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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, March 2, 1959.

The meeting was called to order by the President, Norton Rhoades, at 8:12 P.M.

In response to a request by the President, the members observed a moment of silence in respect to the memory of the mother-in-law of one of the members, George Connors.

Mr. Rhoades also called attention to the illness of two of the members, George Russell and Vincent Vitti.

INVOCATION was given by Rev. Robert H. Clark, Pastor Springdale Methodist Church.

ROLL CALL was taken by the Clerk. There were 36 present and 4 absent. The absent members were: Joseph Milano, Vincent Vitti, George Russell and Alanson Fredericks.

ACCEPTANCE OF MINUTES - Meeting of February 9, 1959.

There being no corrections, the Minutes of the above meeting were APPROVED.

#### COMMITTEE REPORTS

##### STEERING COMMITTEE:

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

##### Steering Committee Report Meeting held February 16, 1959

A meeting of the Steering Committee of the Board of Representatives was held Monday, February 16, 1959 in the Mayor's Office, City Hall. The meeting was called to order at 8 P.M. by the Chairman, Norton Rhoades.

The following were present: Norton Rhoades, Chairman; Doris Zuckert, Jack Cummings, Thomas Topping, Ellis Baker, William Murphy, Bernard Geronimo, Rocco Colatrella, Patrick Fortunato and John Nolan. Also present, but not as members, were: George Russell and Joseph Milano. Mr. Cummings was present as Vice Chairman of the Fiscal Committee in the absence, on vacation, of Mr. Huizinga.

Absent were: Alanson Fredericks, Rutherford Huizinga, Robert Lewis, John Macrides, George Connors and Vincent Vitti.

The following matters were discussed:

- (1) Wright Technical School - Disposition of REFERRED TO EDUCATION, WELFARE AND GOVERNMENT COMMITTEE
- (2) Park Department fees, 1959 - REFERRED TO PARKS & RECREATION COMMITTEE
- (3) U. S. Army Corps of Engineers - Flood protection - REFERRED TO PUBLIC WORKS AND FISCAL COMMITTEES

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- (4) Stamford Police Association - Letter of 2/6/59 from Attorneys, requesting amendment to Charter - REFERRED TO CHARTER REVISION COMMITTEE, SPECIAL POLICE COMMITTEE, FISCAL COMMITTEE, PERSONNEL COMMITTEE AND HEALTH AND PROTECTION COMMITTEE
- (5) Single Fire Marshal - Requested in letter of 1/22/59 from Supt. of Schools to Chairman of Legislative & Rules Committee - REFERRED TO EDUCATION, WELFARE AND GOVERNMENT COMMITTEE AND TO LEGISLATIVE AND RULES COMMITTEE
- (6) Emergency Appropriations - For the reason that the Board of Finance had not met, it was agreed that all items approved by them at their Feb. 20th meeting could be placed on the Agenda. REFERRED TO FISCAL COMMITTEE
- (7) Sale of Elm Street School Building - A carbon copy of letter to Mayor Givens from Mr. Hanrahan on this matter was discussed - ORDERED FILED UNTIL ACTION HAS BEEN TAKEN BY THE MAYOR
- (8) No smoking Ordinance - Requested by Mr. Nilan in letter of 2/6/59 REFERRED TO LEGISLATIVE AND RULES COMMITTEE
- (9) Amendment to Rules of Board of Representatives - The question of amending the rules regarding referrals to two or more Committees was discussed. REFERRED TO LEGISLATIVE AND RULES COMMITTEE
- (10) Resignation of Alanson Fredericks from Charter Revision Commission - This was discussed and it was pointed out that Mr. Fredericks had not resigned from the Charter Revision Committee, but had resigned from the Charter Revision Commission, as reported erroneously in the Minutes of 1/5/59 (See page 2117 of Minutes) The Minutes were ordered corrected accordingly.
- (11) Classified Employees' Retirement Fund - Letter of 2/10/59 requesting amendment to Pension Plan - REFERRED TO PERSONNEL, LEGISLATIVE AND RULES AND FISCAL COMMITTEES
- (12) Ferguson Library - Invitation to open house on Tuesday, March 3, 1959 at 8 P.M. to all Board members. ORDERED PLACED ON AGENDA UNDER COMMUNICATIONS
- (13) Crystal Lake Road and Warchol Lane - Petition dated 1/31/59 from residents, requesting change of name to Brant Road to avoid confusion because of two roads by same name. REFERRED TO PLANNING AND ZONING COMMITTEE
- (14) Ice Skating pond in Cummings Park - This was discussed, but no conclusion or recommendations were made.
- (15) Curtailment of bus services in Stamford - Because of a public notice regarding curtailment of bus services after certain hours and on Sundays and holidays, it was decided to send a telegram of protest to the PUC, to be followed by a letter.

MR. RHOADES: "This was voted unanimously by the Steering Committee. The telegram was sent. We received a reply from the PUC, instructing the Connecticut Company not to go forward with the curtailment of bus service until after the

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public hearing, which is to be held on Friday of this week (March 6th) at 10:30 A.M. in the PUC office in the State Office Building at Hartford, Conn. Attending that meeting will be Mr. Huizinga as Deputy Mayor, the Chief of Police Joseph Kinsella, Mr. Ed. Connell as Park Superintendent, Eugene Daly from the office of the Supt. of Schools and your President. All members who are able to attend that hearing are requested to do so."

(16) Charter - Suggested changes in Chapters 50 and 58 by Police Investigating Committee at Feb. 9th Board meeting (See report in Minutes of 2/9/59) REFERRED TO CHARTER REVISION COMMITTEE

(17) Planning and Zoning Board appeals - The method of referral of these appeals was discussed. REFERRED TO CHARTER REVISION COMMITTEE

MR. RHOADES: "There was a considerable discussion of the overloading of certain of our committees. We discussed the methods of preventing so many matters being sent to the Legislative and Rules Committee. Your President feels very strongly that this Board is accepting matters that are no concern of this Board - that we have been doing so for several years now and are increasing our Agendas quite unnecessarily.

"Your President feels that our present Agenda of approximately 30 items contain at least several that should not presently be before this Board and he will request at the next Steering Committee meeting that they screen very carefully requests for items to be placed on the Agenda. Where they can be returned or referred to various City departments, this should be done rather than having them brought on the floor of this body for discussion.

"This is no one's fault but ours. We have accepted these matters in the past and we should not do so in the future."

There being no further business to come before the Committee, the meeting was adjourned at 9:10 P.M.

Respectfully submitted,

NORTON RHOADES, Chairman

#### APPOINTMENTS COMMITTEE:

MR. LEWIS, Chairman, presented the following appointments. Ballots were distributed by the Tellers, with the following result:

- (1) MICHAEL BELUK (Ind.) - 39 Rachelle Avenue, to HUBBARD HEIGHTS GOLF CLUB COMMISSION, for a 5 year term, ending 12/1/63 (Note: This is the 2nd submission)

VOTE: 31 in favor  
5 opposed

- (2) ADOLPH H. NELSON (R) - 70 Halliwell Drive, to PARKING AUTHORITY, term expiring 1/1/61, replacing Alfred H. Barrett, who is resigning.

VOTE: 35 in favor  
1 opposed

- (3) GEORGE COHEN (R) - 320 Vine Road, to HUBBARD HEIGHTS GOLF COURSE COMMISSION, term expiring 12/1/61, replacing Andrew Robustelli, who has resigned.



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VOTE: 34 in favor  
2 opposed

FISCAL COMMITTEE:

MR. CUMMINGS, Vice Chairman, presented the Fiscal Committee report. He stated that the regular committee meeting was held February 25, 1959, the absent members being Mr. Huizinga, Mr. Wynn and Mrs. Zuckert.

- (1) \$2,000 - Board of Education - Request in letter of 2/13/59 to Chairman of Board of Finance - High School Interscholastic Athletics Budget, to take care of expenditures for remaining winter and spring sports program.

MR. CUMMINGS MOVED for approval of the above request, saying it had the unanimous approval of the Committee.

MR. MACRIDES, Chairman of Education Welfare and Government Committee, to which committee this matter had also been referred, said his committee concurred in the approval and seconded the motion. CARRIED by unanimous approval.

- (2) \$105,272.65 - Park Commission - Amendment to 1958-59 Capital Projects Budget for emergency appropriation to build Facility Building on East Beach at Cove Island (See Acting Mayor's letter of 2/18/59)

MR. CUMMINGS MOVED for approval of the following resolution:

RESOLUTION NO. 291

AMENDMENT TO 1958-1959 CAPITAL PROJECTS BUDGET  
TO PROVIDE FOR CONSTRUCTION OF A NEW FACILITY  
BUILDING ON EAST BEACH AT COVE ISLAND

BE AND IT IS HEREBY 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 \$105,272.65 for the construction of a new facility building on East Beach at Cove Island, and

BE IT FURTHER RESOLVED, to approve the appropriation of \$105,272.65 for said facility building at East Beach at Cove Island, which said sum is to be financed by the issue of bonds.

MR. KELLY said the Parks and Recreation Committee concurs in the recommendation for approval, and seconded the motion.

MR. TOPPING said the Public Works Committee also concurs in the approval.

MR. RHOADES: "This requires 21 votes."

CARRIED by unanimous vote of approval.

- (3) \$6,300 - Fire Department - To cover cost of repairs to Ahrens-Fox spare pumper at Fire Headquarters, as requested in Acting Mayor's letter of 2/20/59



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MR. CUMMINGS: "This request was considered with the Health & Protection Committee (to whom it had also been referred) and the majority vote was that this request be granted, and I MOVE for its approval." Seconded by Mr. Hearing and CARRIED unanimously.

