our last meeting. However, at that time we only had the parking permit fee available. It will be necessary for the Legislative & Rules Committee and the Parks & Recreation Committee to meet jointly on this matter, and because I was hoping to have that joint meeting at the same time we were discussing the Planning Appeal and not hold a meeting just for this one particular item, Mr. Kelly's committee and mine did not get together. Therefore, the committee is not prepared at this time to submit anything to this Board for adoption and I MOVE that the matter be recommitted." Seconded by Mr. Longo and CARRIED unanimously.

PUBLIC WORKS COMMITTEE:

Mr. Topping, Chairman, said a joint meeting of the Public Works Committee and the Planning & Zoning Committee was held during May. Present were: Alan Ketcham, Anthony Marciano, Bernard Geronimo, John Maffucci and Thomas Topping. Mr. Walter Maguire, Commissioner of Public Works was also present.

(1) Holbrook Estates - Re: acceptance of Apple Tree Drive, Boxwood Drive, Holbrook Drive and Pine Tree Drive

MR. TOPPING: "I contacted Mr. Walter Maguire (not the Public Works Commissioner) the owner of the roads in the Holbrook Estates, and he re-stated his promise to deed to a responsible group of Holbrook Estate residents the ownership of the roads in the Estates. It was the majority opinion of the members of both committees that the Board of Representatives cannot consider the acceptance of these roads until the petitioners own them.

"Therefore, Mr. President, I MOVE that the Board send the petitioners a letter, requesting that they secure title to these roads and then petition the Board of Representatives again for acceptance, as owners of the road. The Board can then give consideration to the petition under Section 640, as amended by Special Act No. 297 of the Charter of the City of Stamford." Seconded by Mr. Geronimo, and CARRIED unanimously.

(2) Hunting Lane - Petition from residents requesting completion of road

MR. TOPPING: "We have a petition from the residents of Hunting Lane - that's off Wire Mill Road, requesting the City to complete the road and signed by five residents. (Mr. Topping read the petition at this point)

"This is not an accepted city street. Part of this road is in good condition, but the new portion will require some work.

"I MOVE, Mr. President, that a letter be sent by this Board to Mr. Netburn, requesting that the residents of Hunting Lane petition this Board for acceptance of their street as a City street. We can then process the petition under Section 640, as amended by Special Act 297, of the Charter of the City of Stamford." Seconded by Mr. Geronimo.

MR. BAKER: "What good will it do them to petition for acceptance if the road is not in good condition?"

MR. TOPPING: "Three quarters of it is in good condition, but the last end of it, which is about 125 feet, is just bare road, without any surfacing. The City couldn't accept the first portion without accepting the last portion, but the request is

submitted just by the residents of the last portion. Now, we want the majority of the residents on the road to petition the city to accept the street. Then, we can process it, according to Section 640 of the Charter."

MR. BAKER: "With the unquestionable action being taken to deny the petition?"

A great deal of debate took place at this point, Mr. Baker saying this was a duplication of the condition existing in the Holbrook Estates.

Mr. Ketcham spoke, explaining that Hunting Lane was an old road of record on the Town maps. He said this old portion of the road would be taken care of by the Planning & Zoning Committee when they go into the matter of accepting old town roads of record which have been used over a period of many years. He said: "Your question, Mr. Baker, is a horse of another feather. I don't think there is a parallel between the two cases."

MR. RUSSELL: "I might add to that - Hunting Lane was considered last year among the group of roads to be accepted under that provision of accepting old roads. The only reason it was held up was because of the question of footage and we haven't had a chance to go up there and measure up the footage of the so-called good road. Otherwise, it would have been accepted before this."

VOTE taken on Mr. Topping's motion and CARRIED, with Mr. Baker voting in the negative.

(3) Report on Nash Court

MR. TOPPING: "Mayor Givens referred a letter from a Mr. Robert Corkery of Nash Court to Mr. Topping and Mr. Hearing. In this letter, Mr. Corkery complained that the builders of Linden House were trespassing on his land."

At this point, Mr. Topping read the letter in question.

MR. TOPPING: "The Public Works Department obtained a ruling from the Corporation Counsel that Mr. Glickmann was not trespassing, but is lawfully using a public way."

(4) Pepper Ridge Place - Petition from property owners requesting acceptance as a City Street

Mr. Topping read the petition and also a letter from Mrs. Helen Odomirok, a property owner on this street.

