

September 8, 1958

A regular meeting of the Board of Representatives of the City of Stamford, Connecticut was held in the Cafeteria of the Dolan Jr. High School, Glenbrook, on Monday, September 8, 1958.

The meeting was called to order by the President, Mr. Norton Rhoades, at 8:08 P.M.

INVOCATION was given by Reverend W. David Crockett, Pastor of the Emmanuel Episcopal Church.

ROLL CALL was taken by the Clerk. There were 39 present and 1 absent. The absent member was Alanson R. Fredericks, who was out of town on business.

ACCEPTANCE OF MINUTES - Meeting of August 4, 1958

The Minutes were approved, with one correction: Page 1972 under Fiscal Committee, 6th line, the Code #400.1 was corrected to read "Code \$460.1".

APPOINTMENT OF TEMPORARY CLERK:

Mrs. Virginia D. Horner was appointed Temporary Clerk, to act in Mrs. Zuckert's absence at the October meeting of the Board.

COMMITTEE REPORTS

STEERING COMMITTEE:

MR. RHOADES, Chairman, presented the following committee report:

STEERING COMMITTEE REPORT
Meeting held August 25, 1958

The Steering Committee met in the Mayor's office, City Hall, at 8 P.M. on Monday, August 25, 1958.

Present were: Messrs. Rhoades (Chairman), Murphy, Baker, Vitti, Geronimo, Colatrella, Topping, Lewis, Connors, Raiteri, Nolan and Mrs. Zuckert.

Also present, but not as members of the Committee were: Messrs. Milano, Kelly, and Marciano (Chairman of Picnic Committee).

The following matters were discussed:

- (1) All fiscal matters, previously approved by the Board of Finance, were ordered placed on the Agenda under Fiscal Committee.
- (2) A letter from Mayor Given, dated Aug. 12, 1958, re pensions and calling attention to one problem in particular, was referred to the Fiscal Committee.
- (3) A proposed Ordinance, amending Chapter 23 of the General Ordinances, prepared by the Legislative & Rules Committee, was presented and copies ordered prepared and sent out to all Board members in time for study before the September Board meeting.
- (4) The method of certification of streets before acceptance, was discussed. Referred to Public Works Committee.
- (5) Mr. Topping, Chairman, Public Works Committee, brought up the subject of Performance and Indemnity Bonds for street openings. Ordered placed on

Agenda under Public Works Committee.

- (6) Mr. Colatrella requested the Public Works Committee to investigate a traffic hazard caused by a retaining wall on Greenwich Avenue. Referred to Public Works Committee.
- (7) Several other members brought up hazardous situations in their Districts. They were requested to present their complaints in writing, in order that they could be handled more efficiently.
- (8) Letter dated Aug. 25, 1958, from Mr. Raiteri - Re use of Stamford Power Squadron in aiding the Special Committee on Harbor Safety. Referred to that Committee.
- (9) Complaint dated Aug. 6, 1958, from Seymour Robinson, regarding drainage condition on Westwood Road. Referred to Public Works Committee.
- (10) Complaint from property owners on Rolling Wood Drive, dated Aug. 13, 1958, re erosion of land caused by drainage ditch. Referred to Public Works Committee.
- (11) Letter dated Aug. 14, 1958, from law firm of Plotnick & Plotnick, protesting request from certain property owners on Hardesty Road and Hartcroft Road to have streets brought up to standard for acceptance, with cost billed to the property owners. Referred to Public Works Committee.
- (12) Letter dated Aug. 4, 1958, from Three Lakes Home Owners Association, asking that Woodridge Drive South, Three Lakes Drive and Bridle Path be brought up to condition for acceptance by city, with cost billed to property owners. Referred to Public Works Committee.
- (13) Letter dated Aug. 7, 1958 from William M. Ivler, complaining of use of Nash Court by large construction equipment, in building development owned by Herman Glickman. Referred to Planning and Zoning Committee.
- (14) Petition dated July 17, 1958 from residents, complaining of dangerous walking condition on White Birch Lane. Referred to Public Works Committee.
- (15) Re: Personnel Board of Appeals Mr. Baker announced that this Board will meet in the City Court Room on Thursday night, Sept. 4th to hear the appeal of David McKeithen, Police Officer.
- (16) Charter Revisions Mr. Baker also brought up the method of referring suggested revisions to the Charter and explained he had been requested to bring this matter up by Mr. Fredericks. He asked why Resolution No. 278, adopted on 6/2/58, could not be amended so that proposed Charter amendments go directly to the Charter Revision Commission instead of first going through the Board and then being referred to the Commission. It was explained that the resolution had been purposely drawn up to require prior Board approval before submission to the Commission.
- (17) Heliport Lease (Requested in Mayor's letter July 15, 1958) Referred to the Legislative & Rules Committee.
- (18) Parking Authority - Request for approval of proposed lease negotiation with State re parking area for approximately 170 cars in area near Thruway. Referred to Legislative & Rules Committee.
- (19) Petition from United Fund, dated Aug. 4, 1958, requesting approval to erect promotional display signs in various city parks, from first week in September through October 31. Referred to Parks & Recreation Committee.

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- (20) Picnic Committee - Mr. Marciano, Chairman of the Committee, brought up the matter of the September 14th picnic. It was decided to limit invitations to former Board members, the heads of City Departments and elected officials.
- (21) Fact-Finding Committee re problems connected with Police Department - This was discussed, but in the absence of Mr. Cummings who brought this matter up at the August Board meeting, the Committee was unable to take action because there was nothing presented. As voted in the August 4th meeting, it will be placed on the Agenda under Old Business for discussion as a Committee of the Whole.

There being no further business to come before the Committee, the meeting was adjourned at 9:40 P.M.

Respectfully submitted,

Norton Rhoades, Chairman
Steering Committee

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FISCAL COMMITTEE:

Mr. Cummings, Vice-Chairman, who presided in the absence of Mr. Huizinga, Chairman, presented the committee report. He stated the regular monthly meeting of the Fiscal Committee was held Tuesday evening, September 2, 1958 and present at the meeting were members of the other Committees who also had fiscal matters referred to them - namely, the Personnel Committee and the Education, Welfare and Government Committee. The absent members of the Fiscal Committee were Messrs. Topping and Robertucci.

The following matters, which appear on the Agenda, were considered:

- (1) \$10,392.98 - Department of Public Welfare, Code 460.1, Salaries (As set forth in Mayor's letter of July 2, 1958) (Also referred to Personnel Committee and Education, Welfare and Government Committee)

MR. CUMMINGS: "The position of Clerk-Stenographer, Grade 3, included in this request, is one grade lower than the position approved by this Board at its March 3rd meeting. Investigation by the Fiscal and Personnel Committees disclosed that the only error seems to be that of omission from the regular Budget. Accordingly, the Fiscal Committee recommends approval of this request, and I so MOVE."

MR. RYBNICK stated the Personnel Committee concurs in the approval and seconded the motion.

MR. MACRIDES said the Education, Welfare and Government Committee also approved this request.

VOTE taken on approval of additional appropriation in the amount of \$10,392.98 for Department of Public Welfare, Code 460.1, Salaries and CARRIED unanimously.

- (2) \$125,000.00 - Board of Education - Amendment to 1958/1959 Capital Projects Budget for item known as "Senior High School, Plans and Site Improvements" (As requested in Mayor's letter of July 21, 1958)

MR. CUMMINGS: "A great deal of discussion evolved about this item, especially with regard to the position in which the Board of Representatives has been placed. Several courses of action were discussed, but the item was recommended for approval by the full Board by a vote of four in favor and two opposed.

"Your Fiscal Committee wishes to emphasize the fact that we are approving this additional \$125,000.00 appropriation only because the Board of Finance has refused to transfer funds which have been lying idle for approximately two years. We still believe these funds which are now available should be used for the Senior High School plans and site improvements, rather than increase the 1958-1959 Budget by an additional \$125,000.00.

"When this Board approved the 1958-1959 Budget, they did so with the understanding that the Board of Finance would transfer these necessary funds, and a majority of the members of the Board of Finance so advised the Chairman of the Fiscal Committee in specific telephone conversations at that time.

"The Board of Finance is, in effect, forcing the Board of Representatives to make this additional appropriation, knowing full well that disapproval of this appropriation will delay the building of the High School, and obviously, no one is in favor of any delay in the construction of the High School."

MR. CUMMINGS MOVED for approval of the following resolution, which was seconded by Mr. McLaughlin. Mr. Macrides stated that the Education, Welfare & Government Committee approves this request; and the sentiments expressed by Mr. Cummings.