(4) Army Engineers Corps (See #1 under Public Works Committee)

MR. CUMMINGS: "The Committee has not yet acted on this matter and will hold it in Committee."

(5) Classified Employees' Retirement Fund (See Personnel Committee, item #1)

The President explained that this matter would be taken up under the report from the Personnel Committee.

(6) Stamford Police Association, Inc. - Suggested salary increases to be submitted to referendum under Public Act #465, as requested in letter of 2/9/59 from Attorneys (Ryan, Ryan & Ryan) representing the Association. (Note: Referred to Several committees: Charter Revision, Fiscal, Personnel, Health & Protection and Police Fact-Finding Committees)

MR. RHOADES: "The President feels very strongly that the request from the Police Association should be heard at this time. Unless there is objection, since there are many people present who are vitally interested in this matter, the President would suggest that we hear this matter now and that Mr. Cummings yield to Mr. Macrides, as the Chairman of the Major Committee involved (Charter Revision Committee) and that we proceed to the report of the Charter Revision Committee on this matter."

There being no objection to this procedure, the rest of the Agenda was skipped for the time being, in order to bring the report of the Charter Revision Committee on the floor.

CHARTER REVISION COMMITTEE:

The following letter referred to above (see #6) was the one given to all the above named Committees for recommended action:

RYAN, RYAN & RYAN  
(Attorneys)

Town House  
65 Prospect Street  
Stamford, Connecticut

February 6, 1959

Board of Representatives of the  
City of Stamford  
Town Hall  
Stamford, Connecticut

Gentlemen:

Please be advised that we represent The Stamford Police Association, Inc.

On behalf of the Association we propose that the City of Stamford Charter be amended by adding to Chapter 43 thereof the following new section:

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**"Sec. 435. Police Salary Grades and Positions.**

- (a) Notwithstanding any inconsistent provisions of this Charter or any other law, effective July 1, 1959, the classified positions in the Police Department and the salaries therefor shall be as follows:

<u>CLASSIFIED POSITION</u>	<u>MINIMUM</u>	<u>AFTER 1 YEARS SERVICE IN THE CLASSIFIED POSITION</u>	<u>AFTER 2 YEARS SERVICE IN THE CLASSIFIED POSITION</u>	<u>AFTER 3 YEARS SERVICE IN THE CLASSIFIED POSITION</u>	<u>AFTER 4 YEARS SERVICE IN THE CLASSIFIED POSITION</u> <u>MAXIMUM</u>
PATROLMAN	\$4786.00	\$4968.00	\$5124.00	\$5312.76	\$5505.68
DETECTIVE	5781.28	6056.88	6304.92	6304.92	6304.92
SERGEANT	5781.28	6056.88	6304.92	6304.92	6304.92
LIEUTENANT	6552.96	6828.56	6828.56	6828.56	6828.56
CAPTAIN	7186.84	7362.44	7362.44	7362.44	7362.44

The salary of the Chief of Police shall be \$9,529.44.

- (b) The salaries set forth in sub-section (a) above for the various positions in the Police Department may be increased from time to time by a majority vote of the Board of Representatives, subject to the approval of the Board of Finance."

The foregoing amendment is based upon the results of an exhaustive survey conducted by The Stamford Police Association into the question of police salaries. Within a day or so of the date hereof a pamphlet will be delivered to each member of the Board of Representatives and to interested City officials to fully familiarize them with the need for pay increases within the Police Department.

We believe that the voters of the City of Stamford should be given an opportunity to pass on this vital issue. We therefore, request this Board to refer the proposed amendment to the Charter Revision Commission in sufficient time so that final action may be taken by this Board on the proposed amendment in time to have the amendment voted upon in the November 1959 election.

Very truly yours,

RYAN, RYAN & RYAN

(signed) Daniel E. Ryan

MR. MACRIDES: "The Charter Revision Committee met with the Special Police Fact-Finding Committee, Fiscal Committee, Health & Protection Committee and the Personnel Committee, on Wednesday, February 18, 1959 in the Police Association room and again on Wednesday, February 25, 1959 at the Springdale Fire Department.

"The joint committees heard arguments by members of the Stamford Police Association and their attorneys, with reference to the proposed Charter amendment which would set up a new classified schedule for the Police Department.

"Each of the members of the Board of Representatives has received a copy of the brochure in support of said proposed amendments and this report will not repeat matters contained therein.

"All of the members of the joint committees present (14 at the first meeting and 17 at the second) agreed that some salary increase for the Police Department was warranted -- and the \$600.00 requested seems reasonable. However, the proposed amendment was rejected on two main grounds - that classification schedules should not appear in the Charter and should not be set up by the Board of Representatives, which is a legislative body - and that paragraph (b) of the proposed amendment (to the Charter) would make the Board of Representatives the initiating body for future salary increases, which the Committees again felt was repugnant.

"The Committees then decided upon a proposed alternate amendment, which should be sent on to the Charter Revision Commission - an amendment of Section 735 of the Charter, to require a separate upgraded classification schedule for the Police Department, with all raises in salary required by the changed classifications being retroactive to July 1, 1959.

"It is the Committees' intention that if such an amendment be enacted that the authorities will effectuate it in accordance with the Griffenhagen report, which will soon be available.

"The Police Association does not feel that this suggested amendment is adequate because it is not as specific as theirs, because it does not compel salary increases, either in accordance with their request or with the Griffenhagen findings and because they fear that future requests for increases will still be ensnared in the same administrative red tape which has kept them from getting what they felt have been deserved increases in the past.

"The Committees' answer to these positions is that they feel sufficient showing of the public will, shall have been made by this Board and the public in the passage of a referendum so that the authorities would have to act in accordance with the Griffenhagen findings and the setup of a separate classification will remove the police from the past lumping together with other Civil Service classifications, which the Committee feels has been the major obstacle to the receipt by the Police of deserved increases.

"A proposed amendment to the revision being submitted by the Committees, which would have enabled the Board of Representatives to set up the special police classification by resolution, was defeated."

MR. MACRIDES MOVED (in accordance with the above report) that the alternative proposed amendment (the amendment to Section 735 of the Charter) to require an upgraded special police classification, retroactive to July 1, 1959, be sent to the Charter Revision Commission.

MR. RHOADES: "This is a vote of a majority of your own Committee, is it not, Mr. Macrides?"

MR. MACRIDES: "No, it is not. Because of the great size of the committees involved, we acted as a Committee of the Whole.

MR. RHOADES: "The President would very much prefer to have a report by Committee, because this is the procedure we will follow in any case. We will follow the order



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of the Agenda. That is, we will hear from the Fiscal Committee next. Can you give any figure as to the voting of your own Committee on this matter?"

MR. MACRIDES: "Yes, there were four members present at the second meeting, which was the meeting at which we made our final definite decision, and of the four members of the Charter Revision Committee, two voted to send along only the alternate proposal. The other two voted in favor of sending on the alternate proposal, but in addition, the sending on (to the Charter Revision Commission) of the specific police proposal."

MR. RHOADES: "The majority report has then been presented here. I assume that you will wish to be heard again before the evening is over." Mr. Macrides said that he would.

THE FISCAL COMMITTEE then submitted their report as to their feelings on this question.

MR. CUMMINGS (Vice-Chairman, Fiscal Committee): "There were five members present, Mr. President, all of them voting UNANIMOUSLY in favor of the report as presented by the Chairman of the Charter Revision Committee."

MR. RHOADES: "Suppose we identify this as being the substitute referendum. Would that be a reasonable phrase to you, Mr. Macrides?"

MR. MACRIDES: "I think perhaps that SUBSTITUTE REVISION would be better."

MR. RHOADES: "Then we will use that for identification purposes. Of course, we have to use exact language here."

THE HEALTH & PROTECTION COMMITTEE next submitted their report as to their findings on the question.

MR. LEWIS (Vice-Chairman, Health & Protection Committee): "Mr. President, not being present at that meeting-----however, one of our members was---Mr. Marciano. Perhaps he can present what happened."

MR. MARCIANO: "There were three members of the Health & Protection Committee present at this meeting. They were all in favor of sending back (to the Charter Revision Commission) both proposals."

MR. RHOADES: "Thank you, Mr. Marciano."

THE PERSONNEL COMMITTEE next submitted a report of their findings.

MR. RYBNICK (Chairman of Personnel Committee): "At the first meeting, there were two in attendance, one voting for the proposed Charter amendment after it was brought in, and I believe, one was opposed.

"At the second meeting, there were three voting for the proposed amendment and two against."

THE SPECIAL POLICE FACT-FINDING COMMITTEE next submitted their report as to their findings.

MR. CUMMINGS (Chairman): "There were seven members present and seven members voted for the substitute amendment. Just a minute - I will have to take that back. Mr. Connors tells me that he voted for both of them"

MR. RHOADES: "Now you have heard the reports of the various committee Chairman and members who were present at the meeting of the joint committees. The motion before us is on the referral of the substitute Charter revision. I believe that Mr. Macrides has the floor first."

MR. MACRIDES: "First, I don't believe the motion was seconded."

MR. RHOADES: "I think that another committee's report, if it is similar in nature, can be considered as a second. Perhaps we will consider the Fiscal Committee's report as a second to your motion, Mr. Macrides."

MR. MACRIDES: "I would like to propose an amendment to the original motion as it now stands and that would be to amend it so that both proposals - the alternate revision that we mentioned and the specific police proposal, be sent on to the Charter Revision Commission."