MR. TOPPING: "This street, although a road of record, is not an accepted city street. Therefore, Mr. President, I MOVE that Pepper Ridge Place be processed as per Section 640, as amended by Special Act 297 of the Charter of the City of Stamford." Seconded by Mr. Geronimo. Mr. Topping explained his motion as meaning that we will proceed under the above named Charter provisions, acceptance being contingent upon the property owners themselves being assessed the costs of bringing the road up to acceptable condition.

VOTE taken on Mr. Topping's motion and CARRIED.

(5) Sanford Lane - Drainage problem

MR. TOPPING: "The problem of surface water drainage from Sanford Lane is a city responsibility, and should be taken care of at the time the road is put into acceptable condition, as a Capital Project."

(6) Stanton Drive

MR. COLATRELLA: "I received a call from the 18th District, asking about the Stanton Drive situation."

MR. TOPPING: "The money has been appropriated in this years budget and will be available as of the first of July."

(7) Horton Street and McMullen Street

MR. KELLY: "Through the Chair, I would like to ask Mr. Topping a question. Is there any report on the flooding condition on Horton Street and also the one on McMullen Street?"

MR. TOPPING: "Yes, Mr. Kelly, I have that. I have been over there and looked, but as of now I have not had an opportunity to do anything about it."

(8) Home Court, Webb Avenue an and Houston Terrace

MR. TOPPING: "For Mr. Connors, the other day I went over to look at Home Court, Webb Avenue and Houston Terrace and I can see that you have a very good reason for complaint there. It seems to me that some two years ago, we spent something like \$20,000 to \$25,000 on a drain which was supposed to eliminate the very condition that we are experiencing right now on these streets. Apparently that has not done the job we thought it would. I will investigate further on the Houston Terrace one."

MR. KELLY: "How about the complaint in my District - what shall I report to them?"

MR. TOPPING: "Something will be done about it very soon, Mr. Kelly, I assure you."

HEALTH & PROTECTION COMMITTEE:

Mr. Milano read his committee report. He said the committee met on May 23rd at Police Headquarters with Chief Kinsella.

(1) Traffic Hazard on Summer Street (Complaint from Bernard Geronimo, 6th District Representative)

MR. MILANO: "Chief Kinsella assured the Committee that this particular section is being investigated and showed the Committee maps of the proposed change in the area, which will be taken care of in the near future."

(2) Parking Authority request for placement of meters (See letter 4/21/58)
(Referred back to Committee 5/5/58 - See page 1917. item (3))

MR. MILANO: "Your committee recommends the placement of meters on the following streets, as contained in the letter from the Parking Authority:"

Broad Street - From Atlantic Street to Greyrock Place
(North side only)

Spring Street - From Bedford Street to Summer Street
(North side only)

Sixth Street - From Summer Street to Bedford Street
(North side only)

Summer Street - East side) - From Sixth Street to Colonial Garden Apartments

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Summer Street (West side) - From Bridge Street to Eight Street

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

MR. HUIZINGA: "Am I to understand that if this Board votes down any of these streets, they cannot put parking meters there?" He was assured that this was correct.

MR. HUIZINGA: "I suppose the Parking Authority are specialists on this and we ought to be able to leave these matters up to them - am I to understand that they intend to place parking meters on only one side of Broad Street?"

MR. MILANO: "Yes, on one side only."

MR. VITTI: "I believe the reason for having them on only one side of the street - that the other side of the street is restrictive parking."

MR. HUIZINGA: "My point was - is it a good idea to put parking meters on Broad Street at all? That's a narrow, one-way street. I am wondering whether or not it is a good thing to do - to permit parking on such a narrow street."

MR. NILAN said it was his recommendation that parking meters not be allowed in this particular area because the street is much too narrow and there is a great deal of traffic at that point. He also mentioned another street where he thought parking should not be allowed - on Main Street, from the White Tower Restaurant right straight through to Park Row.

MR. CONNORS said he differed with Mr. Nilan.

MR. CULLEN said he thought these parking meters were already installed on Broad Street from Bedford to Greyrock Place and he thought they should not be put there before approval of the Board of Representatives.

Mr. Rhoades said he thought the meters could be placed there, but could not be used until approval of this Board is given. In regard to Mr. Nilan's suggestion, he said he did not think the Board could vote to remove parking meters that were already in operation, having been installed with the approval of the Board.

MR. RAITERI: "There seems to be a variance of opinion here expressed. I don't think the members were entirely aware of the kind of report that Mr. Milano was going to bring in on this. I think that perhaps it should be recommitted, so that the members can vote on it more intelligently at the next meeting, and I so MOVE." Seconded by Mr. Geronimo, and CARRIED unanimously.