RESOLUTION NO. 280

BE AND IT HEREBY IS RESOLVED by the Board of Representatives of the City of Stamford, pursuant to Section 611.5 of the Stamford Charter, to approve an amendment to the Capital Projects Budget for the year 1958-1959 by including therein an item in the amount of \$125,000.00 to be known as "Senior High School, Plans and Site Improvements", and

BE IT FURTHER RESOLVED to approve the appropriation of \$125,000.00 for said "Senior High School, Plans and Site Improvements", which said sum is to be financed by direct taxation.

MR. NOLAN: "Mr. President, I think I brought this matter up at our August 4th meeting and I would refer to page 1972. At that time the Chairman of our Fiscal Committee was not here. I asked for a clarification of some of the matters that had transpired in terms of our rejection of this part of the Capital Projects Budget. I understand that there is a very definite need for the High School, and I also understand from information that has been given me, that there is also great need for a Junior High School in the near future. However, I certainly would like to have a clarification of what did actually transpire. I would ask for this, Mr. President, especially, due to the circumstances of having the Fiscal Committee vote as they did - four to two. This definitely leaves the impression with me that there certainly was a minority, if not a minority report, showing a very definite difference of opinion. I think we should clarify this issue right now and bring it on the floor in front of the public.

"Now if we were wrong in our assumption that this money was lying dormant, as I stated at our last meeting, this money for the Junior High School-----if we were wrong in that assumption, let us be the first ones to admit it and sort of humble ourselves and say that we did make a mistake. However, (I hate to bring this up) but if possibly the Planning Board was wrong, or the Board of Finance was wrong, let's find out what happened, so that we won't make mistakes like this again; or if we were right, we will know how to follow through better the next time. I would like to know why we had a difference of opinion in Committee on this matter and why they could not all agree."

MR. HUIZINGA: "Mr. President, I was one of those people who voted against this at our Fiscal Committee meeting. The reason I did was primarily as a protest against the manner in which this entire matter was handled. I shall try to tell you exactly what happened as briefly as possible.

"The first meeting which the Fiscal Committee held with the representatives from the Board of Education, which included Mr. Neuwien, the President, Mr. Allaway and Mr. Brant, I believe. At that time the question was brought up by the Fiscal Committee as to why the funds which had been earmarked for the purchase of property for a second Jr. High School, could not be transferred for this purpose of the Senior High School site, because these funds have been lying idle for about two years. Mr. Neuwien very specifically said that he thought this could be done. All the members of the Board of Education who were present at the meeting with the Fiscal Committee agreed these funds could be transferred, and, later on ask for additional funds for the purpose of the second Junior High School, because this was so far in the future.

"We checked after this meeting, before the Fiscal Committee voted to do that. We checked all the way through. We checked with the Commissioner of Finance to see whether this was possible. We called three members of the Board of Finance and put the question in front of them and they said: We agree with you 100% and when it comes before us, we will transfer the funds, because it will keep down our Budget \$125,000.00'. We did everything we possibly could to make sure that things would go through the right way.

"The Board of Education then should have requested directly of the Board of Finance for the transfer of these funds. As I understand it, the Board of Education did do this - they asked for the transfer of these funds and they also asked for an appropriation to replace the funds which were being transferred. If I am not mistaken they were both done at the same time. Now, according to the Charter, a new appropriation must go to the Planning Board; but a transfer does not have to go to the Planning Board. They BOTH went to the Planning Board. The Planning Board acted on it and recommended to the Board of Finance that rather than transfer, to make the additional appropriation. The Board of Finance then made the additional appropriation and did not transfer, so it put the whole thing back in our lap again. In other words, we did it purposely to try to keep the Budget down. By so doing, we, as a Board would have another chance at approving the appropriation for the purchase of property for the second Junior High School. But as things stand now, we do not have that opportunity."

MR. NOLAN: "I am just rather curious as to the action of the Planning Board here. If I understood the speaker's remarks correctly - Mr. Huizinga, you stated that the Mayor submitted the new appropriation to the Planning Board, which would be right under the Charter. The Planning Board made a recommendation to the Board of Finance in which they told them that they should not transmit the money. Now, in your opinion, is that a part of their duties?"

MR. HUIZINGA: "I do not know whether the Planning Board did that. The Planning Board did nothing but approve the appropriation for the additional funds. They said nothing about a transfer."

MR. NOLAN read a portion from the Mayor's letter of June 18, 1958, addressed to the "Planning Board, Board of Finance and Board of Representatives" as follows:

".....Therefore, in accordance with Section 611.5 of the Charter, I am hereby requesting the Planning Board to recommend to me, in writing, its approval of an amendment to the 1958-59 Capital Budget to approve the transfer of bond funds

in the amount of \$75,000 from West Hill, Stillwater, Roxbury School Site in the 1956-57 Capital Budget and \$50,000 of bond funds from the West Hill, Stillwater, Roxbury School Site in the 1957-58 Capital Budget to Senior High School, Plans and Site Improvements, for a total amount of \$125,000.00."

MR. HUIZINGA: "The reason why the top of that letter mentions the three Boards, Planning Board, Board of Finance and the Board of Representatives, is for a matter of information only. A copy of that letter would go to the Planning Board, just for that reason."

"As I understand it, the Planning Board is not required to act on transfers."

MR. NOLAN: "The only point I wish to make is this - in the main part of the letter, it requests the Planning Board to approve the transfer. Possibly we got into some difficulty over that. I don't want to belabor the point, but I think that...."

MR. HUIZINGA: "There could be a possibility of that, Mr. Nolan. From the reading of the letter, it would indicate that it is addressed to all three Boards and would appear that all three Boards should act on it. I believe that the Mayor, in writing this letter, was assuming that the copy of it would go to the Planning Board for information only. I think he would assume that the proper Boards would act on it in accordance with the provisions of the Charter."

MR. KOLICH: "I was among the members of the Fiscal Committee who voted with the minority. I am in full accord with Mr. Huizinga on this matter. I did not contact any members of the Board of Finance when any arrangements were being made, but I assume that Mr. Huizinga did."

MR. RAITERI: "According to Sec. 611.4 of the Charter it states that the Mayor may, in his discretion, revise the Budget, which would incorporate, naturally, an amendment. It also says 'but he may not include therein any new projects, without first submitting them to the Planning Board...', and if the Planning Board is opposed, the fact should be recorded by the Mayor when submitting his recommendations to the Board of Finance and the Board of Representatives."

"Now, do we have anything in writing from the Planning Board in regards to their decision on this matter?"

MR. HUIZINGA: "They went on record as opposing a transfer."

Mr. Raiteri's attention was called to letter dated August 13, 1958, addressed to Mayor Givens, with carbon copies to the Board of Finance and the Board of Representatives and signed by Mr. Walter Wachter, Planning & Zoning Director, which letter reads as follows:

"I have been instructed by the Planning Board to advise you that, at its meeting on August 12, 1958, the Board unanimously adopted the following resolution:

BE IT RESOLVED that the Planning Board of the City of Stamford, pursuant to Section 611.5 of the Stamford Charter, hereby recommends the approval of an amendment to the 1958-1959 Capital Projects Budget by including therein an item in the amount of \$125,000.00 to be known as, 'Senior High School, Plans and Site Improvements'."

MR. RAITERI: "So the Planning Board went on record as approving the amendment?"

Mr. Raiteri was assured that was correct.

MR. MURPHY said he expressed his opposition to this proposal at the joint meeting. He said: "My main reason is the lack of necessity for this appropriation. The Board of Representatives has been by-passed by advisory committees and such. Now, I see after taking action upon the Budget that one of our fellow Boards, or two of our fellow Boards, namely the Planning and the Finance Boards, have over-ruled us."

Mr. Cummings called attention to Mr. Rhoades remarks on this subject, on page 1973 of the Minutes of August 4, 1958, regarding growing tension.

MR. CUMMINGS: "I am sure that most of us who were at the joint meeting of the Fiscal Committee, Personnel Committee and the Education, Welfare and Government Committee, were working in complete harmony and that our minds were all on only one common difficulty. Yet, since that meeting, most of us have heard of another Committee of our Board, who was invited to a joint session with the Board of Finance, yet who were left outside of the meeting until 10:45 P.M., without their presence even being acknowledged and I am quite sure that neither the Fiscal Committee, or some of the other committees (certainly I know I can speak for the members of the Fiscal Committee) would be willing to even meet under such circumstances, unless we were assured of much better treatment than that."

"I think that all of us feel unanimous in this respect. On this one ground, unless I misinterpret the statements from the other side of the table, that we are finding fault. However, this is aside from the motion which is now on the floor in regard to the \$125,000 additional appropriation."

