

A regular meeting of the Board of Representatives of the City of Stamford was held on Monday, June 6, 1960, in the Cafeteria of the Dolan Jr. High School, Tom's Road, Stamford, Connecticut.

The meeting was called to order at 8:10 P.M. by the President, John R. Nolan.

INVOCATION was given by Rev. Joseph D. Kucharik, Pastor, Trinity Lutheran Church.

ROLL CALL was taken by the Clerk. There were 25 present and 15 absent at the calling of the roll. However, several members arrived a few minutes later, changing the roll call to 28 present and 12 absent.

The absent members were: Anthony Truglia, Joseph Mancusi, George Georgoulis, Michael Macri, Bernard Geronimo, Martin Pompadur, Allen Shanen, Raymond Mazza, Stephen Kelly, Edward Dombroski, Stuart Palmer and Alvin Philpotts.

Re: Recent death of mother of William M. Ivler, 15th District Representative

MR. IVLER thanked the members of the Board for their expression of sympathy during his recent bereavement.

The President called for a moment of silence in respect to the memory of Mr. Ivler's mother.

ACCEPTANCE OF MINUTES: Meeting of May 2, 1960
Meeting of May 9, 1960

There being no additions or corrections, the minutes of the above meetings were accepted.

COMMITTEE REPORTS:

MR. NOLAN, President, presented the following Steering Committee report:

STEERING COMMITTEE REPORT Meeting held Monday, May 23, 1960

A meeting of the Steering Committee of the Board of Representatives was held in the office of the Mayor, City Hall, on Monday, May 23, 1960.

The meeting was called to order at 8:10 P.M. by the Chairman and President of the Board, John R. Nolan.

Present were: John DeForest, Rutherford Huitzinga, Clyde O'Connell, William Ivler, Mrs. Austin, Paul Callahan, John Nolan, James Carey, Daniel Reback, Bernard Geronimo, Henry Nolan, Peter Sileo and George Russell.

Absent were: Martin Pompadur, Paul Shapero, Daniel Baker, Steve Kelly (ill); and William Murphy.

(1) Matters before Board of Finance requiring their prior action

It was noted that a great many matters presently before the Board of Finance could not be considered tonight for the reason that no action has yet been taken by that Board. If action is taken in time for committees to meet on same, they will at that time be referred to the proper committee.

- (2) Lenox Avenue - Dangerous Condition - Letter dated 5/23/60 from Wm. Ivler, 15th District Representative
REFERRED TO HEALTH AND PROTECTION COMMITTEE
- (3) Petition from United Fund, concerning 1960 campaign - (Referred by Mayor in letter dated 5/13/60) --- REFERRED TO PARKS & RECREATION COMMITTEE
- (4) Letter from John DeForest, 19th District Representative, dated 5/23/60, Concerning Preservation of Old Mansion House at Cove Island

It was decided to write to the Park Department for information on this matter, as it was considered not to be within the jurisdiction of this Board.

- (5) Letter from STAMFORD GOOD GOVERNMENT ASSOCIATION, dated 5/12/60, concerning personal interest of members of City Boards in matters under consideration by other Boards

This was referred to the President to answer and to convey the feeling of the members on this matter to the SGGA.

- (6) Corporation Counsel's Opinion, in letter of 5/4/60 - Re: Possibility of Establishment of a School Tax District

Ordered placed on agenda under COMMUNICATIONS for the information of all Board members.

- (7) Final report from a special committee of the 5th Board on recommendations relative to the Police Department requiring Charter changes - Contained in letter dated 5/23/60 from John DeForest, 19th District Representative.
REFERRED TO CHARTER REVISION COMMITTEE

- (8) Re-evaluation of property

Mr. Geronimo, 6th District Representative, brought up the question as to how property owners could become acquainted with the procedures employed in the re-evaluation of property.