Mr. Macrides' amendment to his original motion was seconded by Mr. Fortunato.

MR. MACRIDES spoke in favor of his amendment to the original motion, and gave the history of the efforts of the police department to obtain salary increases.

MR. TOPPING said he wanted to go on record as favoring both proposals being referred to the Charter Revision Commission (the original motion and the amendment to it, as proposed by Mr. Macrides). He said that he wished, however, to point out the dangerous precedent of including the salaries of the police department in the Charter itself. He said he thought the police should have an opportunity to be heard at a public hearing to give their reasons for presenting the request in this form.

MR. CONNORS said he felt the same as Mr. Topping. He said he voted for the original proposal which lost, so then he voted for the alternative. He objected to the number of people on so many committees considering this matter. He thought it was too bulky a committee to get agreement.

MR. WILENSKY explained how the Committee voted on this matter; and said it was 19 to 4. He said under the Home Rule Act the Board has no right to refer any matter to the Charter Revision Commission which they feel might be wrong.

MR. WILENSKY said that sub-section (b) of the Police proposal would make the Board of Representatives subject to pressure when future salary raises were contemplated.

MR. HUIZINGA: "I am definitely in agreement with everything that Mr. Macrides has said. They certainly should have an increase and so should all the other municipal employees." He said he thought this Board should do everything they can to see that the city employees get salaries that are similar to other cities in the area.

MR. HUIZINGA: "This Board appropriated something like \$12,000 to hire a firm to make a complete survey of our classified employees. This firm, the Griffenhagen firm, has been working on this survey. When the contract was signed -- and it was signed at a time when I happened to be Acting Mayor - the one thing that we emphasized more than any other, was that it had to be an excellent report and they were not to cut any corners. On the other hand, the report had to be ready in time for submission of the additional increases in our coming budget."

"This afternoon, at three o'clock, the Griffenhagen firm met with your President, Norton Rhoades and myself, in the Mayor's office, along with members of the Personnel Commission, Mr. Barker and Mr. Hawthorne. At that time they came up with

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this figure, which has not been released - a figure of \$475,000 which is their first estimate of the increase in salaries for the coming year. The details of that, obviously, have not as yet been worked out. However, the details will be forthcoming before the end of this month.

"Insofar as the separate classifications for the Police Department, I am quite sure that this is one of the things that Griffenhagen is working on and I am sure they will come in with a report that will be quite satisfactory."

Mr. Huizinga said he wanted to go on record as opposing the amendment submitted by the Police Association, but was definitely in favor of Mr. Macrides' substitute provision.

MR. RHOADES: "Mr. Huizinga, are we to understand that you are in favor of the amendment which Mr. Macrides offered?"

MR. HUIZINGA: "No, I mean that I am very much in favor of his original motion. However, as far as submitting both of the proposals to the Commission, I can see no harm in that. I think the more information they have, the better job they will be able to do. By voting for his motion, with the amendment, I do not believe it means that we, as a Board, approve. Because, obviously we cannot approve both of them. We are sending it to them for information only, to report back to us."

MR. RHOADES: "The President would like to explain what he believes to be the parliamentary situation. There will be a vote on Mr. Macrides' amendment to his original motion, which requires only a majority of those present to carry. Then, his original motion, or the original motion as amended - either one - will then have to receive a total of 27 affirmative votes to carry. This is two-thirds of the total membership of the Board. This is specified in the Home Rule Act and the result therefore, can be one of several things.

"We may pass an amended motion; we may pass the original motion, or there may even be another motion later, everything previous to that having been defeated.

"But, as we said, at the moment the question that we are discussing is an amendment, presented by Mr. Macrides, which requires only a simple majority for passage. However, there will have to be, at some point, an affirmative vote of 27 members of this Board."

MR. HUIZINGA: "As I understand it, the first motion that was made was to make this substitute proposal and submit it to the Commission."

MR. RHOADES: "That's correct."

MR. HUIZINGA: "Then he added an amendment, saying that both proposals should be submitted to the Charter Revision Commission."

MR. RHOADES: "That is correct."

MR. HUIZINGA: "Why cannot we do this: Submit the proposal - your substitute proposal, as the thinking of this Board - that we will back. Then, after that make another motion that we also submit this as additional information to the Commission for study?"

MR. RHOADES: "That would necessitate a terrific withdrawing of motions and backing up and starting over again, Mr. Huizinga, in order to do that."



MR. MARCIANO: "I am still in favor of the original proposal as presented by the Police Department. I also voted for the amended proposal." (applause)

MR. KOLICH: "I am wondering whether it would be proper to request a five minute recess for a caucus on the situation."

MR. RHOADES: "From the expression on the members' faces, Mr. Kolich, I would think not, but I could be wrong."

After a great deal of discussion, it was decided not to hold a recess.

MR. GERONIMO: "I don't know whether it is a criticism of the President or not, but did I hear Mr. Huizinga say that the Griffenhagen report has already been submitted? A request for \$475,000?"

MR. RHOADES: "Mr. Geronimo, with your permission, may the President say just a word about this? The contract with Griffenhagen specifies certain dates on which the firm must report: (1) a rough estimate (2) a detailed plan. The first of March the rough estimate is due, which was presented this afternoon. The reason your President was there was because at five minutes of three he was Acting Mayor; at three o'clock Mr. Huizinga got back from his vacation, and at five minutes after three he was Deputy Mayor. That explains why we were both there. The report was given to the Personnel Commission exactly as Mr. Huizinga gave it to you. It was merely an estimate that it would take approximately \$475,000 to pay for the increases in the salaries of city employees, police, firemen and other classified employees, which they expect to recommend in their report. That is a rough estimate and it is not broken down in any way and that is all the information we have."

"However, this is not mandatory, Mr. Geronimo. Do not misunderstand this, because this will still have to go to the Mayor, the Board of Finance and to the Board of Representatives and take the same course that it always follows."

MR. GERONIMO: "But that will be the detailed report, of course?"

MR. RHOADES: "That is correct. The detailed report will be due on April 1st."

MR. MACRIDES: "I just wanted to clarify something in line with what Mr. Huizinga said. We are faced with a very definite deadline as far as the present Charter Revision Commission is concerned. Tonight is the last time at which we can propose to them anything which they can report back to us at our next meeting, which is the last time that they will be able to report back to us."

"In light of this, I say send on the specific Police proposal. Let them act on it, at which time they should have in their possession the Griffenhagen report. Let it then come back to this Board, when we will have in our possession the same report, and we can then make whatever changes are necessary in conformity with that report."

MR. LEWIS spoke in favor of an increase in salaries for members of the Police Department and said he is in favor of a separate classification for the Police. He said he was in favor of the original motion as presented by Mr. Macrides.

MR. COLATRELLA stated that he is in favor of the original proposal and will be in favor of the amendment if the Board votes on this first. He said: "Actually the only thing before us is the original amendment. I think this should be brought before the Board by the Committee for recommendation to either accept or reject without intent."

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MR. RYBNICK: "I believe that all Bills being presented to any Legislature or any Charter Revision Commission are sent along in its present form and then that body will be able to decide as to its merits and can then return it to this Board. Then the decision shall be by referendum."

MR. CONNORS: "Mr. Huizinga mentioned the Griffenhagen report. What guarantee has any city worker - policeman, fireman, regardless of who you mention--that they are going to get a raise? Now, all that they will do is recommend. (I sat down with them at a Personnel Commission meeting)

"Now, one of our nearby communities came in with a four year report, and the Mayor of that community saw fit to give them just one raise. What happened to the other three? Now, there is no doubt that the City of Stamford needed a survey. We have needed it badly for years and years. I know that the members of the different Associations who have been coming before the Personnel Commission - they have always heard the same story. This is no reflection on the Personnel Commission, but they have always answered in the same way - we are going to have a survey. Now we have the survey, and it's something we have needed for a long time. When the Griffenhagen report comes in, they might come in and say: 'Well, we will do it in three or four stages.' Regardless of who happens to be the Mayor in office, he might not see fit to give it the first year. After all, you always have to worry about the tax rate, the mill rate, especially if it happens to be election year, and then it's even worse. Then it's tougher to get anything - it's according to how much you are going to get out of it. You have to be very practical and frank about the whole thing."

"That's why we are basing entirely too much on this Griffenhagen report. There is no concrete guarantee that any of our City Fathers, regardless of whether they belong to one party or another, will give the raise as recommended by the report. That is something -- I can see their point and what they are really after. They want something concrete. You put it in the book - then try and take it out."

MR. CUMMINGS: "You asked the audience to refrain from applause. I hope they will also refrain from boos. It has been suggested to me that perhaps the forty members of this Board have no authority to act on this question at all. After all, aren't we all members of the Stamford Police Association? (Laughter)

"I regret that we didn't have a Committee of the Whole at both of the meetings because I got a little bit confused down there when these four votes were registered at the joint committee meeting."

Mr. Cummings spoke at some length. He said he was definitely opposed to "shredding the Charter as has been proposed; but was very much in favor of increased salaries for the police. And, with this in mind, he had approved the substitute amendment being referred to the Charter Revision Commission.

MR. CUMMINGS: "If these men are placed in a separate professional category, as they should be, I can't help but feel that they would be infinitely better off."

"One of the things that makes me say that is because of an action that was passed by the State Legislature of Arizona in 1938, whereby they specified that the minimum wage in any city over 7,000 people would be \$180 a month. That figure is exactly the way the thing is worded today, 20 years later when it obviously is so ridiculous as to make it absolutely meaningless."