MR. RHOADES: "The President feels very strongly the difficulty of the situation as it increasingly becomes apparent that different people on the fiscal set up of our city, understand differently the approaches to these problems, and he feels, as indicated at the last meeting, that some such meeting as that indicated must be held, and the President will make an attempt before Budget time to see that such a meeting is held."

MR. WILENSKY: "I can understand the reasons for the sentiments expressed here tonight. I have hoped that the Board will concentrate on the main problem of getting the school built, whether you are mad at the Board of Finance or any other Board. Let's keep in mind that this \$125,000 has been committed and if it isn't forthcoming, we will delay the school further. The school has already been started two or three years too late, as evidenced by the fact that the High School is now on double sessions. I would ask for a vote in favor of this appropriation."

Rising VOTE taken on Resolution No. 280 and CARRIED by a vote of 37 in favor and 1 opposed.

- (3) \$2,907.20 - Pension for Patrolman James M. Broderick - Effective August 12, 1958.
Based on annual pension of \$3,270.45, or two-thirds of annual salary of \$4,905.68
(As requested in Mayor's letter of July 25, 1958)

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

- (4) \$3,359.57 - Pension for Det. Sgt. Joseph T. Lyden - Effective August 14, 1958.
Based on annual pension of \$3,803.28 or two-thirds of annual salary of \$5,704.92
(As requested in Mayor's letter of July 25, 1958)

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

- (5) \$5,394.62 - Tax Refund in settlement of judgment on tax appeal, Old Colony Co.
(As requested in Mayor's letter of August 1, 1958)

MR. CUMMINGS MOVED for approval of the above request. Mr. Macrides said the Education, Welfare and Government Committee concurred in the approval. Seconded by Mr. McLaughlin and CARRIED unanimously.

(6) Pension Funds

MR. CUMMINGS: "The matter of pension funds was discussed by your Committee, and initial plans were formulated for the start of this study. This item, is of course, being held in Committee."

LEGISLATIVE & RULES COMMITTEE:

MR. RAITERI presented the committee report. He stated that meetings of the Legislative & Rules Committee were held on August 21 and 28 and on September 4 and 5, 1958, and that all members were present at all meetings with the exception of the meeting of August 28 when Mr. Russell was out of town on vacation.

He said the meeting of August 28 was devoted to the proposed Plumbing Code and they met with nine representatives of the plumbing trade in review of the proposed code to be submitted for public hearing. He said the Code proved to be satisfactory to them with the exception of a small number of minor revisions and that their concurrence and support at the public hearing should be of value in resolving any questions which might arise at the hearing.

Mr. Raiteri said the meeting of September 4 was devoted to a review of the proposed Heating and Air Conditioning Code, with eleven representatives of those trades present at the meeting and suggestions presented will be considered by the Committee for incorporation in the final text to be presented for public hearing.

- (1) Heliport Lease (See Mayor's letter of July 22, 1958, enclosing copy of letter from New York Airways dated July 15, 1958)

MR. RAITERI: "The Board of Finance at its meeting of August 4 voted unanimously to approve the amendment and extension for a two year period, November 1, 1958 to October 31, 1960 inclusive, the present lease between the City of Stamford and New York Airways, Inc., covering city-owned property on which is situated the Stamford Heliport, in accordance with the recommendations made by the Planning Board, which recommendations are more fully set forth in the letter from the Planning Board to the Mayor, dated July 30, 1958, providing that the lease shall contain a clause permitting the City or the lessee to terminate upon 90 days notice."

Mr. Raiteri said the Committee unanimously recommended the adoption of a resolution authorizing the Mayor to enter into a lease agreement on the basis approved by the Board of Finance, with the added recommendations that the Public Works Department proceed at the earliest date possible to grade and oil Hanover Street and that it be suggested, in view of the nominal rent involved, the lessee undertake the black-topping of the landing pad and station walk-away.

MR. RAITERI MOVED for adoption of the following resolution. Seconded by Mr. Colatrella and CARRIED by a rising vote of 37 in favor and 1 opposed:

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RESOLUTION NO. 281

BE AND IT HEREBY IS RESOLVED by the Board of Representatives of the City of Stamford, Connecticut, that the Mayor be and is hereby authorized to take all necessary action and execute and deliver all appropriate and necessary documents, to lease areas 3 and 5 and 100 feet of area 1, fronting on Hanover Street, as shown on map entitled "City of Stamford (Heliport) Map Showing Subdivision of Property Owned by the City of Stamford Located on the East Side of Magee Avenue, Stamford, Conn." dated July 15, 1958, to New York Airways, Inc., for the purpose of a municipal heliport; such lease to be an amendment and extension for a two-year period of the present lease between the City of Stamford and New York Airways and to be negotiated in accordance with the conditions set forth in the resolution of the Board of Finance dated August 4, 1958.

MR. RAITERI MOVED that a letter be sent to the Mayor with the recommendations set forth in the Committee's report in regard to the Heliport, namely, the grading and oiling of Hanover Street and the suggestion that the lessee undertake the black-topping of the landing pad and station walk-away. Seconded by Mr. Baker and CARRIED unanimously.

(2) Parking Authority Lease with State Highway Department for parking lot, vicinity of Stamford Station, New Haven Railroad

MR. RAITERI read the following letter on the above matter:

PARKING AUTHORITY

City of Stamford

August 15, 1958

Board of Representatives
City Hall
Stamford, Connecticut

Gentlemen:

Please see the attached copy of a lease we hope to negotiate, in the near future, with the State Highway Department. The land referred to is shown on the attached map. This area was designed for parking before the construction of the Thruway.

In the interest of speed, to acquire this badly needed area, we will appreciate your empowering the Stamford Parking Authority to finish negotiation with the State as soon as the contractor has completed his work.

The two areas will hold approximately 170 cars. The annual income will be approximately \$11,420. The estimated expense of preparing the area will be \$7,500. It is estimated that the original investment will be amortized in eight months of operation.

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Please do not hesitate to call for any further information you may require. Your cooperation will be deeply appreciated.

Very truly yours,

PARKING AUTHORITY

Alfred H. Barrett,
Chairman

MR. RAITERI: "Your Committee discussed this matter with Mr. Barrett, who attended the meeting to assist in consideration of the request, and it was unanimously recommended to approve the following resolution and I so MOVE. Seconded by Mr. Lewis and CARRIED unanimously:

RESOLUTION NO. 282

BE AND IT HEREBY IS RESOLVED by the Board of Representatives of the City of Stamford, Connecticut, that the Stamford Parking Authority be and is hereby authorized, with the advice and approval of the Corporation Counsel, to take all necessary action and execute and deliver all appropriate and necessary documents to lease, in the name of the Stamford Parking Authority from the State of Connecticut, as represented by the State Highway Department, certain parcels of land under or adjacent to the Connecticut Turnpike in the immediate vicinity of the Stamford Station of the New Haven Railroad, said parcels to be used for parking of motor vehicles, term of said lease to be for a period of one year.

- (3) Proposed "Anti-Begging" Ordinance (Re-committed at Aug. 4, 1958 meeting)
- (4) Proposed amendment to Ordinance requesting increased license fees for frozen dessert vendors

MR. RAITERI: "These two items have been combined in the proposed amendment to Chapter #23 of the Code of General Ordinances, as set forth in the copy mailed to each member of the Board of Representatives.

"The proposed amended Ordinance is being reviewed by the Corporation Counsel, and pending completion of that review, the Committee requests that this matter be re-committed and I so MOVE." Seconded by Mr. Connors and CARRIED unanimously.

- (5) Transfer of land on Scofieldtown Road to the State of Connecticut as site for Stamford branch of the University of Connecticut. (See Mayor's letters of June 10, 1958 and June 26, 1958 with attachments)

MR. RAITERI MOVED for suspension of the rules in order to take up the above matter. Seconded by Mr. Baker and CARRIED unanimously.

MR. RAITERI: "The Board of Finance at its meeting of September 5, 1958, approved the transfer to the State of Connecticut of Plots A & B, as shown on map prepared by the City Engineering Department, entitled 'City Property at Scofieldtown Road, Stamford, Conn.' upon the condition that said premises shall be used by the State of Connecticut for the construction of buildings to be used and operated by the University of Connecticut for university level educational purposes within a period of three years from the date hereof. (The date of their Sept. 5, 1958 meeting) In the event the State of Connecticut fails to construct said university buildings within said period, title to said plots A and B shall revert to the City of Stamford. Said transfer is

further approved upon the condition that in the event said premises shall at any time in the future cease to be used for educational purposes at the university level, the title to said premises shall revert to the City of Stamford.

"The Committee unanimously voted to recommend approval of said transfer on the terms and conditions approved by the Board of Finance. It also recommends adoption of a resolution authorizing the Mayor to negotiate and execute said transfer."