(3) Bongo's Department Store in Springdale - Re: conditions in rear of building

MR. MILANO MOVED for suspension of the rules in order to discuss the above matter. (See page 1917, item (1) of Minutes of 5/5/58) Seconded by Mr. Topping and CARRIED.

MR. MILANO: "I have a reply from the Board of Health on their investigation of Bongo's and the action they took by turning over their report to the Prosecuting Attorney for violation of City and Health Department Ordinances when their order was not complied with. Since that time, I have received reports from representatives of the Springdale area that this has not been cleaned up. I was wondering what action we could take through the Prosecuting Attorney to see that the order is complied with."

MR. FREDERICKS: "Any violation of Health Department Ordinances would seem to me to be directly the problem of the Health Department. They are the ones who directed the violators to do something about the violation."

It was decided that this was within the province of the Health Department to see that this matter is followed through.

(4) Re: Harbor Patrol (Letter dated 3/25/58 from Mayor Givens)

MR. MILANO: "The Committee is in accord with the need for such protection, but will make no recommendation to the Board at this time, until we have more information as to cost, who will man the boats, etc."

It was decided to keep this matter in Committee until further information is available.

PLANNING & ZONING COMMITTEE:

MR. RUSSELL presented his committee report. He said a joint meeting was held with the Public Works Committee on Friday, May 16th and a general Committee meeting was held on May 22nd. All members were present.

(1) Holbrook Estates (See Public Works Committee report on this)

(2) Petitions for road acceptance

MR. RUSSELL: "This Committee discussed at length Linwood Lane and agreed that the handling of same as far as City inspection, was poor, and left no alternative but to accept it under the circumstances."

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

LINWOOD LANE: Extending southerly and westerly from Wire Mill Road to a dead end. Length 960 feet, pavement width 20 feet. Shown on Map #5159 on file in the Town & City Clerk's Office.

Mr. Topping seconded Mr. Russell's motion and CARRIED unanimously.

MR. RUSSELL: "The following roads were rejected because of poor pavement surfaces and incomplete drainage. The petitioners must make the necessary corrections to the satisfaction of the City Engineer and then must re-petition the Board of Representatives for reconsideration of acceptance. This is because many of the petitions are poorly presented and then the petitioner thinks all he has to do, when a petition is rejected, is to just sit back and wait for action. In the future, we are going to make it very clear that whenever a road is held up for one reason or another that they will have to re-petition the Board for acceptance of the road. We are not going to just hold on to it in Committee, pending their taking action to clear up what needs to be done to bring the road up to acceptance, because it sometimes takes many months and sometimes years. For this reason, the following roads were REJECTED:"

GAXTON ROAD

NORVEL LANE

CLUB ROAD (Section extending East and West from intersection with Malvern Road)

SADDLE HILL ROAD

MR. RUSSELL MOVED that the above roads be REJECTED. Seconded and CARRIED unanimously.

(3) Performance Bonds

MR. RUSSELL: "The Committee again requests the Board to bring to the attention of the Corporation Counsel and the Planning Board that the following roads are in deplorable

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condition, and despite action requested by this Board at the November 1, 1957 meeting, little or no action has been taken to bring these roads up to specifications and to call in the expired bonds covering them. The roads involved are:

SMOKE HILL DRIVE
ARROWHEAD DRIVE
OLD COLONY ROAD

EDEN LANE
AQUILA ROAD
KRAMER ROAD

"The Committee MOVES that the following letter be transmitted by this Board. It should be addressed to the Corporation Counsel, the Planning Board and the Public Works Commissioner:

The Board of Representatives wishes to again bring to your attention the matter involving certain roads which are in deplorable condition and have been so, for several years. It again should be noted that the Performance Bonds for all have long expired and despite this Board's request of November 1st, 1957, asking for immediate action, little has been accomplished to date.

(Listed here are the roads above)

The Board kindly requests replies as to the present status of each of these roads."

Mr. Russell's motion was seconded by Mr. Topping and CARRIED unanimously.

MR. RUSSELL: "I also wish to point out that the Committee has set the date of June 17th to meet with the Planning Board to discuss, among other matters, the Performance Bond."