"If a separate classification is set up, the classifications themselves will of necessity have to come along with relative increases."

"If you can show me, in the City of Stamford, one classified employee who does not feel the same way as do the members of the Police Department, then I'll show you one who does not deserve to be a classified employee."

"The dire consequences of a referendum of this sort is certainly well known to any working man who has some work of his usurped by another Civil Service man on his free time."

Mr. Cummings said that in the event the motions now on the floor are defeated, he would like to propose a substitute motion to be acted upon independently. He urged that Mr. Macrides' amendment be defeated, and that the original proposal, as recommended by 19 of 23 members of the joint Committees be approved.

MR. KETCHAM: "I would just like to recapitulate, if I may. I imagine that it's pretty evident that the subject before us is not on whether or not the police of our city deserve a salary adjustment. The expressions we have heard here tonight makes that quite definite."

"The subject before us is whether we, as a Board, in fulfilling our obligations and in exercising our judgment, are going to pass on the merits of several proposals that are to be forwarded, after our consideration, to the Charter Revision Commission. The frustrations of the Police Association are understandable and their attempt for drastic action on their part to achieve some financial stability are appreciated."

"However, I should like to refer to the original proposal for referendum, of the Police Association and the amendment now before us of Mr. Macrides. I don't think that any member of the Police Association wants or desires special privilege or any special status over and above any other member of the protective services or the classified employees. I don't think that any member of the Association would expect that once ground is broken through their efforts that the other members of the protective services and the municipal and educational employees will not follow in their footsteps."

"I submit to you that the proposal submitted by the Association is essentially dangerous. Perhaps not in its immediate effect obtained by the Association, but in the precedent that it will set up whereby the entire municipal organization of the City will, in effect, be by-passed and where it carries to its logical conclusion, will undoubtedly lead to administrative irresponsibility and fiscal chaos in the City of Stamford."

MR. NOLAN: "It is my feeling that the Police Association are merely taking advantage of an avenue which is open to them. If the State Legislature has seen fit to write this into our laws, there is no doubt in my mind that if the Police Association had gone about this in some other manner - and I refer to getting signatures on a petition - that they would have obtained enough signatures of the Electorate to forward this on to the Charter Revision Commission."

"Now, the Charter Revision Commission is set up in such a way that it is non-partisan; it is able to handle matters of this type. They hold public hearings and are, in fact, required to hold public hearings. At that time any citizen who would like to appear before the Charter Revision Commission, can come up and show the inherent dangers or the good points."

".....We must remember that if we are against this proposal, that at a later time the Charter Revision Commission must send it back to us once again and then we will be able to amend it or do anything else that we would like to do. I would say, let's vote favorably on Mr. Macrides' amendment."



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After further discussion, the President re-stated how the vote could be handled, having been requested to clarify the matter.

MR. RHOADES: "The procedure will be this: There will be a vote on the amendment (Mr. Macrides' amendment to the original motion) which requires only a simple majority of those present, for or against. If the amendment is defeated, then we will revert to the original motion. There will be a vote on that, which will require 27 votes for passage. If that is defeated, we will then be in a position where there will be no action and another motion can then be made, if someone wishes to make it."

MR. DEFOREST said that after giving this matter a great deal of thought, he would have to go along with what Mr. Cummings and Mr. Ketcham have said. He said: "I would like to point out one thing and that is, after this has gone before the Charter Revision Commission and come back to us again, that it will then only be a matter of a majority vote, which I think we should give some thought to."

MR. WILENSKY said he was in favor of the original motion.

MR. LONGO said he agreed with Mr. Nolan.

MR. CUMMINGS stated that the Home Rule Act provides two avenues to get things before the Charter Revision Commission (1) through the Board of Representatives, and (2) by direct petition to the Charter Revision Commission.

QUESTION on amendment to original motion as presented by Mr. Macrides.

MR. RHOADES: "The vote is now on the amendment submitted by Mr. Macrides, which would, in effect, amend his original motion to include BOTH plans."

MR. NOLAN: "In other words, we would be....."

MR. RHOADES: "If this passes, it will then be necessary to vote again on the original motion, with the amendment included."

MR. HUIZINGA: "Then we will now vote on the amendment to the original motion only."

MR. RHOADES: "That is correct."

VOTE taken on Mr. Macrides amendment to his original motion to include BOTH plans to be submitted to the Charter Revision Commission.

RESULT: CARRIED - 20 in favor and 15 opposed.

MR. RHOADES: "The original motion of Mr. Macrides has now been amended and we are now at the original motion which now contains BOTH provisions - the one suggested by the Police Association and the one suggested by a majority of the Committees acting in joint session."

"If this matter is to be referred to the Charter Revision Commission in its present form, it must receive 27 affirmative votes in this Board. It will not be necessary to count the negative votes. If there are 27 or more in favor of the referral, it has been carried. If there are not, then it has been defeated."

MR. CUMMINGS: "If this proposal is defeated, then I should like to MOVE for a substitute proposal."

MR. RHOADES: "At that time you may present anything you have in mind, but any discussion of it at this time is completely out of order."

MR. HUIZINGA: "By submitting BOTH of these proposals, are we then implying that this Board is in favor of both of these proposals, or are we submitting them ONLY for information? The reason I ask this is because this now requires an affirmative vote of 27 votes to carry, but when it comes back to us from the Charter Revision Commission, it will only require a simple majority vote for passage."

MR. RHOADES: "That is correct."

MR. HUIZINGA: "Therefore, by voting in favor of this, it would imply that this Board when it passes a motion to submit this to the Charter Revision Commission feels that this is the best thing that we know of and that we are heartily behind it. How can we be behind two separate recommendations - one entirely different from the other?" He asked for a parliamentary ruling.

MR. RHOADES: "The President understands what you mean. But, this is not a parliamentary situation. This merely involves what is going on in the minds of the members. If Mr. Nolan wishes to attempt to read people's minds....."

MR. NOLAN: "Oh, I'm pretty good at that.....(laughter). We did have a sort of precedent on this once, when the Charter Revision Committee split on how we were going to word our proposed Charter change concerning the Personnel Commission. The Board did not wish to go into the merits of either proposal, so what did we do? We didn't have a big fuss, we just sent along both to the Charter Revision Commission, feeling that they would be able to settle this and bring back a proper one to us."

MR. MACRIDES said by sending anything to the Charter Revision Commission did not necessarily indicate the Board's prior approval of it. He said if this were true then it would not be necessary to have the amendment referred back to the Board by the Charter Revision Commission. He said: "if we have already given our approval, then there would be no possibility of our withdrawing it later on."

VOTE taken on Mr. Macrides' motion, as amended. LOST by a vote of 21 in favor. (did not receive the necessary two-thirds vote of 27 needed for passage)

MR. CUMMINGS: "I MOVE that the substitute proposal be submitted to the Charter Revision Commission." Seconded by Mr. Wilensky.

MR. MACRIDES: "I would like to propose an AMENDMENT to this motion. This amendment would be, in effect, adding an enabling provision to the specified proposal so that the Board of Representatives could, by resolution, enact a separate classification schedule for the Police. This will do away with the one objection, which is that of writing the actual figures of a classification schedule in the Charter. There would be no writing of the figures into the Charter, but instead the Board of Representatives would have the power, by resolution, to draw up such a schedule. At that time they could do it, taking into account the police proposal and also that of the Griffenhagen report, and I so MOVE."

Mr. Macrides' amendment to Mr. Cummings' motion was seconded by Mr. Longo.

MR. BAKER: "This is the very provision which led me to vote against the police proposal. It would be taking unto ourselves the right which is given to the Mayor under our State Statutes. We have NO LEGAL RIGHT to pass such a motion."

MR. WILENSKY said he thought it would be a mistake and a very dangerous thing to do.

MR. MACRIDES: "I would like to answer Mr. Baker's contention. The City Charter is, in actuality a State statute. There is nothing sanctimonious about a general statute. The Special Acts are every bit as strong and every bit as binding as any General statute and this is what we would be enacting."

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MR. KETCHAM said he thought by acting on the amendment as proposed by Mr. Macrides that the Board would be attempting to usurp the powers and prerogatives of the administration and would be inserting the Board of Representatives into business where they had absolutely no concern.

MR. BAKER: "I would like to refer Mr. Macrides to the Home Rule Act-----Public Act No. 465, Section 7, where it specifically says: 'The powers and duties of the Chief Executive officer shall be those prescribed by the State statutes and he shall have such other powers and duties as the Charter prescribes.' SUCH OTHER POWERS AND DUTIES."

MR. RHOADES: "If there is no further discussion, the question is on the amendment as presented by Mr. Macrides. Once more, this requires a simple majority vote. It is to add a section, making it possible for the Board of Representatives, by resolution, to set up a salary schedule for the Police Department."

VOTE taken on Mr. Macrides' amendment to Mr. Cummings' motion. CARRIED, by a vote of 18 in favor and 17 opposed.

MR. RHOADES: "The amendment to the main motion is carried. Therefore, the vote will now be on the main motion, as presented by Mr. Cummings, plus the amendment, the motion being the substitute proposal, or substitute revision, to satisfy the majority of the joint committees. This has now been added to by a section which will make it possible for the Board of Representatives to set a salary schedule for the Police Department. If there is no further discussion, we will proceed to vote on this main motion, as amended, which will require 27 votes."

VOTE taken on Mr. Cummings' motion, as amended by Mr. Macrides. LOST by a vote of 18 in favor. (lacking the 27 necessary affirmative votes for passage)

MR. RHOADES: "Only 18 votes in favor, which is not a sufficient number of votes."