MR. RAITERI MOVED for adoption of the following resolution, which was seconded by Mr. Kelly:

RESOLUTION NO. 283

BE AND IT HEREBY IS RESOLVED by the Board of Representatives of the City of Stamford, Connecticut, that the Mayor be and is hereby authorized to take all necessary action and execute and deliver all appropriate and necessary documents, to transfer 46.5 acres of City-owned property on the easterly side of Scofieldtown Road in the City of Stamford, to the State of Connecticut, for the purpose of conducting thereon a program of higher education, in exchange for the total sum of One Dollar.

MR. MACRIDES: "I would like to express a little righteous indignation on the part of my committee for not having been invited to attend the Finance Board's hearing on this matter. However, as an individual, I feel that the only drawback has been answered by this three year time limit in having the university begin construction, or at least begin indication of construction. I would therefore be in favor of the resolution."

MR. BAKER: "I should also like to express a little righteous indignation on the part of the members of the Legislative and Rules Committee. At the specific request of the Mayor, the Legislative and Rules Committee scheduled a meeting for Friday evening September 5th, having also had one the previous evening until after midnight, for the purpose of sitting with the Board of Finance at their regular meeting when they were considering the question of the transfer of this land for the University of Connecticut.

"At exactly 20 minutes of 11, the Legislative and Rules Committee was apprised that the Board of Finance had taken final action. This appears to be completely inconsiderate and I should like to go on record as being indignant about it."

MR. GERONIMO: "Mr. President, the only objection that I have at the present time which is very alarming to me, is the fact that several days ago, I believe, the local paper carried an article that spoke about the pollution which would occur from the sewage disposal system in the new High School, where the effluent which flows to Toilsome Brook was already contaminated to a certain alarming degree. The point which I wish to bring out is - to what extent will the construction of the university in that particular area have on the already alarming sewage disposal problem? I think that is an important question that should have been asked when first considering this site. Let's stop kidding ourselves. We're going to run into millions of dollars for sewers up in that area. Are we leading the horse, or is the horse leading us?"

There being no further discussion, a rising VOTE was taken on Resolution No. 283, as MOVED by Mr. Raiteri. CARRIED unanimously.

MR. RAITERI: "The reason for the following motion in reference to the resolution, is that the Board of Finance in their approval, designated the property as plots A and B on the easterly side of Scofieldtown Road. However, our resolution refers to 46.5

acres. The reason for that being a conflict in maps. The map which was presented to us shows the entire area as being 46.5 acres and the map that the Board of Finance worked from has these areas divided into parts A and B. Therefore, so that there will not be any future trouble, I would also like to make this motion: That the Board approve the transfer to the State of Connecticut, for the purpose of erecting thereon the Stamford branch of the University of Connecticut, of that portion of land known as "Sunset Home Property" identified on the map prepared by the City Engineering Department and entitled 'City Property at Scofield Town Road Stamford, Conn.' as being plot A, consisting of 24.5 acres more or less and plot B, consisting of approximately 22 acres more or less, excepting the cemetery shown on said plot B and any additional area required for expansion of the cemetery, provided that said premises shall be used by the State of Connecticut for the construction of buildings to be used and operated by the University of Connecticut for university-level educational purposes within a period of three years from the date hereof. In the event the State of Connecticut shall fail to construct said university buildings within said period, title to said plots A and B shall revert to the City of Stamford. Said transfer is approved upon the further condition that in the event said premises shall, at any time in the future, cease to be used for educational purposes at the University level, the title to said premises shall revert to the City of Stamford."

MR. RAITERI'S MOTION was seconded by Mr. Georgoulis and CARRIED unanimously.

PUBLIC WORKS COMMITTEE:

MR. TOPPING, Chairman, presented the Committee report, stating that a meeting was held August 27th. The members present were Messrs. Geronimo, Ketcham, Maffucci, Nilan and Topping.

- (1) Westwood Road - Complaint re bad drainage condition (Petition requesting acceptance as City street in hands of Planning & Zoning Committee)

MR. TOPPING: "The complaint was from a property owner, complaining that the developer had not fulfilled his obligation. The Committee recommends that this subdivision should not be accepted until such time as any possible legal action has been settled.

- (2) Nash Court, complaint from residents

MR. TOPPING: "This item does not appear on our Agenda. Mr. Ivler has requested that further Board action be postponed, to give the residents of Nash Court time to confer as to what course of action they wish to pursue.

- (3) Rolling Wood Drive, Hollow Oak - Complaint dated August 13, 1958 from members of Cedar Ridge Park Community Association re poor drainage conditions

MR. TOPPING: "Members of the Committee met with residents of the above streets regarding their complaint on bad drainage conditions. We found that the bone of contention is the brook. Erosion of the banks and contamination of the water by septic effluent and stagnant water is present. The Committee recommends that the Health Department test the water for health violations and pollution.

"Catch basins at the corner of Little Hills and Hollow Oak are full of sand and dirt and both Hollow Oak and Rolling Wood Roads need to have the loose sand and dirt removed so it cannot run into catch basins and plug them up again.

"The brook bed needs to be cleared of weeds, brush, and rocks from where it passes under High Ridge Road east to Little Hills Road and West to where it empties into a small pond."

- (4) Hardesty Road and Hartcroft Road - Petition requesting assessment of property owners to bring road up to acceptable condition; and letter from law firm protesting same.

MR. TOPPING: "It has been determined that these residents do not have fee title to these roads and only enjoy right-of-way over them. This Committee recommends that no further action be taken by the Board on this petition until such time as the petitioners own fee title to these roads, and I so MOVE." Seconded by Mr. Marciano.

MR. RHOADES: "Mr. Topping, the President feels very strongly that such a motion should include a letter, both to the petitioners and to the attorney, or to the people in whom the title does rest, informing them as to the action taken by this Board. Such request should be included as a part of the motion, as I believe that would be a simple courtesy."

MR. TOPPING incorporated Mr. Rhoades' suggestion into his motion. VOTE taken on the motion as amended and CARRIED unanimously.

- (5) White Birch Lane - Complaint from residents re bad walking conditions for school children (Also not on agenda)

MR. TOPPING: "This is a petition from the residents on this road, concerning sidewalks and widening of this road." (Mr. Topping read the petition at this point)

"This is a bad situation and the Committee recommends that this petition be referred to the Public Works Department for inclusion in next year's Capital Projects Budget, and I so MOVE." Seconded by Mr. Kolich and CARRIED unanimously.

- (6) Bridle Path, Three Lakes Drive, Woodridge Drive South - Letter dated August 4, 1958 from Three Lakes Home Owners Association, requesting survey of bringing roads up to condition for acceptance under Sec. 640 of Charter

MR. TOPPING: "Progress on this petition has been delayed, pending determination by the Public Works Department as to the type of road surface. Alternate #2 of Ordinance No. 73 Supplemental, has been decided by Public Works as the type to use and estimate can now be obtained."

- (7) Performance Bonds and Indemnity Bonds for street openings (Not on Agenda)

MR. TOPPING: "Sec. 34 of the Code of General Ordinances provides that before a street opening permit can be issued, a bond shall be posted with the City Engineer, protecting the City from damage suits, and also protecting the City in the case the permittee does not complete the work required by the permit.

"To date, we have not had a good bond. Therefore the Public Works Committee would like to present to this Board two Bonds. One, an Indemnity Bond of \$5,000 to cover a period of one year. The other a Performance Bond of \$1,000 to run for three years. These bonds have the approval of the Commissioner of Public Works.

"Last March I asked Mr. Maguire if he would write to the City of Milwaukee and secure from them a copy of their Performance and Indemnity Bonds. He did that, and after consultation with Mr. Maguire and the Corporation Counsel, Mr. Maguire decided that this was a very good bond to be used by the Department of Public Works. Therefore, this Committee would like to present to the Board the two Bonds in question - one an Indemnity Bond in the sum of \$5,000 to cover a period of one year and the other a Performance Bond of \$1,000 to run for three years.

"I will read the most important part of each bond. On the Indemnity Bond, it states:

'.....be granted a permit or permits for plumbing and/or drainlaying in the City of Stamford, and if he in that case shall indemnify and save harmless the City of Stamford and its officers and agents against any and all injuries and damages resulting or arising from the performance of any work for which the permit is issued, or from the performance by the applicant, his agents, employees or subcontractors of any work incidental to or connected with such work, and shall pay all judgments, costs and charges that may be recovered against the City of Stamford or any of its officers or agents by reason of the performance of said work or in consequence of any act done by said.....'

"The rest of this is just a standard form. And, that is in the amount of \$5,000.