(4) Scofieldtown Road - Change of name to Sunset Road

MR. RUSSELL: "The Committee, has considered this matter for many months. We have made several trips up there, trying to decide what is the best thing to do. Taking into consideration the unusual circumstances as to how that road became known as Sunset Road, and because it has been known as Sunset Road for over 40 years, the residents have been able to present letters from various city departments, such as the Tax Department, where the road was called "Sunset Road" and their tax bills were mailed to them as such, it seems they were justified in making their request."

Because a meeting is scheduled for June 3rd in the Mayor's Office to discuss the University of Connecticut building near this site, Mr. Russell said he thought there could possible be new road layouts that might affect this road. He also said he was not sure if the point the committee picked where the name should be changed is the most desirable spot. However, he offered a proposed Ordinance, changing a certain portion of Scofieldtown Road to Sunset Road and moved for approval, which was seconded by Mr. Huizinga.

MR. BAITERI: "This matter was also referred to the Legislative & Rules Committee and we are not prepared at this time to make a report on the item. As Mr. Russell has pointed out, there is some hesitancy this evening on proposing the Ordinance for adoption, I would suggest that this be referred back to Committee, and when we meet on our appeals in joint meeting, we can dispose of the Scofieldtown Road at that time."

A great deal of debate ensued on this subject. On MOTION OF MR. MURPHY, seconded by Mr. Connors, this was recommitted to Committee, and CARRIED

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MR. RAITERI reminded the members of the Board that the Legislative & Rules Committee has the job of writing Ordinances and suggested that any Ordinances under consideration be referred to that Committee before any final action is taken, to insure proper wording of the Ordinance.

MR. RHOADES reminded all Board members that Committee reports must be submitted in writing to the Clerk or Secretary of the Board.

Re: Status of Mitchell Street

MR. ROCHE: "May I ask the Chairman of the Committee, what is the status of the poor people down on Mitchell Street at the moment?"

MR. RUSSELL: "That is one of the many roads still in committee being discussed. We do have now figures on the cost of bringing the road up to standards. It is one of those old roads, by the way, where we don't have complete statistics as to whether it was ever considered a city road or not. At the time we were considering it last year, it wasn't in too bad a condition, but since then, that Marina project started to go in there, and where before it was a reasonably good road, it is now a pretty bad road. For that reason, we haven't really had a chance to review Mitchell Street again."

MR. ROCHE: "When you consider this again. There was an unfortunate dumping action by one of the contractors down there. The City Engineer has alleviated the condition by putting the proper drainage in and it has helped alleviate the swamp condition of about two feet of water which was in front of everybody's house. I think when you take another look at that road, inasmuch as it is going to be one of the continually traveled roads down to the marina, it would be appreciated if you would do something about it."

MR. RUSSELL assured Mr. Roche the committee would make a point of trying to look into this matter.

PARKS AND RECREATION COMMITTEE:

Mr. Kelly, Chairman, presented his Committee report. He stated they had held a meeting on May 21st, two members being present - Mr. Roche and Mr. Kelly.

(1) Petitions (See "Petitions" below)

(2) Fees - Park Commission (also referred to Legislative & Rules Committee)

MR. KELLY: "Mr. Chairman, I would like to discuss the matter of fees, Park Commission. The Legislative & Rules Committee asked to have it referred back to Committee. I would like to ask a question on that. What prevents the Park Commission from charging fees that they are now charging until we pass that?"

MR. RAITERI: "They are charging the fees."

(3) Complaint from attorneys representing Mrs. Angelina Colamonico, re damage to greenhouse adjacent to Hatch Field

MR. KELLY: "This matter was referred to the Education, Welfare & Government Committee and the Parks & Recreation Committee to look into, with a view towards placing proper supervision responsibility for the property in question.

"Mrs. Colamonico has registered complaints with the Board of Education, the Board of Recreation and to the Parks Department, with each agency disclaiming responsibility for the conduct of the children using the play area and for the maintenance of same.

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"I contacted Mr. McClelland of the Board of Education and he told me that the students of Stevens School used the area at times for baseball practice, but always under the supervision of the teachers, and that no damage had been reported to him regarding the use of the area by the students. Mr. Hunt, of the Board of Recreation, has stated that in several years the Board of Recreation has not sponsored any supervised recreational activities at Hatch Field for several reasons: The gates have been taken off the field, which permits a youngster to chase a batted ball out onto Richmond Hill Avenue into the path of through traffic, which is dangerous. A fence, at least ten feet higher than the one there, and the extension by several feet of the backstop, on the sides and top is necessary to prevent foul balls being hit so as to cause damage to the greenhouse on the adjoining property.