MR. BAKER: "I MOVE that the report of the joint committees be submitted to the Charter Revision Commission." Seconded by Mr. Lewis and Mr. Macrides.

MR. RHOADES: "If this matter had been voted on and defeated, the Chair would have had to rule it out of order, but since it was amended and has been defeated, the Chair believes that it is in order."

MR. TOPPING: "May we have Mr. Macrides give his proposal once again, so that we will not be confused and know exactly what we are voting on?"

MR. MACRIDES: "The proposed alternate amendment which should be sent on to the Charter Revision Commission is an amendment to Section 735 of the Charter, to require a separate, up-graded classification schedule for the Police Department, with all raises in salary required by the changed classification being retroactive to July 1, 1959."

MR. RHOADES: "This requires 27 votes for passage."

VOTE on Mr. Baker's motion. CARRIED unanimously.

MR. FORTUNATO: "May I request that a copy of this amendment be sent to each member of the Charter Revision Commission, so that they will all have whatever information they need?"

MR. RHOADES said that this would be done.

MR. LEWIS MOVED for a five minute recess at 9:58 P.M. The meeting reconvened at 10:08 P.M.



LEGISLATIVE & RULES COMMITTEE:

MR. BAKER (Chairman): "Meetings of the Legislative & Rules Committee were held on the evenings of February 12 and 26 and representatives of the Committee met jointly with the Personnel Committee on February 24. The joint meeting will be covered in a separate report to be given later."

(1) Rent Control Ordinance for 1959-1960 - Final adoption

MR. BAKER: "The Committee presented this Ordinance for publication at the February meeting of the Board. The Board voted for publication 34 to 1 with 1 abstention. The proposed Ordinance was published in the Stamford Advocate on Monday, February 16, 1959. The Committee unanimously recommends adoption of this Ordinance in the form in which it was published."

MR. BAKER MOVED for approval of the adoption of the following Ordinance. Seconded by Mr. Kelly and CARRIED unanimously:

ORDINANCE NO. 78 SUPPLEMENTALREGULATION OF RENT AND HOUSING ACCOMMODATIONS

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

1. FINDING AND DECLARATION OF NECESSITY

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

2. DEFINITIONS:

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

3. FAIR RENT BOARD

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

4. REGULATIONS:

Said Board may make orders and regulations necessary to carry out its duties under this Ordinance and for the purpose of preventing unreasonable increases in rents and the resulting injury to the public health, safety and welfare.

Such regulations shall provide for the making of individual adjustments in cases in which the rent is deemed to be inequitable, having due regard to the investment of the property owner, increases in property maintenance, taxes, or other applicable costs.

5. ADJUSTMENT OF RENTS

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

6. STUDIES AND HEARINGS

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

7. PROTEST TO BOARD

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

8. APPEALS

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

9. EVICCTIONS

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

- (a) The tenant who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration, but not in excess of one year, for a rent not in excess of the rent as prescribed by Sec. 5, but otherwise on the same terms and conditions as the previous lease or agreement, except so far as such terms and conditions are inconsistent with this Ordinance; or
- (b) The tenant has unreasonably refused the landlord access to the housing accommodation for the purpose of inspection or of showing the accommodation to a prospective purchaser, mortgagee or prospective mortgagee, or other person having a legitimate interest therein; provided such refusal shall not be ground for removal or eviction if such inspection or showing of the accommodation is contrary to the provisions of the tenant's lease or other rental agreement; or
- (c) The tenant has violated a substantial obligation of his tenancy, other than an obligation to pay rent, and has continued, or failed to cure, such violation after written notice by the landlord that the violation cease, or is committing or permitting a nuisance or is using or permitting, a use of housing accommodations for an immoral or illegal purpose; or
- (d) The tenant's lease or other rental agreement has expired or otherwise terminated, and at the time of termination the occupants of the housing accommodations are sub-tenants or other persons who occupied under a rental agreement with the tenant, and no part of the accommodation is used by the tenant as his own dwelling; or
- (e) The landlord seeks in good faith to recover possession for the immediate purpose of demolishing the housing accommodation, or of substantially altering or remodeling it in a manner which cannot practicably be done with the tenant in occupancy and the plans for such alteration or remodeling have been approved by the proper authorities, if such approval is required; or
- (f) The landlord owns or has acquired the right to buy the housing accommodations and has an immediate compelling necessity to recover possession of such accommodation for use or occupancy as a dwelling for himself or for members of his immediate family, or has served during the period of the war emergency in the armed forces of the United States and in good faith seeks possession for his own occupancy; or
- (g) The Board certifies, on grounds other than those stated above, that the landlord may pursue his remedies in accordance with law. The Board may grant such Certificate if the landlord establishes that the ground for removal or eviction is not inconsistent with the purpose of this Ordinance. The Certificate of the Board in such case shall set forth the date after which the remedy in accordance with law may be pursued, which shall not be earlier than three (3) months from the date of the filing of the Petition by the landlord.

#### 10. RECEIPTS

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

#### 11. PENALTY

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

12. INJUNCTION

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

13. NEW CONSTRUCTION

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

14. TERMINATION

This Ordinance and all regulations promulgated and orders issued hereunder shall cease to be effective upon termination by the Board of Representatives of The City of Stamford, or on March 31, 1960, whichever is sooner.

15. TIME WHEN OPERATIVE

This Ordinance shall take effect upon its adoption.

MR. RHOADES: "May the Chair request that the Majority Leader, Mr. Nolan and the Minority Leader, Mr. Fredericks (if he is listening) to inform the President within the next day or two as to whether they propose to re-appoint the present membership of the Rent Control Board. Under the terms of the Ordinance, this is left to the discretion of the Majority and Minority Leaders."

(2) Urban Redevelopment Commission request for abandonment of New Street and East Meadow Street in East Meadow Project

MR. BAKER: "The Redevelopment Plan for the East Meadow Redevelopment Area, which was approved by the Board of Representatives by Resolution No. 188 in 1953, included in Section 21 thereof the provision that New Street and East Meadow Street were to be vacated under the plan. No formal action has been taken to abandon the two streets on the premise that approval of the plan in its entirety in effect approved the details thereof. However, it now has been determined that from a legal point of view it is desirable that such formal action be taken."

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

RESOLUTION NO. 292

WHEREAS: The final accomplishment of the Redevelopment Plan for the East Meadow Redevelopment Area in the City of Stamford, Connecticut, as approved by the Board of

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Representatives of said City by Resolution No. 188 requires the abandonment of New Street and of East Meadow Street as public thoroughfares:

BE AND IT IS HEREBY RESOLVED that the Board of Representatives of the City of Stamford, in regular meeting assembled on the 2nd day of March, 1959, does abandon as public thoroughfares the streets formerly known and designated as New Street and East Meadow Street, pursuant to the Redevelopment Plan for the East Meadow Redevelopment Area.

- (3) Request for no smoking Ordinance (Letter of 2/6/59 from Mr. Nilan, 10th District Representative)

MR. BAKER: "The Committee voted to refer this matter to the Corporation Counsel for a determination whether there is presently such a provision under local Ordinance, State Statute or State Fire Marshals' Code. Pending his reply in this connection, the Committee requests that the matter be recommitted." **Recommitted.**

- (4) Abandoned cemeteries (See Mayor's letter of 11/26/58 - **Recommitted 1/5/59**, and awaiting Corporation Counsel's opinion)

MR. BAKER: "This matter was referred to the Corporation Counsel on January 9, 1959. His reply has not yet been received. The Committee therefore requests recommitment." There being no objection, the matter was recommitted.

- (5) Tax abatement on housing improvements

MR. BAKER: "The Committee has not concluded its review of this matter and therefore requests recommitment for further study." There being no objection, this also was recommitted.

- (6) Performance Bond and Indemnity Bond for street openings

MR. BAKER: "The Committee voted to make no recommendation to the Board on this matter until after adoption of the proposed Building Code. The Committee therefore requests recommitment." **Recommitted.**

- (7) Single Fire Marshal (Requested in letter of 1/22/59 to Chairman of L & R Committee from Supt. of Schools - See Minutes of 2/9/59 page 2136, item #4)

MR. BAKER: "The Committee voted to refer this matter to the Corporation Counsel for advice concerning the powers of the Board in this connection. Pending his reply, the Committee requests recommitment." **Recommitted.**

- (8) Amendment to Ordinance governing licensing of amusement places regarding minors (Requested in letter of 1/23/59 from Stark-Glenbrook PTA to Chairman of L & R Committee - **Recommitted on 2/9/59** - See page 2137 of Minutes)

MR. BAKER: "After lengthy consideration of the circumstances which led to this request, the Committee is unanimously of the opinion that the problem is one of enforcement rather than one requiring a new Ordinance. The Committee therefore suggests that the matter be withdrawn from the L & R Committee and referred to the Health & Protection Committee for discussion with the Police Department. Information in possession of this Committee will be made available." Referred to the Health & Protection Committee.

(9) Building Code

MR. BAKER: "The short period between the February meeting and this meeting and the large number of other items on the Agenda prevented completion of the review of the suggestions presented at the public hearing on the proposed Code."

At Mr. Baker's request, the above matter was recommitted.