This was discussed at some length, with many suggestions made as to how it could be done. It was felt that this was not within the province of the Board. Mr. Geronimo was advised to inquire of those best acquainted with the matter.

- (9) Public Utilities Commission - Notice dated 5/6/60 - Concerning increase of bus rates of West Fordham Transportation Corporation Ordered placed under COMMUNICATIONS

- (10) Replacement for Edward Wynn, resigned, on Fiscal Committee

Paul Callahan was named by the President as replacement on the above committee for Mr. Wynn, recently resigned from the Board.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned.

FISCAL COMMITTEE:

MR. REBACK explained that no meeting of the Fiscal Committee had been held until this evening because of lack of time since the meeting of the Board of Finance.

MR. REBACK MOVED for suspension of the rules in order to consider the following matter. Seconded by Mr. Ivler.

\$40,000.00 - Transfer in the 1956-1957 Capital Projects Budget from the Depinedo, Acosta and Nobile Streets Sanitary Sewer appropriation to sanitary sewers, Shippan-West Beach area

(Requested in Mayor's letter of May 25, 1960)

MR. HUIZINGA spoke in opposition to taking up this matter under suspension of the rules, for the reason that it had not been studied by the committee. He suggested that it follow the usual procedure for all appropriations, namely, be referred to the Committee through the Steering Committee, after final approval was given by the Board of Finance. He stated that because the meetings of the Board of Finance were sometimes held just before the scheduled meetings of this Board, that it always left the Board of Representatives in the position of not having enough time to call a meeting of the committees to whom the particular matter would be referred. He said that during the last seven years it had been his experience that when these matters were acted upon under suspension of the rules, it was sometimes found that they did not have enough time to study them properly before bringing it before the Board for approval. This could and sometimes did result in troublesome situations, because the Board acted hastily, without sufficient study to do it properly.

MR. CONNORS spoke in favor of acting tonight. He said he could see no reason why departments of the city should be held up on appropriations that were extremely urgent. He said the Board had been taking up urgent matters under suspension of the rules for the past 11 years and could see no harm in acting on this tonight; that it was nearing the end of the fiscal year and would create a hardship to carry these requests for emergency appropriations over into the next fiscal year.

The President reminded the Board members that this was not a debatable motion.

MR. REBACK informed the Board that the only reason he was bringing up certain requests at this time was because of their importance, and that these were taken from a list of some 30 items that he had received only today. He explained that this particular matter was not an appropriation but merely a transfer from one account in the 1956-1957 Capital Projects Budget to another account.

MR. HUIZINGA asked if this was a transfer from one department to another.

MR. REBACK explained that the transfer was within a department, and was money that was left over in the account after the work was completed.

VOTE taken on suspension of the rules. The President reminded the members it would require a 2/3 vote. CARRIED by a vote of 23 in favor and 3 opposed.

MR. REBACK MOVED for approval of the requested transfer of the \$40,000, as set forth in Mayor's letter dated May 25, 1960. Seconded by Mr. Cole.

MR. HUIZINGA objected to considering this matter without a ruling by the Corporation Counsel. He was informed that he was not present. He then asked for a ruling by the Chair, on an interpretation of the Charter.

MR. NOLAN (President read an excerpt from the Mayor's letter of May 25, 1960 which

stated "In accordance with Sec. 630 of our Charter.....". He referred the members to that particular section of the Charter.

MR. REBACK MOVED to hear from the Commissioner of Public Works who was present. Seconded by Mr. Connors.

MR. BAKER objected to this, stating that the Commissioner should not be expected to answer a legal question.

MR. SHAPERRO spoke in favor of hearing from the Commissioner of Public Works.

VOTE taken on hearing from the Commissioner. CARRIED.