"Mr. Connell, Superintendent of Parks & Trees, has informed me that he would be interested in having a legal opinion as to the extent of the city's liability to protect the greenhouses, and also, as to the extent of Mrs. Colamonico's responsibility for the reasonable protection to her property."

Mr. Kelly explained that he contacted the owner and she does not object to the area being used as a play area, but objects to damage done to her property and thinks the city should do something to eliminate further damage. He also suggested a way this might be accomplished by making the fence higher and extending the height of the backstop, the replacing of the gates and keeping them locked.

MR. KELLY: "Your Committee recommends that the problem be referred to the Corporation Counsel for his opinion as to how the problem should be resolved, and I so MOVE."
Seconded by Mr. Roche.

MR. MACRIDES, Chairman of the Education, Welfare & Government Committee, also reported their findings on this matter. He said: "Our Committee also discussed the Hatch Field problem and decided since it had no connection with the Board of education, it was out of our jurisdiction. However, Mr. Truglia, a member of the Board from the 2nd District, has some information he would like to present to the Board regarding this problem."

MR. TRUGLIA presented a report, in which he stated that considerable damage had been done to the greenhouse, amounting to \$200 for the replacement of glass alone, not counting damage done to plants and flowers which were also destroyed by children using the playfield. He noted there was also danger to the Colamonico children who might be struck by some of the baseballs and that there had often been arguments over baseballs going into the Colamonico yard. He said, after consulting with the Colamonico family, it had been thought necessary that some form of adult supervision of the use of Hatch Field be provided and that a fence around the property on the Colamonico side would do much to help eliminate the hazards.

VOTE taken on Mr. Kelly's motion to refer this matter to the Corporation Counsel for a legal opinion and CARRIED unanimously.

Mr. Kelly was given permission to take up the matter of petitions, without waiting for its proper place on the Agenda.

PETITIONS:

Petition No. 245 - From San Manghese Social Club, Feast of St. Theodore and procession, August 30th and 31st.

MR. KELLY MOVED for approval of above petition, pending approval of the Police Department. Seconded by Mrs. Zuckert and CARRIED unanimously.

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Petition No. 246 - From Hubbard Heights Garden Club, requesting permission to use North Street for a Fair on September 10th

MR. KELLY MOVED for approval of the above petition, pending approval of the Police Department. Seconded by Mr. Devito and CARRIED unanimously.

Petition No. 247 - Stamford Yacht Club, requesting permission for fireworks display on July 4th

MR. KELLY MOVED for approval of the above request. Seconded by Mr. Hart and CARRIED unanimously.

Petition No. 248 - Request from American Legion, Oscar Cowan Post #3, to hold a Retreat Ceremony at the Central Park Flag Pole, evening of June 14th

MR. KELLY MOVED for suspension of the rules in order to take up the above petition for the reason that it came in too late to be placed on the Agenda. Seconded by Mr. Roche and CARRIED unanimously.

MR. KELLY MOVED for approval of the above request, pending approval by the Police Department. Seconded by Mr. Baker and CARRIED unanimously.

PERSONNEL COMMITTEE:

MR. RYBNICK: Chairman, said his committee met with the Personnel Commission at their regularly scheduled meeting on various matters referred to them for discussion, which were tabled. He said: "The Personnel Committee also met with the Mayor's Committee with reference to a third member of the Personnel Commission. The meeting consisted of department heads, committee members, representatives from the Police Department, Fire Department, Custodians, Public Works Department.

"After a lengthy discussion with no objection, the Corporation Counsel agreed that a Fireman should be appointed as the third member of the Personnel Commission." (employees' choice).

EDUCATION, WELFARE & GOVERNMENT COMMITTEE:

MR. MACRIDES, Chairman, presented his Committee report (portions of which have been previously read under Fiscal Committee and Parks & Recreation Committee). He stated that the Committee met on May 27th, and present were Messrs. Truglia, Cullen and Macrides.

MR. MACRIDES: "The Committee then adjourned to Scofieldtown Road, where they met Mr. Paul DuBois of the Welfare Commission and Mr. George Laturney, Director of Public Welfare. The members were interested in seeing the area which includes Sunset Home and the proposed Chronic and Convalescent Hospital, which has recently been discussed with reference to the location of an extension of the University of Connecticut. The Welfare Commission pointed out various objections which they had to the use of this locality for University purposes. The Committee will report on these objections and on its own survey of the area whenever the matter is properly before the Board."