(10) Suggested Rules change regarding referrals to two or more Committees

MR. BAKER: "This matter was referred to our Committee by the Steering Committee at its meeting of February 16 in order to suggest a change in the Board Rule adopted April 7, 1958 as recorded on Page 1868 of the Board minutes. It was stated that considerable difficulty arises from the requirement imposed by this rule - that when a matter is referred to two or more committees, the committee responsible for initiating joint action is the senior committee involved as determined by the order of listing in the Board Rules. After review of the rule in question, the Committee recommends that no change be made in view of the provision also included in the rule which reads 'unless specifically otherwise ordered for a particular matter by the referring authority'. This phrase, which has apparently been overlooked, provides for other than the senior committee being the one to initiate joint action when such other committee has a primary interest in the matter under discussion. No action being necessary, the Committee suggests the matter be considered closed."

Mr. Baker's suggestion that the above matter be closed was approved.

(11) Classified Employees' Retirement Fund

MR. BAKER: "This item will be covered later in a joint report presented by the Personnel Committee."

(12) Ferguson Library - Requested approval of suggested legislation

MR. BAKER MOVED for suspension of the rules to take up the above matter. Seconded and CARRIED unanimously.

MR. BAKER: "This matter, involving a change in the Charter of the Ferguson Library was referred to this Board by a letter dated January 26, 1959 from Mr. Harry E. Terhune, a Trustee of the Library. By vote of this Board, a letter was sent to Mr. Terhune advising him that this was a matter for action by the State Legislature and since it was beyond the deadline for submission to the current session, it was returned to the Trustees for action at the next session.

"Mr. Terhune met with the Committee to advise that his original letter to this Board was incorrect in that it had conveyed the impression that the Charter changes were to be made by this Board. Arrangements have been made to have the matter presented by State Representative Mulreed to the current session of the Legislature and Mr. Mulreed is desirous of an expression from this Board that it approves the proposed changes in the Library Charter.

"The changes, which have the approval of the Library Trustees, provide for rotating 5 year terms for the Trustees rather than life terms, as at present. It is their feeling that this change would provide for broader participation of Stamford citizens in the administration of the Library and hence a greater public appreciation of the Library and what it means to the community.

"The Committee enthusiastically supports this view and recommends that this Board unanimously convey to its representatives in the Legislature its unconditional approval of the proposed Charter changes, and I so MOVE." Seconded by Mrs. Zuckert.



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MR. RHOADES: "You have heard the motion. Is there any discussion?"

One of the members asked how the terms of the Trustees ran.

MR. BAKER: "There are two groups of Trustees - one of the groups is appointed by the Mayor, and the other group -- there is a name for it -- life Trustees, or whatever it is called and they are self-perpetuating. When there is a vacancy in that group of Trustees, the remaining Trustees elect the successor. Each of these would be for a rotating five year term with a minimum of one year in between a term which a man serves - in other words - he must be off the Board for a year before he can be re-elected."

MR. MACRIDES said he was in favor of the change. He said: "I would like to see some consideration given to the possibility of having the Board of Representatives confirm the appointment of this one group of Trustees."

MR. RHOADES said he was in favor of having less work for the Board of Representatives. (Laughter)

VOTE taken on indicating the Board's approval of the recommendations of the Committee. CARRIED unanimously.

Instead of taking up the next order of business on the Agenda, it was decided to skip to the report of the Education, Welfare & Government Committee on the following matter, because of the number of spectators interested in this.

#### EDUCATION, WELFARE & GOVERNMENT COMMITTEE:

##### Re: Sale of City-owned property - Wright Technical School

MR. MACRIDES: "Actually, this is going to be the Health & Protection Committee's report. It is merely a progress report at this point and concerns information which we haven't gotten as yet."

MR. RHOADES: "May the President, at this point, make a statement to Mr. Georgoulis. Mr. Georgoulis feels that some expression be given to the President's views in regard to reducing the Board of Representatives business and as to what is properly before us and what is not reflects the justification or non-justification of this item. Nothing could be further from the truth. The President has said repeatedly that there are many items on our Agenda which do not belong there. He is prepared to document that at the next Steering Committee meeting. But, he has not expressed an opinion on this particular matter. He has only used it as an example of items which should follow normal procedure as outlined in the Charter: to the Mayor, the Planning Board, the Board of Finance and the Board of Representatives."

"The matter of the sale and transfer of city-owned property is very complicated. Mr. Mackler, the Chairman of the Board of Finance, is extremely disturbed about how it is done, or how it can be done. We are now in the process of trying to sell a piece of property to a man who wants to buy it very badly and to whom we want to sell it, and it is extremely difficult to try and find out how to do it."

"The President has expressed no view on this matter and does not intend to. It is properly before us and there is no reason why it cannot be discussed. Of course, this Board can take no action preceding that of other Boards. However, in all fairness to Mr. Georgoulis - he would like to be heard and I think that he should be."

MR. GEORGOULIS spoke on the proposal from the Sacred Heart School Committee contained in their letter of February 4, 1959, and urged that their proposal be favorably

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considered. He said: "I request that the Committee come in with a report at their next Board meeting in order to settle this vital question."

#### PUBLIC WORKS COMMITTEE:

MR. TOPPING: "No meeting was held this month, because members of the Committee were attending other committee meetings and nothing new was referred to us."

##### (1) Army Engineer Corps - Public notice dated 2/9/59 re flood protection

MR. TOPPING: "Each of the members here have been supplied with a copy of the report from the Flood and Erosion Control Board. I wish the members would all read it, as it contains very excellent information on the flood protection for Cummings Park and for the South End. As you will note, the project has been approved by the U. S. Army Engineer Division of New England. It still has to be approved by them in Washington - that is the next step that it has to take."

"I am in possession of some information that I wish you would all listen to. During 1958 a survey was made of the total assessed value of the property in the South End area in Stamford, subject to flooding. We found that the total assessment value of real estate was \$19,066,120; the assessed value of personal property, exclusive of motor vehicles, of \$11,405,360 making a grand total of \$30,471,480. Now, that is only the assessed value. It can be presumed that the minimum true value of real estate is approximately \$35,000,000 and of personal property \$17,000,000 or a grand total of the true value of approximately \$52,000,000."

"Now, when we get our request for our portion of \$2,500,000 to construct this dike that has been proposed as "Scheme E" we must remember that we are protecting property valued at \$52,000,000, and that the property damage from our last several hurricanes has more than exceeded the amount of what it would cost us to build the dike."

MR. COLATRELLA: "I would like to add one note to Mr. Topping's remarks and that is the fact that whenever anyone mentions this they assume that we are concentrating solely on protection for the South End, but if you will look at the map attached at the end of this report, you will see that this extends well into the Eastern section of our city."

MR. TOPPING: "Cummings Park, our Incinerator and all of our harbor facilities will all be protected by this."

"The Flood and Erosion Board is presently studying the establishment of encroachment lines on our rivers and streams as a flood prevention project and hope to have an Ordinance ready for submission to this Board in the near future."

##### (2) Carter Drive and Tupper Drive - Drainage conditions (Recommitted on 2/9/59)

MR. TOPPING: "This work has been projected to the 1962-1963 Capital Budget."

#### HEALTH & PROTECTION COMMITTEE:

##### (1) Parking Authority - Request of 11/13/58 for installation of parking meters on both sides of Atlantic Street, from railroad bridge to Henry Street. (Recommitted 12/8/58, 1/5/59 and again on 2/9/59)

MR. LEWIS (Vice-Chairman): "The Health & Protection Committee met on the request from the Parking Authority. The Parking Authority were invited to meet with us. This did not come about. I do believe, in talking to interested parties, that

there were several fund drives going on and they were unable to attend our meeting for this reason. However, Tony Marciano, Gerald Longo and myself attended the meeting." Mr. Lewis asked to have this matter recommitted until the Parking Authority are able to meet with the Committee.

MR. MARCIANO said they had been requested by four stores to have meters placed in front of their stores only.

After further discussion, MR. LEWIS MOVED that the Board of Representatives refuse this particular request, without prejudice. He said: "This will give them an opportunity of coming in again after they have had a chance to study it." Seconded by Mr. Marciano and Mr. Kolich and CARRIED unanimously.

## (2) Curtailment of bus service

MR. LEWIS spoke briefly on this matter. He said: "Mr. Mortimer has written us a very nice explanation of the reason for the curtailment of bus service. You cannot take exception to what he says because he does point out that while the special tripper busses do carry school children, they are not required by law to have other vehicular traffic stop when they are loading or unloading passengers, even if we were to place 'School Bus' signs on these busses. Unfortunately after 6 or 8 years we are back here on March 2, 1959 exactly nowhere, other than to be able to establish an educational program. Mr. Mortimer points out that if we were to place these signs on the busses it would give school children a sense of false security."

MR. RHOADES reminded the members that the public hearing on the curtailment of bus services would be held in Hartford this coming Friday at 10:30 A.M. before the Public Utilities Commission.

MR. ROCHE: "I would just like to bring out this fact. In the future when there are hearings before the PUC, if there are 15 citizens who are interested in having the hearing held in Stamford, then the hearing must be held in Stamford. This information was given to me by one of the former members of the Commission, while he was telling me how the PUC was trying to go along with this hearing that we requested. In the future, if this ever happens again, we will know that 15 signatures requesting that the hearing be held here is all that will be necessary to bring this about."

## PLANNING & ZONING COMMITTEE:

### Final adoption of Ordinance establishing minimum road specifications

MR. MURPHY (Vice-Chairman): "The Committee is prepared to offer for final approval the following Ordinance which was presented at the February meeting for publication and which was properly published under Legal Notices in the local newspaper. I MOVE for its adoption. Seconded by Mr. Topping.

MR. TOPPING: "I would like to offer some amendments to this Ordinance.