MR. CANAVAN, Commissioner of Public Works, spoke briefly, explaining the background and the need for this transfer of funds. He said that action was needed in order to comply with Section 630 of the Charter - the part which starts at the top of page 76, which reads as follows:

"Any excess over the amount required for the purpose for which the bonds were issued may be used by direction of the Board of Finance and the Board of Representatives for any other capital projects in the capital projects program, and if not so directed within a period of ninety days from the COMPLETION of the purposes for which the bonds were issued, the same shall be applied to the redemption of such bonds."

After further debate, MR. CALLAHAN MOVED the question. Seconded by Mr. Cole.

MR. MURPHY asked Mr. Callahan to withdraw his motion. The Chair ruled that this cannot be done.

VOTE taken on Mr. Callahan's motion. LOST.

The debate continued on Mr. Reback's motion for approval of the transfer of the \$40,000 from one account to another in the 1956-1957 Capital Project Budget.

After considerable further debate, MR. SCARELLA MOVED the question. Seconded by Mr. Connors. CARRIED.

VOTE taken on Mr. Reback's motion. CARRIED unanimously.

MR. REBACK MOVED for suspension of the rules in order to take up the following: Seconded by Mr. Ivler. CARRIED with one dissenting vote.

\$3,325.00 - Police Department - (Additional appropriation requested in Mayor's letter of March 29, 1960)

Code 430.6	Batteries, Ammunition, Inhalators-----	\$ 260.00
Code 430.7	Janitor Supplies-----	250.00
Code 430.12A	Traffic Supplies-----	2,500.00
Code 430.12B	Traffic Light Power-----	315.00
		<u>\$3,325.00</u>

MR. REBACK MOVED for approval of the above request. Seconded by Mr. Ivler.

MR. IVLER spoke in favor of the request, stressing the urgency.

MR. BAKER rose to a point of information and asked why this wasn't referred to his committee (Health & Protection). He said he was in sympathy with the request.

MR. REBACK explained it was because they had not been notified of the action of the Board of Finance until today, for the reason that they had only acted on this Thursday evening and there was not enough time.

MR. HUIZINGA objected to what he considered impulsive action on these matters. He said he thought the Committees should have time to consider them carefully before acting. He asked if the Chairman of the Fiscal Committee was informed of the balances remaining in these accounts. He was referred to the Mayor's letter in which the details are outlined, giving the balances in the various accounts.

MR. HUIZINGA MOVED that this be referred back to Committee for proper investigation.

MR. DEFOREST amended the motion to include not only the Fiscal Committee but the Health & Protection Committee also.

MR. SCARELLA spoke in opposition to Mr. Huizinga's motion.

MR. CONNORS spoke against the motion.

MR. BAKER spoke in opposition to the motion.

MR. SHAPERO MOVED the question. Seconded by Mr. Ivler and CARRIED.

VOTE taken on Mr. Huizinga's motion, as amended, that this be referred back to the Fiscal and Health & Protection Committees. LOST.

The President stated that the motion now before the Board was Mr. Reback's motion to approve the appropriation of \$3,325 for the Police Department.

MR. IVLER spoke in favor of Mr. Reback's motion.

MR. BAKER MOVED the question. A RISING VOTE was taken on Mr. Reback's motion. CARRIED by a vote of 23 in favor and 4 opposed.

Re: Board of Finance -- Schedule of Meeting

MR. MURPHY said he thought the question of the last minute action usually taken by the Board of Finance on fiscal matters just before a meeting of this Board be referred to the Steering Committee to determine just what action could be taken in regard to the proper method of acting upon fiscal items received at the last minute, and SO MOVED. Seconded by Mr. DeForest.

MR. IVLER MOVED TO AMEND that this be referred to the Charter Revision Committee for the reason that perhaps an amendment to the Charter would be the best way in which to straighten out the schedule and chain of action of the Boards on fiscal matters.

The President asked Mr. Ivler to present this in writing and perhaps it could be taken up later in the meeting under New Business. It was agreed that this be done.