MR. NOLAN spoke in reference to the spot chosen by the Mayor's Committee for the future site of the University of Connecticut campus, being the Scofieldtown site.

MR. NOLAN: "I am speaking specifically of the rejection of the Cove Island mainland with, what I consider, a little less than foresight on the part of the people who have objected to it. Knowing the possibilities of the appropriation of money, and speaking of the main portion of Cove Island, I cannot see into the future when this

will be developed to the point that we would like to have it. Insofar as the mainland is concerned, and the way the Park Department is getting their money, etc., and the tax rate, I just don't see how this can possibly be developed in our life time. If we're going to develop a nice bird sanctuary, and I love birds, but if we are going to keep this as a bird sanctuary and do nothing with it.....we have some old shacks sitting down there and it appears as if they will be sitting there for the next 200 years. I do not see, because of the objections of a few people, to rule out the use of this place when there is a possibility that the mainland will be developed by the State, with our help by donating the property, and the possibility of developing this mainland into a beautiful campus, which, I know we would be able to use. It would develop and help the shoreline and would help Mr. Kelly's district and Mr. Rybnick's. I would like to see this whole matter referred to the Chairman of the Education, Welfare and Government Committee for a survey by this Board. I am getting very tired of a lot of people who hold no elective offices, taking upon themselves what I consider to be the duties of a legislative body such as ours, and making decisions, when they are not responsible to the citizens of Stamford for the results of those decisions. I think we should take it upon ourselves to look into this and investigate it."

MR. RHOADES: "Mr. Nolan will you allow the President to make a statement, please? There is a meeting at 2:30 tomorrow afternoon with President Jorgenson of the University of Connecticut, to which meeting have been invited by Mr. Wachter, the Chairman of the Education, Welfare & Government Committee, the Chairman of the Legislative & Rules Committee, the Chairman of the Planning & Zoning Committee. There was also a specific request that the Majority and Minority Leaders also be present. The President has not had an opportunity up to this time, to discuss the matter with the Majority Leader. He was aware that the Minority Leader would not be able to attend this meeting. However, Mr. Nolan has been invited to attend this meeting if he wishes to do so.

MR. KELLY said inasmuch as many civic organizations have gone on record as favoring the Cove Island site to be earmarked for recreational purposes, not only for the present generation, but for future generations yet to come, he could not go along with using this last piece of shoreline for anything but park and recreational purposes and objected very strenuously to its being put to any other use.

MR. RHOADES: "Mr. Wachter has called the President's attention to the fact that this meeting is to be held on Thursday, June 5th at 2:30 P.M."

SPECIAL HOUSING COMMITTEE:

MR. RUSSELL, Co-Chairman, stated that two departments had been requested to present a monthly report to the Board, and that a first report had been received from the Fire Department. He said: "I wish to compliment Fire Chief Richardson and his Deputy, Capt. Zezima, for their cooperation and promptness in presenting a most thorough and detailed monthly report to this Board. The report is five pages long. The notable part of it is the thoroughness with which the Fire Department has cooperated with us on this matter. I haven't added it up yet, but it looks as if there were as much as 50 or 60 fire infractions. Some of them are more serious than others. There were a couple of very serious ones, which we have brought to the attention, repeatedly, of the Housing Authority, and that is this business of electric light bulbs. In one building the lights are removed from the 3rd floor to the 8th floor. In another building, the same thing happened. In another building again this happened (these seem to be the popular floors).

"It is also noted, very seriously, that again the caps were missing from standpipe connections. This, is the cover over the outlet for a fire hose; and it can be a serious thing. The children put sand in them and practically anything, and it could be serious in the case of fire.

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"We are very pleased with the promptness of the report from the Fire Department. We are awaiting receipt of a report from the Health Department, which we hope to get this week."

Re: Police Protection for Southfield Village Project

MR. MARCIANO again brought up the subject of police protection for above project.

MR. MARCIANO MOVED that a letter be written to the Mayor, asking for an appropriation for police protection for Southfield Village. Seconded by Mr. Colatrella.

MR. RAITERI: "I would just like to point one thing out to Mr. Marciano, whom, I believe, is a member of the Housing Committee. That is, that there is an appropriation each year in the budget for special policemen and those special policemen are available, any time, to provide protection in any part of the city, and their salaries are paid out of the budget for that particular item. As I see it, I do not believe there is any necessity for an additional appropriation. If the budget of the Police Department runs short near the end of the year because of these men being there, why the Chief will have to come back and ask for an additional appropriation to take care of it. I believe those men are available and that money is available, and I think that is something that should be checked, rather than take it for granted that a special appropriation is needed."