"This is a good Ordinance and it will help us a great deal in our processing of roads under Section 640 of the Charter.

"There are three revisions which I would like to make in it which will make it even more effective.

"The first revision is to insert the words 'and under Section 640 of the Charter as amended' after the words: 'may by permission of the Board of Representatives'. That will specifically tie this in with Section 640, which is what we originally proposed this Ordinance for."



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MR. WILENSKY objected to this amendment, because some people may not wish to proceed under Section 640.

MR. GERONIMO seconded Mr. Topping's amendment to the Ordinance. CARRIED by unanimous vote.

MR. TOPPING offered the second amendment to the Ordinance, where it says "minimum Width". He MOVED to change the width of the finished pavement of the road to be "not less than 22 feet", in order to comply with the requirements of the Planning Board.

MR. RHOADES: "If there is no objection, we can assume this as being APPROVED."

Re: Curbing:

MR. TOPPING MOVED to amend the above portion of the Ordinance to read "Asphalt curbing and gutters shall be provided where conditions indicate a need to properly direct flow of street storm waters." Seconded by Mr. Huizinga and CARRIED unanimously.

VOTE on final adoption of Ordinance, as amended by Mr. Topping and CARRIED unanimously. The Ordinance as approved and amended is as follows:

ORDINANCE NO. 79 SUPPLEMENTAL

ESTABLISHING MINIMUM SPECIFICATIONS FOR WHICH UNACCEPTED,  
SUBSTANDARD ROADS THAT WERE OPEN TO VEHICULAR TRAFFIC PRIOR TO  
1953 MUST MEET BEFORE ACCEPTANCE AS CITY STREETS

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Those roads not accepted as City Streets, because of failure to meet the existing road specifications of the City of Stamford, and which were open to vehicular traffic prior to 1953, and for which no performance bond is in existence, may, by permission of the Board of Representatives, and under Section 640 of the Charter, as amended, be brought up to the following minimum standards for acceptance as City streets:

Sub Grade

The sub grades shall be of suitable consolidated material. Soft clay, spongy or unsuitable soil shall be removed and replaced with gravel or other approved material and compacted.

Wherever soil is of such nature that it retains an excessive amount of moisture or where conditions do not afford natural drainage, sub drains or side drains shall be provided.

Pavement Material

Bottom Course

At least 8 inches in thickness and below the finished grade shall be a layer of thoroughly compacted run-of-bank gravel. The finished grade shall be properly crowned and within tolerances set for roads by the City Engineer.

Undercoat

Upon the finished grade shall be applied, by pressure distributor, a penetrating coat of R C Special cut back asphalt, or approved

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equivalent, at the rate of 1-1/2 to 2 gallons per square yard.

#### Top Coat

Within 72 hours, a seal coat, applied by pressure distributor, of RC-4 1r RS-2 asphalt, at a rate of 3/4 gallons per square yard, shall be applied. Immediately thereafter, the surface shall be properly sanded.

#### Minimum Width

Finished pavement shall be not less than 22 feet wide. No obstruction may exist closer than 3 feet from edge of pavement.

#### Curbing

Asphalt curbing and gutters shall be provided where conditions indicate a need to properly direct flow of street storm waters.

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

#### PARKS & RECREATION COMMITTEE:

MR. KELLY (Chairman) read his Committee report. He said the Committee met with the Park Commission on February 19, 1959.

##### (1) Park Commission Fees - 1959 Season

MR. KELLY explained how his committee felt about the fees. He said there was disagreement in the Committee and that two members felt the fees should be higher and two members felt the fees should be set by the Park Commission. After some discussion as to the pros and cons of the subject, and because of the lateness of this matter coming before the Board, Mr. Kelly MOVED for approval of the following: seconded by Mr. Connors and CARRIED with one dissenting vote:

#### 1959 Park Department Fees

Tennis -----	\$ .40	per hour per court
Lawn Bowling -----	2.00	seasonal rate per person
Lockers -----	20.00	seasonal rate
Clothes Checking -----	.25	
Parking Stickers -----	1.00	

#### Marina Fees - 1959 Season

Cummings Dockage -----	\$15.00	
" Open -----	7.50	
" Shore -----	5.00	
Southfield Dockage -----	15.00	

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Dyke Dockage -----	\$10.00
Cove Island Open -----	7.50
" " Shore -----	5.00
Seasonal Launching Ramp --	5.00
Daily Launching Ramp -----	.50

Note: In addition to above rates, there will be a charge of .25¢ for an identification plate.

#### PERSONNEL COMMITTEE:

MR. RHOADES: "All of the items which Mr. Rybnick is going to present, are contained in the language of Chapter 73A of the Charter, beginning on page 99 of the Charter, and are therefore available to all members. Mr. Rybnick will refer to each change by sections, beginning with Section 744 (in Charter) and following along, as indicated in his report.

- (1) Classified Employees' Retirement Fund (Request for amendment to Pension Plan in letters of 2/10/59 and 2/19/59)

MR. RYBNICK: "A meeting was held February 24, 1959 in the Mayor's Office, City Hall, to consider proposed amendments of the Classified Employees Pension Plan. The Personnel and Legislative & Rules Committees were represented. Mr. Rybnick acted as Chairman. Mr. Rhoades was present in his capacity as Trustee of the Plan and Mr. McCutcheon as Executive Secretary for the Trustees, to explain the proposed changes."

After discussion of each proposed amendment, a vote was taken and CARRIED. The final resolution, amending the Classified Employees Retirement Plan, as it was approved by MOTION of Mr. Rybnick, seconded by various Board members, 'was APPROVED by unanimous vote, is as follows:

#### RESOLUTION NO. 293

AMENDMENTS TO CITY OF STAMFORD CLASSIFIED EMPLOYEES' RETIREMENT PLAN (Authorized by Special Act. No. 463, 1951 General Assembly; previously amended by Board of Representatives by Resolutions Nos. 140 and 141, meeting of June 16, 1952; Resolution No. 186, meeting of October 4, 1954 and Resolution No. 288, meeting of December 8, 1958) (See Chapter 73A of Charter)

BE AND IT IS HEREBY RESOLVED that the Classified Employees' Retirement Plan be amended as follows:

(Note: Material in brackets ( ) to be omitted.  
Material underscored is new.)

Under Section 1 of the Plan, the paragraph headed "MEMBER" to read as follows: (See Section 744 in the Charter)

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SECTION 1. "MEMBER" shall mean a beneficiary of the fund whether currently in receipt of benefits or not. Membership for employees in the services of the city or on authorized leave of absence on July 1, 1952 shall become effective on



said date. Each eligible employee in the service of the city on July 1, 1952 shall be required to participate in the retirement system. For employees who shall be employed after July 1, 1952, membership shall become effective one month after date of employment. Employees who are given permanent status, who have been employed in a temporary capacity for three months or more before becoming a permanent employee, may pay arrears of contributions for the period of temporary employment by a single payment or by having the additional amount deducted from the payroll over such period as the employee may desire, but not to exceed twelve months.

Under Section 1, the paragraph headed "SERVICE" add the following at the end of the present wording:

However, after July 1, 1952 only those months for which contributions were made shall be counted, with the exception that time spent as a member of the armed forces of the United States in time of war or reasonable apprehension thereof, or during a national emergency, by any member of the retirement system or by any person who would otherwise be eligible for membership hereunder shall be included in computing length of time of service in the City, provided such person shall apply and qualify for reemployment in the City service in accordance with the provisions of the National Service Act.

Under Section 2 "COMPOSITION OF FUND" sub-paragraph (e) change "rate of (two) per cent" to read "rate of three per cent". (Note: See Section 745 of Charter)

Under Section 5 "RETIREMENT" add the following at the end of sub-paragraph (a): (Note: See Section 748 of Charter)

In no case shall the Trustees extend the services of any employee beyond the date on which he attains the age of seventy-three. However, no contributions to the fund shall be accepted from members so continued in service beyond age seventy and any such member shall receive upon retirement the same amount of pension that he would have received if retirement had occurred upon attainment of age seventy years.

Under Section 5 "RETIREMENT" change sub-paragraph (d) to read as follows:

(d) The trustees shall retire any member who shall have completed fifteen or more years of service if he shall submit evidence satisfactory to the trustees that he has become totally and presumably permanently disabled from performing any work for the City before becoming eligible for a pension under (a), (b) or (c). No claim of disability shall be allowed or considered if it is proven that such disability existed prior to service in the City of Stamford, or if it be established that disability was brought about by employee's own willful misconduct. Total disability shall not be presumed to be permanent until it has existed for six months unless caused by an injury, the nature of which is such as to cause a disability which the trustees consider to be obviously permanent.

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It shall be the duty of the trustees to review each such case at least once a year to determine (continuance of total disability) if continuance of total disability is such that the employee cannot engage in a gainful occupation. If the board shall, upon competent medical evidence, conclude that the disability for which the employee is receiving a pension no longer exists, or if it shall be established that the employee is engaged in gainful occupation, the trustees shall order a discontinuance of the pension payable to such employee.

Under Section 6 "PENSIONS" change sub-paragraph (d) as follows:  
(Note: See Section 749 in Charter)

After the word "dependents" at the end of each sentence, add the words "or beneficiaries".

In the first sentence, change the phrase "at the rate of two per cent per annum compounded annually" to read "at the rate of two per cent per annum compounded annually for service prior to June 30, 1959 and at the rate of three per cent per annum compounded annually for service thereafter....."