"Now the Performance Bond reads:

'.....be granted a permit or permits for plumbing in the City of Stamford and if he shall perform and sufficiently complete all work for which said permit or permits are issued in accordance with the Plumbing Code of the City of Stamford, and all other Ordinances of the City of Stamford within a reasonable time as to fully protect the public health, safety and welfare, and if said.....will backfill and maintain any street, alley, or public grounds in which he makes any openings or excavations as directed by and to the satisfaction of the Commissioner of Public Works for a period of six (6) months after initially backfilling the same, and shall pay the cost of restoring the permanent surface of the street, alley or public grounds by the city, and that if the said..... in the event that at any time the backfilling of any ditches or excavations between the curb and lot line is found defective in that future settling occurs within a period of three years after the date of completion of the work, shall make or cause to be made necessary resultant repairs to curbs, sidewalks, driveways, etc., subject to the provisions of Section 29 to 38 of the Code of General Ordinances of the City of Stamford, and that if the said..... shall reimburse the City of Stamford for all damages to any city property resulting from his work operations, regardless of whether such damage is done by himself, his agents, employees or subcontractors, then this obligation shall be void.'

"As in the other Bond, the rest is a standard form. This Bond is in the amount of \$1,000.

"These bonds have the approval of the Commissioner of Public Works. We would like to refer these two bonds to the Legislative and Rules Committee for their checking as to possible conflict with our present Ordinances and to include them as a required part of our Code and I so MOVE." Seconded by Mr. Hearing and CARRIED unanimously.

MR. TOPPING MOVED to suspend the rules in order to complete his report. Seconded by Mr. Murphy and CARRIED unanimously.

(8) Poor lighting conditions - Lincoln Avenue, Sherman Street, Grant Avenue -
Complaint from residents (Submitted by Mr. Fortunato, 9th District Representative)

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MR. TOPPING read a letter from Mr. Fortunato, enclosing the petition from residents in the neighborhood, complaining of obsolete and inadequate lighting conditions.

MR. TOPPING: "The Committee recommends that a letter be written to the Public Works Department, requesting a lighting survey be made in this area, and a report submitted to this Board, and I so MOVE." Seconded by Mr. Fortunato and CARRIED unanimously.

MR. MILANO informed the Board that he understands that the Power Company is doing a survey on the above streets and has taken this matter up with the Department of Public Works.

(9) Lighting problems on the East Side, near Cove area.

MR. CONNORS: "If I remember correctly, four or five months ago, the question came up about lighting in the East Side. That was over in the Cove area, in the 10th or 12th District. I don't know what happened to it, but there was some mention of a survey being made, if I remember correctly."

MR. KELLY: "That request was put in, asking for proper and adequate lighting in the 12th District and it was executed by the Public Works Department and the now Hartford Electric Light Company. That was 8 or 9 month ago. The whole area has been taken care of and they did a very good job of it."

MR. TOPPING said he knew nothing about Mr. Connors request, but assured him that he would look into the matter.

(10) Complaint from residents of Dora and Albin Street (Submitted by Mr. Connors, 10th District Representative)

MR. TOPPING: "I have a request from Mr. Connors regarding complaints from residents of Dora and Albin Streets regarding sidewalks on the north side of Cove Road between Dora and Albin and Seaside Avenue. This is practically the same thing.

"Mr. Maguire, Commissioner of Public Works, was contacted and he promises, if at all possible, he will remedy this situation."

Several members spoke on this. Mr. Connors explained that there is a sidewalk on one side only and that the children are not allowed to cross the street at Dora Street and they have to walk up that side and there is no sidewalk. They have to walk up to Seaside Avenue where a guard is stationed, before being allowed to cross the street.

(11) Re: Pepper Ridge Place - Opinion from Corporation Counsel

MR. TOPPING read the following letter from the Corporation Counsel in answer to a request for his opinion at the August 4, 1958 Board meeting (See pages 1975 and 1976 of Minutes of that meeting for further clarification)

Sept. 8, 1958

Board of Representatives
City Hall
Stamford, Connecticut

Dear Board Members: Re: Pepper Ridge Place

This is in response to your request for an opinion as to whether the fact that one of the property owners on Pepper Ridge Place has filed an objection to the adoption of

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Resolution No. 279 places any restraints upon the power of the Board to proceed thereunder.

The powers of the Board with reference to public improvements are set forth in Chapter 64 of the Charter. There is no requirement therein that all property owners acquiesce in such proceedings. On the contrary, Section 642 expressly provides a procedure whereby any person affected by such condemnation proceedings is rendered an opportunity to be heard in respect to any assessment for benefits or damages.

Further than this, an appeal to Court is provided by Section 644 which gives adequate opportunity for a full hearing on the merits of any action taken by the Board or any other branch of the City government proceeding under Chapter 640.

Very truly yours,

(signed) Raymond G. Cushing
Corporation Counsel

MR. RAITERI: "My comments deal with the letter from the Corporation Counsel. I don't know whether it was a misunderstanding on the part of Mr. Topping, or on the part of our Chairman, or our Secretary.

"However, the intention of the Legislative and Rules Committee in sending a letter to the Corporation Counsel on Pepper Ridge Place, was not for his opinion as to whether or not any individual could refuse to accept any costs that might be levied in a condemnation of this nature. The question was as to whether or not, in fact, Pepper Ridge Place had been accepted by the old Town Council in their meeting of 1912 - sometime around there - because of a specific appropriation being made at that time and a resolution which was adopted thereon in regard to improvements made on that street.

"They appropriated \$500 to put the street in condition to be traveled upon. That was the question asked by the Legislative and Rules Committee. Was the City, by this action, actually accepting the street?"

MR. RHOADES: "Mr. Raiteri, was that request actually in our Minutes?"

MR. RAITERI: "Yes. I made the request at the time the Committee report was being made, Mr. Chairman, because the letter was only transferred to me that afternoon."

MR. RHOADES: "Then Mrs. Farrell could refer to our Minutes for the specific request. In the meantime, this information could be valuable to us."

PLANNING & ZONING COMMITTEE:

MR. RUSSELL, Chairman, presented his Committee report of meeting held Tuesday, September 2, 1958. He said the following members were present: B. Geronimo, W. Murphy, J. Wilensky and G. Russell.

MR. RUSSELL explained that because of vacation and the lateness of receiving many of the petitions for road acceptance, these would have to be deferred for action by the Committee until the next meeting.

(1) Complaints from residents on drainage problems on roads up for acceptance

MR. RUSSELL: "It was particularly noted that from this group of roads being petitioned for acceptance, the committee was also in receipt of letters and petitions from groups of residents complaining about serious drainage conditions on at least seven of the roads. These conditions will be very carefully investigated before the committee makes any recommendations for the acceptance of any roads involved with a drainage problem.

(2) Written certifications from City Engineer on roads being petitioned for acceptance by City

MR. RUSSELL: "The Committee also discussed the misunderstanding due to the Board not receiving written certifications, rather than verbal ones on the roads recently accepted by our Board. The misunderstanding was unintentional, partly as a result of the delayed Steering Committee meeting of July, which allowed too little time for the several procedure steps of visual inspection, writing up and receiving the written certification, the Committee meeting and then the typing up of the Committee report. It was also partly due to the Committee Chairman being under the impression that the Assistant City Engineer had sent the certification to the Secretary of the Board, as has been done in the past by the City Engineer, Mr. White, who on this occasion, had not been able to make the inspection tour himself.

"As a result of this misunderstanding, and in order to leave no legal doubts as to the status of these roads, the Committee agreed that a re-acceptance of said roads should be done at our September meeting.

(3) Acceptance of roads as City streets

MR. RUSSELL said the following roads have been certified by the City Engineer to be constructed in accordance with the requirements of the Planning Board and the Engineering Department and also have been inspected and received the favorable approval of the Committee. (Approved by City Engineer in letter of September 5, 1958, addressed to Mr. Russell, Chairman of Planning & Zoning Committee)

MR. RUSSELL MOVED for acceptance of the following roads as City streets. Seconded by Mr. Geronimo and CARRIED unanimously:

- * BERRIAN ROAD: Extending easterly from the already accepted portion of Berrian Road, to Pepper Ridge Road
Length approximately 505 feet, as shown on Map #5906 on file in Town Clerk's office
- * GAXTON ROAD: Extending northerly from Intervale Road to dead end
Length approximately 950 feet as shown on Map #5673 on file in Town Clerk's office.
- * NORVEL LANE: Extending easterly from Gaxton Road to and including turn around. Length approximately 475 feet, as shown on Map #5673 on file in Town Clerk's office
- * IDLEWOOD DRIVE: Extending from Berrian Road northerly to dead end.
Length approximately 1,250 feet as shown on Map #5900 on file in Town Clerk's office.
- * ROBINSON DRIVE: Extending easterly from Idlewood Drive to Pepper Ridge Road. Length approximately 470 feet, as shown on Map #5900 on file in Town Clerk's Office.