MRS. ZUCKERT: "I was wondering if, in the letter that we sent to the Mayor that we couldn't add: If these special policemen could not be assigned to Southfield Village, out of the funds that we believe are available, and in the event that there is not enough money in the account, then we could ask again. I am only offering that as a suggestion."

MR. MARCIANO: "I spoke with Chief Kinsella, perhaps twice on this particular matter. He knows that the money appropriated for the special police are usually for parks and for other items that they have each year, but there is not enough money to put six policemen steady in Southfield Village - that is the money that I am asking for - the Police Department does not have these funds."

MR. VITTI: "Can the Chief send Special Policemen up to Southfield Village without permission of the Federal government?"

MR. ROCHE: "There are two things I would like to bring to your attention. First, Special Policemen are not paid by the Police Department in the parks this year. You will note that this year it comes out of Park Department funds. Second, there is no reason why our City police cannot be up there. They are up there constantly now at the present time - maybe not as quickly as we would like to have them. For that reason, the City police have every reason to go in and protect our citizens. Third, a member of our Committee brought up a matter that happened up there a short time ago. Those people were not residents of Southfield Village and it just seemed like a nice place to go for a murder or a suicide - they were not residents."

MR. TRUGLIA wanted to know as regards fire protection - was it done on any day or a special scheduled day?

MR. RUSSELL: "Any time during the month - as often as is necessary. We requested it at least once a month, but this report shows at least two or three different dates going up there - it isn't any scheduled thing, so that they know when they are coming."

Several other speakers talked on the subject. VOTE taken on Mr. Marciano's motion to write a letter to the Mayor, asking him to initiate an appropriation to take care

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of special police protection for Southfield Village, and CARRIED unanimously.

CHARTER REVISION COMMITTEE:

MR. MACRIDES, Chairman, presented a report of his Committee. He stated that the Committee met on May 29th and Messrs. Wilensky, Nolan and Macrides were present.

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

RESOLUTION NO. 278

BE IT RESOLVED by the Board of Representatives of Stamford Connecticut, there shall be a Charter Revision Commission in said City, whose duty it shall be to make such revisions or amendments in the Charter of the City of Stamford as shall be referred to it by a two-thirds vote of the entire membership of the Board of Representatives, in accordance with Public Act No. 465 of the General Assembly of the State of Connecticut, in its 1957 Session; that the Commission, consisting of seven (7) members, shall serve until June 1, 1959, and shall report to the Board of Representatives not later than its meeting of April 6, 1959 on any proposed amendments or revisions which may be voted upon at the November 1959 General Election.

MR. MACRIDES: "The Committee recommends that the appointment of the Commission, consisting of four (4) Democrats, including one member of this Board, and three (3) Republicans, including one member of this Board, be made at or before the next meeting of this Board. Now, there is no time limitation on the appointment of the Commission. We have looked into that thoroughly, also. But, we think that this should be done by the next Board meeting, on July 7th."

MR. FREDERICKS inquired as to the language of Public Act No. 465.

MR. MACRIDES: "The language is that there should be no more than a majority of one of the prevailing party and that no more than one-third be elected officials of the City of Stamford.

"The Committee also recommends that the following matters be referred to said Commission, as soon as the members have been appointed. Here again, it will be necessary to have a vote of at least 27 in the referral of these matters, because if you will notice in the resolution, it is required that every matter which is decided to be referred to the Commission, be referred by at least a vote of two-thirds of the entire membership of the Board:"

1. The possible amendment of the Charter of the City of Stamford to provide that when members of City Boards and Commissions move out of the City of Stamford, they lose their membership and a vacancy automatically exists on said Board or Commission. This arises from a proposal made to this Committee by the Board of Education.
2. The possible amendment of Section 719.1 of the Charter to include the following or similar language: "with the exception of the full-time paid drivers". This grows out of a letter to this Committee from Julius M. Wilensky, 16th District Representative, wherein he requested, and supplemented his request with a petition, that a pension plan be effected to cover the paid drivers of the Five Volunteer Fire Departments. The Committee decided that any

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such pension be not referred to the Charter Revision Commission until some final action has been taken toward the clearing up of the present pension difficulties. However, the Committee felt that this small, enabling provision could be referred to the Commission so as to clear the way for any final action which might be taken at the aforesaid later time.