In the second sentence change the phrase "at the rate of two per cent per annum" to read "at the rate of two per cent per annum compounded annually for service prior to June 30, 1959 and at the rate of three per cent per annum compounded annually for service thereafter....."

Under Section 7 change to read as follows: (Note: See Section 750 in Charter)

Section 7. When a member shall leave the service other than by retirement or his service is terminated for any cause, a refund of the contributions paid by him with interest at the rate of two per cent per annum compounded annually for service prior to June 30, 1959 and at the rate of three per cent per annum compounded annually for service thereafter shall be made. In the event an employee who has terminated his employment seeks to be reinstated after re-employment by the City, before he shall be eligible to receive the benefits of the pension plan herein established for service prior to said reinstatement, he shall repay all sums refunded to him on his prior termination of employment, together with interest at the rate of three per cent per annum. If the employee refuses to repay all sums refunded to him, plus interest, his status shall be considered as that of a new employee and no credit toward retirement for previous employment with the City shall be considered. No such reinstated employee shall be eligible for any benefit hereunder until he shall have completed five years of service since his last reinstatement except the right to a refund of his contributions with interest as set forth in this section.

Under Section 11, change the phrase "at the rate of (two) per cent" to read "at the rate of three per cent....." (Note: See Section 754 in Charter)

#### EDUCATION, WELFARE & GOVERNMENT COMMITTEE:

MR. RHOADES: "Mr. Macrides, does your Committee have anything else?"

Request for single Fire Marshal ( See item #7 under L & R Committee - Also see Minutes of 2/9/59 - item #4 under L & R)

MR. MACRIDES: "Everything we have has been covered, except for one item (see above) and we would like to have that recommitted.

MR. RHOADES: "Without exception, it is so ordered."

MR. TOPPING: "I would like to make a recommendation that this Fire Marshal be considered only for the volunteer fire companies and not to cover the complete city. I think the paid department should be kept separate from the volunteers."

CHARTER REVISION COMMITTEE:

MR. MACRIDES: "I would like to take up our report where we left it."

- (1) Revisions requested by the Special Police Fact-Finding Committee in their report to the Board of Representatives on February 9, 1959

MR. MACRIDES: "Our Committee agreed to the following changes in the Charter:"

Chapter 50

Sec. 503, 6th line: Delete "except appointments to the board of public safety".

Sec. 503.1: Revoke

Sec. 504, 2nd line: Delete "except members of public safety".

Sec. 505, 2nd line: Delete "except members of board of public safety".

MR. MACRIDES: "The reason for these changes is to change the term of the Board of Public Safety from its present concurrence with that of the Mayor to a three year term with only one of its members being replaced each year so that there would be continuity which does not presently exist. I MOVE that this group of changes to Chapter 50 of the Charter be referred to the Charter Revision Commission." Seconded by Mrs. Zuckert.

MR. CUMMINGS, at the request of Mr. Macrides, explained the reasons for the suggested changes, reading from his Committee report, submitted at the last Board meeting, when these changes were recommended.

VOTE taken on Mr. Macrides' motion and CARRIED by a vote of 34 in favor.

MR. RHOADES explained that a vote of at least 27 votes in favor would carry the motion.

MR. MACRIDES: "The other requested revision was to add Section 560.1 as follows:

- (2) 'Board of Public Safety (Chapter 58 of Charter)

'The board shall have the power to approve or disapprove by majority vote, any action of the chiefs of the police and fire departments in their exercise of duty. If aggrieved, either chief may appeal decisions of the board to the mayor within 15 days.'

"The Committee could not decide whether or not to support this change, and if so, whether or not to limit its application to administrative duties of the chiefs and



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therefore present this proposed amendment without any recommendation, except that the word 'approve' be replaced by the word 'ratify' if the section be used."

MR. CUMMINGS explained the reasons why his committee recommended this change in the Charter and read from his committee report given at the February meeting.

MR. KOLICH MOVED the above suggestion be referred to the Charter Revision Commission. Seconded by Mr. Topping.

MR. LEWIS said he would like to have this explained further.

MR. CONNORS said he is fearful that this might open the door for politics to enter the Police Department.

After considerable debate for and against this being referred to the Charter Revision Commission, MR. LEWIS MOVED that this matter be referred back to Committee for further study. Seconded by Mr. Colatrella and LOST by a voice vote.

MR. BAKER MOVED the previous question. (Vote on Mr. Kolich' motion)

VOTE taken on Mr. Kolich' motion to refer this to the Charter Revision Commission. LOST by an affirmative vote of 26 in favor.

MR. RHOADES explained that an affirmative vote of 27 would have been necessary to carry.

### (3) Changes to the Zoning and Planning Referrals to the Board of Representatives

- (a) Sec. 529 and 556: Delete the first clause so that each section would now begin: "any person aggrieved...."

MR. MACRIDES: "The Committee decided to refer this change to the Charter Revision Commission. This change would remove ambiguities presently appearing as to the right of appeals from the Zoning and Planning Boards directly to the courts and would then make the language clearly consistent with the interpretation of the existing language by the Court of Common Pleas."

MR. MACRIDES MOVED for approval of the referral of the above to the Charter Revision Commission. Seconded by Mr. Wilensky and CARRIED by a vote of 33 in favor.

- (b) Sec. 529.1 and 556.1: To be changed by deleting the language "... the affirmative of the majority of the entire membership of said board shall be required", and replacing it with: "...the vote of a majority of the members of said board present shall be required", or, in the alternative: "A vote of a majority of the entire membership of said board shall be required to effect any change in the Master Plan (Zoning Map or Regulations)."

MR. MACRIDES: "The reason for these proposed changes is the feeling that the will of the majority of the Board of Representatives, and therefore of the people whom they represent, is thwarted by the present language as interpreted by the Corporation Counsel."

"This has been indicated in three referrals in which the vote has been strongly in favor of upsetting the proposed amendments, but has failed because the majority was less than 21."

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MR. MACRIDES MOVED these alternative suggestions. Seconded by Mr. Wilensky and Mr. Kolick and CARRIED by a vote of 27 in favor.

- (c) Sec. 553.2: The sentence which presently reads: "The number of signatures required on any such petition shall be (100) if the proposed amendment applies only to one zone" should be changed to read: "The number of signatures required on any such written petition shall be 20% of the owners of privately owned land within 500 feet of the borders of the area so zoned if the proposed amendment applies only to one zone."

The last sentence of said section should be changed from a requirement of (300) land owners to (200) land owners.

MR. MACRIDES: "These changes are proposed because of the unreality of requiring (100) signatures where that number is just not available within 500 feet of certain zones and the great difficulty of getting (300) signatures anywhere within ten days. I therefore MOVE the referral of this to the Charter Revision Commission." Seconded by Mr. Baker and CARRIED unanimously.

MR. NOLAN asked to be excused at 12:30 A.M.

Re: Clarification of Charter Revision Commission referral

MR. WILENSKY: "I have been requested by the Charter Revision Commission to request the Board to clarify the language in a matter that was referred to it at our January meeting. This has to do with Section 206 which is an added section entitled "Funds for Investigation". (Note: See page 2114 of Minutes of 1/5/59)

"In that the language that was read into the Charter revision does not specify what I believe was our intent that the funds be appropriated only for action under Section 204.2. The way that this now reads (reading from our Minutes)...."

The members objected to the reading of the previous Minutes.

"Please add language at the end of the first sentence: "....under Section 204.2" which would limit it to the action we originally intended."

MR. RHOADES: "Do you make that as a motion?"

MR. WILENSKY: "Yes, I will make that as a motion."

Seconded by Mr. Baker and CARRIED unanimously.

SPECIAL COMMITTEE ON HARBOR SAFETY:

MR. LEWIS: "The Harbor Safety Committee is having their final meeting on March 10th in the Mayor's Office at 8:30 P.M. This in connection with finalizing our Ordinance for release to our Legislative & Rules Committee."

COMMUNICATIONS FROM OTHER BOARDS AND INDIVIDUALS

(1) Invitation from Ferguson Library to all Board members to attend open house on Tuesday, March 3, 1959 at 8 P.M.

(2) Letter from PUC dated Feb. 17, 1959 concerning protest filed with them by the Board of Representatives regarding curtailment of bus service.

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Notice of Hearing from PUC, in matter of Stamford bus service curtailment, to be held in Room 565-A, State Office Building, Hartford, Conn., on Friday March 6, 1959 at 10:30 A.M.

## NEW BUSINESS

MR. RHOADES called attention of Board members to the joint public hearing of this Board and the Board of Finance on the 1959-1960 Budget, to be held on Wednesday, March 11, 1959 in Burdick Jr. High School.

MR. RHOADES: "Will members of the Fiscal Committee please note: On Friday, March 13, 1959, the Budget of the Board of Representatives will be heard by the Board of Finance and some member of this Board will have to represent us at that hearing.

"The next Steering Committee meeting will be held on March 23rd.

"The next regular meeting of the Board will be Monday, April 6th, and at that meeting the Board of Finance has tentatively promised to submit the Budget to us.

"Therefore, the next Steering Committee meeting will be held on April 20th, and the regular meeting in May on May 4th. And, we would very much like to hold the Special Meeting on Tuesday, May 5th, the following day, on the matter of the Budget. That last date is now so tentative that it is hardly able to stand by itself.

## ADJOURNMENT

There being no further business to come before the Board, upon motion of Mr. Baker, duly seconded and CARRIED, the meeting adjourned at 12:42 A.M.

Respectfully submitted,

vf

Velma Farrell  
Velma Farrell, Executive Secretary

APPROVED:

Norton Rhoades  
Norton Rhoades, President