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* STUDIO ROAD: Extending from Wire Mill Road southerly and easterly to and including temporary turn-around. Length approximately 1,534 feet, as shown on Maps #4063 and #6393 on file in Town Clerk's office.

NOTTINGHAM DRIVE: Extending easterly from the already accepted portion of Nottingham Drive. Length approximately 382 feet, as shown on Map #6166 on file in Town Clerk's office.

COMMERCE ROAD: Extending westerly from Harvard Avenue to and including a turn around. Length approximately 1,355 as shown on Map #6043 on file in Town Clerk's office.

* These roads, through an error, were accepted at the August 4th meeting and are therefore being accepted again.

PARKS AND RECREATION COMMITTEE:

MR. KELLY, Chairman presented the committee report. He said the committee met August 26 with the Park Commission and at the conclusion of the meeting held another one of the committee itself.

MR. KELLY: "The Health Department also met with the Park Commission and informed them that unless a suitable building was erected on Cove Island to house utilities and the necessary facilities required by State Law, the two beaches would not be permitted to operate next year. It is the opinion of your Committee that something should be done immediately to appropriate the necessary monies to insure the people of Stamford the pleasures afforded them through the use of the Cove Island beaches. It would also insure the continuation of the fine recreation program that has been given to the children of Stamford during the past three years at Cove Island."

PETITIONS:

Petition No. 252 - United Fund request for permission to display promotional display signs in parks.

MR. KELLY: "A request for permission to place promotional display signs in the following parks was made by the United Fund: Bedford Street, St. John's, Davenport, Richmond Hill and Atlantic Square, from the first week in September through October 31st.

"The Park Commission has voted to grant this request and it has been o.k'd by the Police Department. Incidentally, as in former years, the Park Department assists the United Fund in placing these signs and in storing them. Inasmuch as the Park Commission and the Police Department have granted permission, I MOVE that the Board of Representatives also grant permission." Seconded by Mr. Hart and CARRIED unanimously.

Re: Acquisition of Park Area

MR. KELLY: "Your Committee has been notified that a meeting with interested parties concerning the possible acquisition of park area, will be set up within the next fortnight."

Re: Welcome Signs

MR. TOPPING: "You will remember that some time ago the Chamber of Commerce requested

permission of this Board to advertise the City of Stamford by placing welcoming signs at various entrances to the City. Both Mr. Kelly and myself investigated these signs and at that time they had no idea of the type of sign they wanted, so this Board took no action. Now, I notice that these signs have been made and have been placed in position. I was just wondering - do we have to give permission for that, or can they be placed without our permission?"

MR. KELLY asked Mr. Topping if it was not the Jr. Chamber of Commerce that requested the placement of these signs. He was informed that this was the case. Mr. Kelly said it was his understanding that this was done through the State and the local Police Department.

SPECIAL HOUSING COMMITTEE:

MR. RUSSELL gave an oral report, because of time limitations.

MR. RUSSELL: "Our Committee met with the Mayor, the City Housing Director and the Southfield Village Superintendent or Director and the Police Chief. There was a great deal of discussion, due to the Committee again going up to the Village. It looked to us as if little or no action had been taken by the Housing Authority as to the recommendations made by this Board. These recommendations were given after a great deal of work on our part.

"We found the place pretty disturbing as far as dirt is concerned. I have the latest Health report here and the Fire Department report and they more or less substantiate that these conditions exist - by that I mean the sanitary violations and fire violations. We feel that some of our recommendations were very simple. We asked to have mercury lighting put up there on some of these fringe areas because we felt that it was more desirable for proper general lighting."

Mr. Russell spoke at some length, reporting on the problems they encountered. He stated they were planning another meeting this week, on Thursday, at the Housing Authority, to try to iron out various other matters.

Mr. Russell distributed several pictures of conditions they investigated at the Village. The members of the Board inspected the pictures.

MR. LONGO also spoke of various complaints they investigated, in which tenants complained that it took many months to get any action from the Housing Authority in remedying matters.

MR. COLATRELLA said he thought the Commissioners had failed in their duty.

MR. RUSSELL pointed out that most of the problems were hard to find a solution for. He told of the garbage situation, where garbage is tossed down a flight of stairs because people are afraid to go from one floor to another to use the garbage disposal facilities.

MR. MARCIANO spoke about the need for added police protection and said he was very happy to see that the Board of Finance had finally agreed to give them more police.

MR. NOLAN spoke in favor of the Commissioners and said he knew they were all fine persons who were trying to do their duty. He said: "I am reminded of a series of articles that were recently published in the New York Times on the problems of Public housing. When some of the top minds in New York, who are well versed in problems of human relations, find they are confronted with the same type of

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problem we have, we realize these conditions are prevalent wherever public housing operates. I think what we should consider is what is actually happening here. It's a case where we are grouping together people in a project of this type - group relations can sometimes become very strained.

"I was talking to a gentleman who lives in one of the apartments whom I know to be a fine person and he keeps his apartment just the way he keeps his body -- clean, and he does a good job of it. I realize people have problems to deal with when the plaster happens to be falling down, etc. We do have many cases of people living in these apartments who really are doing a good job in keeping their places clean. There seems to be a sort of lack of leadership in these housing developments, but they have problems to deal with that are hard to solve and are prevalent in these type of buildings.

"I don't want to extend my remarks any further, but I would like to say that I know some of the gentlemen on there and I certainly don't want it to appear that I felt they were remiss in their duties."

MR. CONNORS: "I think I have been in and out of Southfield Village more than anyone in this room. I have worked in half of the apartments down there. Now, before they built these new apartments, they didn't have the troubles that they are having today. It has been proven time and time again that in these high density apartment buildings you have nothing but trouble. I went by one up in Bridgeport last Saturday. Why, it even got so bad up there that they had to blacktop the lawns - there is no such thing as lawns up there. There are windows broken, and when you speak to the Superintendent and they replace the windows, they just knock them out again.

"In all fairness to the Commission, I know that up there we have quite a few housing apartments in Stamford - we have Fairfield Court, Vidal Park, Havemeyer, and others. The conditions we are talking about that exist at Southfield Village do not exist at the other projects - why? It all goes back to what Mr. Nolan says. It is a crying shame that nice people have to live in a place with the type of neighbors that would just as soon throw baggage out the front door, rather than to walk to a garbage can. The average home owner doesn't throw his garbage around. He places it in a paper bag and then disposes of it - he doesn't throw it out into a hallway. You wouldn't do that sort of thing in a home of your own.

"I don't think the Housing Authority is lax. In fact, I think they are doing a good job. In fairness to them, they have really got a tough nut to crack. It's a hard job to keep up with people of that sort. I was talking to Mr. Demms this morning and he mentioned that they are going to hire a Supervisor of Maintenance and right now they are looking for a lady to handle the tenant relations, to see if they can't teach some of these people to keep their homes right, to take care of their garbage right and to take care of their children right. You can go down there in the morning and see them cleaning up the streets. You can go back there again in the afternoon and you would think the place had been hit by a cyclone - they throw stuff out in the road. What are you going to do about it? No matter how many men they have down there in Maintenance, they will never be able to cope with it. I don't think we should condemn the Commission - I think it is the laxity of the tenants - not in all tenants, just a small minority. It is terrible that the majority have to suffer because of the things that the minority do."

A great deal more discussion took place in regard to the conditions at Southfield Village and what could be done to remedy the problems existing there.

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SPECIAL COMMITTEE ON HARBOR SAFETY:

MR. LEWIS, Chairman, presented his Committee report. He said the Committee has held two meetings, plus a third for an inspection of the harbor of the City of Stamford.

MR. LEWIS: "A vote of thanks is due to the small boat owners in Westcot Cove, as well as the Stamford Harbor Association for their splendid and unselfish cooperation in operating their Harbor Patrol."

Mr. Lewis also extended the thanks of the Committee to the Harbor Master and the Commissioner of Public Works for their cooperation in helping the Committee evaluate various problems. He said the U. S. Coast Guard Auxiliary (Flotilla 74) had been of great help by coordinating their training program with the activities of the above groups.

MR. LEWIS: "Your Committee have asked the Legislative and Rules Committee of this Board to prepare an enabling Act for presentation to the State Legislature when they convene in January. This will then give the Board the proper authority to prepare and enact Ordinances for control of boating operations in the Stamford waters. Your Committee is giving thought to suggesting that a permanent Harbor Commission be formed, as past incidents clearly point out the necessity that an inspection body be assigned the task of enforcing, as well as future recreation planning for the waters of the City of Stamford."