3. Possible revision or clarification of Section 401 of the Charter. This, of course, grows out of the confusion brought on by the dismissal of Judge Pimpinella as Corporation Counsel.

MR. MACRIDES MOVED for approval of (1) above. Seconded by Mr. Nilan.

MR. RHOADES explained that this was merely a vote to place these matters on the Agenda of the Charter Revision Commission, and not a vote of approval.

VOTE taken on (1) as above presented. CARRIED by a unanimous vote (the President not voting).

MR. MACRIDES MOVED for approval of (2) above. Seconded by Mr. Wilensky and CARRIED by a vote of 27 in favor.

MR. MACRIDES MOVED for approval of (3) above. Seconded by Mr. Fredericks and CARRIED unanimously.

COMMUNICATIONS FROM THE MAYOR:

The following letter was presented and referred to the Appointments Committee:

May 27, 1958

Board of Representatives
City Hall
Stamford, Connecticut
Attention: President

Dear Mr. Rhoades:

I wish to submit the name of JOHN J. HOGAN of Den Road as a member of the Personnel Commission for the term expiring December 1, 1959.

The following is information relative to him, which I think will be of assistance to your Appointments Committee:

Born in Stamford. Graduate of Public and High School

Attended U. S. Armed Forces Institute and the Corps
School in San Diego, California

A member of the Stamford Fire Department since 1951

Married, father of two children.

Sincerely,

WEBSTER C. GIVENS,
Mayor

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The following letter was presented and referred to the Fiscal Committee, Personnel Committee and Legislative & Rules Committee:

May 28, 1958

Mr. Norton Rhoades, President
Board of Representatives

Dear Mr. Rhoades:

I would like to refer to the Board of Representatives the matter of City-wide pensions now in existence, in order to have same put on a sound actuarial basis.

As the Legislative body of the City of Stamford, I feel that this matter should first come before your Honorable Board.

However, I want to assure you that you will have the full cooperation of all City Departments when you are ready to hold meetings on same.

This matter has been kicked around for the past few years and I feel now that we should definitely do something about it.

Sincerely,

WEBSTER C. GIVENS,
Mayor

COMMUNICATIONS FROM OTHER BOARDS AND INDIVIDUALS:

MR. RHOADES: "We have two communications. One is a letter from Joseph LiVolsi, General Chairman of the Veterans Parade, the Yankee Division and Marine Corps League on Saturday, June 21st. In this letter, we have been requested to participate. The President has appointed Mr. Colatrella and he has very graciously accepted, to be in charge of this Board's participation in the parade. Mr. Colatrella will attempt to secure cars in which the members may ride, and he will contact you later in regard to details. The parade is Saturday, June 21st at 2 P.M."

Mr. Rhoades also read a letter from Mr. Pavia, the Postmaster, in regard to a zoning situation on Hope Street and the new post office.

OLD BUSINESS:

Re: Richmond Hill Bridge - Suggested change of name to J. Flemming Rutledge

MR. VITTI said he had decided to hold off on the resolution for the reason that there have been other suggested places by various people.

Re: Letter from State Highway Commissioner Newman Argraves, dated May 23, 1958 to Mayor Givens, concerning plans for reconstruction of Route 137, High Ridge Road

Mr. Rhoades mentioned that some members might be interested in a contemplated public hearing which is planned for sometime during the first two weeks in August in regard to the effect on the abutting properties of the widening of this road. He said the hearing is to be held as soon as plans can be developed which will show the effect of the contemplated widening of the road.

NEW BUSINESS:

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MR. FREDERICKS spoke briefly on his plans to resign as a member of the Board of Representatives, giving as his reasons pressure of business affairs which would take him away, necessitating his absence from the July, August and September meetings of the Board. He said his resignation would be effective from the time his successor is appointed.

Several members of the Board spoke, urging Mr. Fredericks to reconsider his plans to resign, among them being Mr. Nolan, Mr. Connors, Mr. Kelly, Mr. Vitti, Mr. Geronimo and Mr. Rhoades.

MR. RHOADES announced that the next meeting of the Steering Committee would be held on June 23rd and the next Board meeting on July 7th.

MR. RHOADES called attention to the meeting of the Appeals Board which will be held after the adjournment of the meeting tonight.

There being no further business to come before the Board, the meeting was adjourned at 11:10 P.M., upon motion, duly seconded and CARRIED unanimously.

Respectfully submitted,



Norton Rhoades, President
Board of Representatives

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