Mr. Lewis also stressed the need for the purchase or donation of a police boat, in addition to two smaller boats for the control and proper enforcement of harbor problems. He said the Committee hopes to offer an Ordinance for study by the Legislative and Rules Committee at the next Board meeting.

PICNIC COMMITTEE:

MR. MARCIANO, Chairman, reported that all former Board members, heads of departments, elected and appointed officials have been contacted, and that up to date they had 43 reservations for adults and 19 children. A list was passed around for each member to signify how many would attend from their families to enable the committee to know how many guests to prepare for.

COMMUNICATIONS FROM OTHER BOARDS AND INDIVIDUALS:

MR. RHOADES presented the following communication from Mr. Frank Zezima, a member of the Board of Recreation:

56 Stephens Street
Stamford, Connecticut

August 25, 1958

Att: Mr. Norton Rhoades, President
Board of Representatives
Stamford, Connecticut

Re: Usage of canned and keg beer in playground areas in the City of Stamford as already passed by the Board of Representatives and discussed on Monday evening, August 4, 1958

Gentlemen:

At your meeting of August 4, 1958, it was stated that the Recreation

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Board was represented at a committee meeting, May 3, 1958, by Frank Zezima, who attended with full power to act for the Board of Recreation.

I disagree with the above statement. I stated to the Committee at the meeting May 3rd "that I could not speak for the entire Board of Recreation, but would take back to the Board the substance of the meeting that they, in turn, would act on same."

My procedure, as I mentioned above, was decided at a Board of Recreation meeting previous to the Committee meeting of May 3rd. Why should I violate my Board's trust in me?

I feel that there has been a misunderstanding or a mis-quote regarding my statement -- the correct statement, and I repeat:

"I will carry back to my Board."

It is certainly not my intention, nor the intention of our Board, to prolong a discussion of the differences of opinion on this matter.

I know that if Minutes were kept of the May 3, 1958 meeting, you will find my statements to be correct.

Sincerely yours,

(signed) Frank Zezima
Member, Board of Recreation
City of Stamford

P.S. I would be pleased if you would read the above as a Communication at your next meeting. Thank you. F.Z.

MR. RAITERI: "There definitely was some misunderstanding there. It was the Committee's understanding that Mr. Zezima came there with full power to act for the Board of Recreation. Whether or not this was true, we will have to leave in the minds of the individuals studying the situation. However, there is one important statement which Mr. Zezima has made and I think deserves comment, and that is this: He stated his position that he would carry back to his Board the thoughts conveyed at that Committee meeting. If that was true, and he did carry back to his Board any discussion and points that the Committee brought up that evening, then his Board would have known PRIOR to the adoption of that Ordinance what our thoughts were and what we were contemplating.

"As you know, the rules of the Board provide that an Ordinance has to be presented for publication and then, one month later, it will be acted upon for adoption. Therefore, the Board of Recreation had ONE MONTH in which to notify us of any objections that they may have had to any of the proposals in the proposed Ordinance. That month passed without any objections being voiced, either personally to any of the members, that I know of, or in letter form to this Board.

"Therefore, in view of these facts, I think we can correctly assume that the Board of Recreation was in accordance with the proposals as set forth in the PUBLISHED Ordinance that appeared in the Stamford Advocate. If they disagree at this point, then I think they were remiss in their duties when they didn't notify us, during that month's period, that they objected to anything that was being proposed."

Re: Notice of P.U.C. hearing, Friday, September 19, 1958, in Hartford, upon application of The Connecticut Company for operation of bus service to provide transportation for students to and from the new Catholic High School on Newfield Avenue, etc.

MR. LEWIS: "Apropos of the transportation of school children, I think this Board should communicate with the PUC regarding a long-standing problem, particularly when these busses will be operating on Newfield Avenue and carrying school children. They should have signs stating 'School Bus' and I would request that you turn that over to the proper Committee for action. I would prefer that it go to L & R who are quite familiar with it - in fact, I think it has been in their files now for the past seven years."

MR. RAITERI, Chairman of the Legislative and Rules Committee, was questioned as to whether or not this was agreeable to him.

MR. RAITERI: "Mr. Lewis has made a proposal that we go on record as approving the fact that these busses be designated as school busses during the hours in which they will serve the Catholic High School, I believe. I think we can act on this right now, as long as it is on the floor."

MR. CONNORS pointed out that this had been discussed by the Board a couple of years ago and it was discovered that as long as these busses serve the public as well as the school children, they cannot be forced to designate these busses as "school busses".

MR. RHOADES mentioned that this was a very complicated matter, especially when the busses are used for other transportation besides the transportation of school children, when they are public busses and not used exclusively for the transportation of school children.

MR. LEWIS asked that the Board make an attempt to go on record as to their thoughts on the matter.

MR. RUSSELL said this had been discussed so many times and the Board is still waiting for an opinion as to whether or not they have any jurisdiction in the matter. He said we even went so far as to ask the Prosecuting Attorney about it and the matter was never resolved.

It was decided to write a letter to the P.U.C., going on record as approving identification signs on busses carrying school children. This was unanimously approved.

OLD BUSINESS:

Re: Fact-finding Committee on problems connected with Police Department

(Ordered placed on Agenda at the August 4th Board meeting, for discussion as a Committee of the Whole at the next meeting)

MR. RHOADES: "The President would like to explain what he believes to be the parliamentary situation, after which he will turn the Chair over to a selected individual. Mr. Nolan, the Parliamentarian and your President, having been studying Robert's (Robert's Rules of Order) over the past couple of weeks, and we believe that the proper procedure to meet as a Committee of the Whole is this: The President shall select a Chairman for the Committee, which involves all the members here present, and a Clerk for the Committee, both of them other than the present President and Clerk of this Board; that the Committee will meet and discuss only the single matter which is before them. Then, the Committee will decide what action to take. This action will be taken by a majority vote only. That having taken such action, the Committee will then vote to rise and report to this Board, and will report in the person of its Chairman or its Clerk. This report will then be accepted or not accepted by the Whole Board.

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"If there is a motion in the Committee (of the Whole) which is acceptable to a majority - for instance, to investigate the Police Department - this motion will then have to be made in the form of a resolution, after the Committee has risen, to the whole Board and will require 27 votes (two-thirds of the total membership). Mr. Nolan, is that essentially the proper form?"

MR. NOLAN: "It is."

The President explained that under normal circumstances, he would appoint the Majority Leader to preside, but it was desirable to retain him to act as Parliamentarian. In the absence of the Minority Leader, who would be next in line, he appointed Mr. John C. Macrides, Assistant Majority Leader, to act as Chairman of the Committee of the Whole. Mr. Robert Lewis, the Assistant Minority Leader, was appointed to act as Clerk.

MR. MACRIDES took the Chair and Mr. Lewis assumed his duties as Clerk.

MR. MACRIDES called for a motion regarding the specific matter to be considered: "A Fact-finding Committee on problems connected with the Police Department."

MR. CUMMINGS MOVED for adoption of the following resolution:

BE IT RESOLVED by the Board of Representatives of the City of Stamford:

That a fact-finding Committee of said Board is authorized in accordance with Section 204.2 of the Charter, to investigate the Stamford Police Department and to report to the Board of Representatives its findings, along with any recommendations thereon. Said Committee shall consist of eight members, four Republicans and four Democrats, and shall elect its own Chairman.

NOTE: No further recording is made in the Minutes of the proceedings of the meeting of the Committee of the Whole, for the reason that Robert's Rules of Order states "The Secretary does not record in the Minutes the proceedings of the Committee...."

At the end of debate and meeting of the Committee of the Whole, Mr. Rhoades took the Chair and the Clerk again assumed her duties.

MR. NOLAN MOVED that the Committee rise and report the result of its action on the resolution presented by Mr. Cummings on the appointment of a Fact-finding Committee to investigate the problems connected with the Police Department. Seconded by Mr. Raiteri.

MR. BAKER: "How can we report on something we have taken no action on?"

MR. NOLAN: "A motion stating that the Committee rise and report is the same as adjourning in this case."

VOTE taken on Mr. Nolan's motion that the Committee rise and report. CARRIED unanimously.

MR. NOLAN explained the proper procedure in order to further clarify Mr. Baker's question.

MR. NOLAN: "After the adjournment of the meeting of the Committee of the Whole, which was accomplished by the vote just taken on my motion, then the Chairman or the Clerk who presided at the meeting of the Committee, brings the matter which was before it

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on the floor --- in this case, namely, Mr. Cummings' resolution. In other words, we have deliberated in the Committee meeting. We are now going to bring before the Board the question of the resolution for a vote. This vote will require an affirmative vote of two-thirds of the members of the Board, or 27 votes, in order to be adopted or amended. That would be the Parliamentary status."

MR. LEWIS read the resolution which was considered by the Committee of the Whole and MOVED for its adoption. Seconded by Mr. Connors:

RESOLUTION NO. 284

BE IT RESOLVED by the Board of Representatives of the City of Stamford:

That a fact-finding Committee of said Board is authorized in accordance with Section 204.2 of the Charter, to investigate the Stamford Police Department and to report to the Board of Representatives its findings, along with any recommendations thereon. Said Committee shall consist of eight members, four Republicans and four Democrats, and shall elect its own Chairman.

MR. CUMMINGS: "The question which was brought up by one or two members was the question of whether or not this should be referred to several committees. The reason for referring this to a Committee of the Whole was because this was such a controversial question that no one committee should be required to extend themselves that much. Consequently, I believe that the adoption of this resolution is the only practical approach to the problem and one that will certainly well answer the question."

MR. RAITERI was given permission to ask Mr. Cummings a question.

MR. RAITERI: "Mr. Cummings, am I correct in assuming that your presentation was a written one - your comments on the resolution?"

MR. CUMMINGS: "Substantially, although I would not promise to be able to repeat them verbatim."

MR. RAITERI: "Mr. Chairman, as I stated in the meeting of the Committee of the Whole, it is my feeling that the sentiments of Mr. Cummings when he presented his resolution are substantially those of my own and I think, perhaps those of the other members. Therefore, Mr. Chairman, I MOVE that Mr. Cummings' presentation be incorporated as part of our Minutes. I see this as being, more or less, a test vote, because if the members vote favorably on this motion, that it be incorporated as part of our Minutes, they are, in fact, going along with the purpose that Mr. Cummings set forth in his statement." Seconded by Mr. Roche.

MR. RHOADES: "Mr. Raiteri, there is a peculiar legislative situation here. During a meeting of the Committee of the Whole, no Minutes are kept and they do not become a part of the Minutes of this meeting. Mrs. Farrell has been keeping a record, although she has done it separately, and even that is generally not done in a meeting of the Committee of the Whole. There is simply no record kept. Therefore, if Mr. Cummings' remarks are to be translated to this Board, it will have to be done over again. They will have to be submitted in writing, as something new, appearing at this moment, in connection with the resolution. They could not merely be transferred from the meeting of the Committee of the Whole. Therefore, if you move that certain remarks which you know Mr. Cummings has in his possession are to be made a part of the Minutes, or you don't even have to divulge how you know that he has them (laughter). That would be the Parliamentary situation."

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VOTE taken on incorporating Mr. Cummings' written statement regarding the proposed resolution. CARRIED unanimously.

The following is incorporated in the Minutes, being Mr. Cummings written statements regarding his proposed resolution:

"The agenda discloses that the proposal about to come before us concerns the appointment of a 'fact-finding' committee on problems connected with the Police Department. That there are problems, comes from no less an authority than the Chief of Police. In his annual report for the fiscal year ended last June 30th, the Chief pointed out the need for 25 additional men, owing to the spread in population and the community's growing shopping and housing developments. Three additional policemen were granted in the regular budget, and six more were granted by the Board of Finance last Friday night as a partial solution to the problem.

"There remains, however, a great deal of dissatisfaction. In the month just past, since this action was proposed, I have talked to regular and special police, to business and professional people and a truck driver, to city officials and to others. They are overwhelmingly in favor of this action. The people of this city are unhappy because they don't have adequate police protection. Chief Kinsella is unhappy because he can't get the additional police which he says are needed to do the job. The Board of Finance is unhappy because the majority of them feel that no more police are necessary than those they have provided. The policemen themselves are very unhappy for reasons we all know well. Among other things, they are underpaid, must make their own time available for Court appearances - they feel that they are not backed by the Courts, etc. All of these things point to a problem.

"Now, as to fact-finding, the only provisions in the Charter for such fact-finding are fixed in Section 204.2. Here, the Board of Representatives is given authority and responsibility for investigation, subject to a two-thirds approval of its entire membership, of any officer, department or agency of the City administration. Nowhere in the Charter do we find any mention of the need for malfeasance, dereliction, neglect or apathy, incompetence or dishonesty, or anything of the sort, as a prerequisite to investigation. It would be better, perhaps, if the investigative powers of our Board were strictly defined for good purposes as well as bad. But, I'd venture to say that if investigations were specifically stipulated for superior performance of duty, we'd be so burdened that no time would remain for legislation.

"We are not bent on a witch hunt! We are not chasing shadows! We have been, to date, a credit to the citizens who elected us, and our action tonight can sustain that credit. Yet, I believe there are those of us who believe that we can do no good by this action. In other words, we are powerless to achieve for our people the measure of police security that our community needs and deserves. Maybe they are afraid we'll offend someone! But, there cannot be one of us who believes that we will purposely find fault where none exists; no clean skirt was ever soiled by proper washing.

"A word about finances. You heard the fiscal report, noting that the pension problem of our City is being held in Committee. This is a tremendous problem which is bound to cost the City millions of dollars before we are actuarially sound. Additional firemen have added to the problem. Additional policemen would add still more. And, certainly we all know that our WORKING policemen are sorely in need of increased pay. Now is the time to face these problems before they become insurmountable, and the proposed Committee of this Board may help to meet the needs - to find the solution.

"In its initial budget request, the Board of Safety requested 25 additional patrolmen. By the time the budget reached us from the Board of Finance, three additional police remained. On Friday night, the Board of Finance added six more and we can presume that this stems directly from the work of our Special Housing Committee. But, more needs to be done, and the proposed Committee can help find the way. Certainly, more needs to be done in this respect to prevent a more general disrespect for law and order than already exists.

"In short, we have a need for this proposal about to be made, to be passed unanimously. Any dissenting votes can only be construed as tacit approval of an undermanned, underpaid police force, geared to yesterday, without any vision of today or tomorrow.

"I therefore ask for unanimous approval of the resolution."

The President again read the resolution (See Resolution No. 284). He asked Mr. Cummings if he intended to set any time limit on the report of the proposed Committee.

Mr. Cummings replied: "Not until final action, Mr. President. I believe, however, that the Committee would appear on every subsequent Agenda. Am I not correct?"

MR. RHOADES: "That is correct.

MR. CUMMINGS: "Consequently, a report would be forthcoming whenever enough material is gathered, as a progress report. As far as a final report is concerned, my personal feeling would be that the Committee itself would have to set a time limit."

MR. RHOADES explained that the Committee would run the length of the Board's term, unless it should, by action of the Board, be discharged sooner. The President said it was his feeling that some action should be taken by Budget time, as this would involve the Budget.

MR. CUMMINGS reminded the Board that his remarks have been incorporated in the Minutes regarding his resolution (Resolution No. 284) and he therefore thought the report which Mr. Colatrella had prepared should also be made a part of the Minutes and so MOVED. Seconded by Mr. DeForest.

Note: Mr. Colatrella's report was presented to each member of the Board for use in the meeting of the Committee of the Whole.

MR. RAITERI MOVED TO AMEND that Mr. Colatrella's report be referred to the Investigating Committee. The amendment was accepted by Mr. Cummings and CARRIED unanimously.

VOTE taken on adoption of Resolution No. 284 and CARRIED by unanimous rising vote.

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MR. RHOADES appointed the following Special Committee, as authorized by Resolution No. 284, to act as a fact-finding Committee to investigate problems connected with the Police Department:

Democrats

George V. Connors, Chairman, pro tem
Anthony Kolich, Jr.
Patrick J. Fortunato
Bernard B. Geronimo

Republicans

Jack S. Cummings
Joseph A. Cullen
Alan H. Ketcham
John DeForest

MR. RHOADES: "It is recommended that the Committee report by Budget time, if possible. Other details can be worked out at later meetings."

NEW BUSINESS:Re: Water Resources:

MR. GERONIMO spoke briefly regarding the pollution of the water resources of the City of Stamford. He suggested that steps be taken to prevent any further contamination of brooks and streams by septic effluent.

MR. TOPPING said this is being investigated at the present time, in order to prevent further contamination of streams by effluent from septic systems in the schools. He said he hoped to have a report on this at a later date, as to what can and cannot be done to remedy the situation.

Re: Board Meetings

MR. RHOADES announced that the next Board meeting would be held October 6, 1958 and the Steering Committee meeting on September 22, 1958.


Commendation to member of Clergy:

MR. BAKER MOVED for a rising vote of commendation for Reverend W. David Crockett in his remaining during the entire meeting. (Applause)

Adjournment:

MR. BAKER MOVED for adjournment, which was duly seconded and CARRIED unanimously.

Respectfully submitted,


Norton Rhoades, President
Board of Representatives

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