PUBLIC WORKS COMMITTEE:

MR. HENRY NOLAN said no meeting had been held by his committee, but they had been sent two petitions. (1) From Peter Sileo, concerning a serious condition on Ocean Drive West, and (2) From George Connors, concerning residents of Aquila Road. He reported that these matters would be taken up at their next meeting.

HEALTH & PROTECTION COMMITTEE:

MR. BAKER, Chairman, said the matter of Lenox Avenue, (dangerous condition) was still in Committee.

PLANNING & ZONING COMMITTEE:

MR. RUSSELL MOVED for final approval of the following Ordinance, which was adopted for publication at the May 2, 1960 Board meeting. (See page 2819 of Minutes) Seconded by Mr. Rybnick and CARRIED unanimously:

ORDINANCE NO. 95 SUPPLEMENTALCHANGING THE NAME OF A PORTION OF REDMONT ROAD, A
CITY STREET, TO DEMING LANE

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

A portion of the following street name shall be changed as shown below:

Change that portion of Redmont Road,
from intersection with Black Wood Lane
and continuing easterly to a dead end,
to DEMING LANE.

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

PARKS & RECREATION COMMITTEE:

MR. CONNORS informed the Board members that Steve Kelly, Chairman of the Committee, was in the hospital. He spoke in commendation of Mr. Kelly and said this meeting was about the first one he had ever missed.

MR. HUIZINGA also spoke, praising the splendid job that Mr. Kelly had done as a member of the Board. He MOVED that a proper resolution of commendation be sent to Mr. Kelly. Seconded and CARRIED.

Re: Petition - UNITED FUND - 1961 annual fund drive

MR. MURPHY, Vice Chairman, said this petition required further study and for the reason that there was no great urgency. It was decided to leave it in committee.

CHARTER REVISION COMMITTEE:

MR. CALLAHAN, Chairman, informed the members that Mr. Michael Nagurney was elected Chairman and Mrs. Lotus Mills, Secretary, of the Charter Revision Commission at their organizational meeting on May 25th.

He said the Commission has set a deadline of June 15th to receive any proposed amendments, revisions, or additions to the City Charter. He informed the members that correspondence should be mailed to the Commission, in care of the Board of Representatives' office, in City Hall.

COMMUNICATIONS FROM OTHER BOARDS AND INDIVIDUALS:

- (1) Establishment of a School Tax District - Letter from Corporation Counsel dated May 4, 1960 concerning possibility and methods to employ (Requested in letter dated 4/4/60 from George Georgoulis - See Minutes of 4/4/60, page 2805, #2 under "Communications". Also see Minutes of 5/2/60, page 2808, item #2)

The President read the following letter from the Corporation Counsel:

CITY OF STAMFORD, CONN.

May 4, 1960

Mr. John R. Nolan, President
Board of Representatives
City Hall

Dear Mr. Nolan:

This is to acknowledge receipt of letter dated April 20, 1960 requesting an opinion as to whether or not it is legally possible to establish a school tax district and if so, the manner in which this might be accomplished.

Section 10-245 of the General Statutes of Connecticut (Revision of 1958) provides that no new school district shall be formed.

Reference is made to the case of Michael A. Connor vs Thomas J. Spellacy, et al, 4 Conn Sup 36 (1936 in which the Court held that there is no statute which grants to towns the right to re-establish school districts.

In the absence of any special law which grants the City of Stamford such a right, it is my opinion that it is not legally possible under the General Statutes of Connecticut and under our own Charter for the City of Stamford to establish school districts within the municipality.

In order to establish such a school district, it would seem to be necessary therefore, that legislation be enacted granting the City of Stamford the right to establish such school district.

Very truly yours,

(signed) Isadore M. Mackler
Corporation Counsel

- (2) Old Mansion House at Cove Island - Condition and need for repairs Letter dated May 31, 1960 from Edward A. Connell, Supl. Parks & Trees

The President read the following letter from Mr. Connell, replying to letter dated May 25, 1960, inquiring as to the status of the Old Mansion House:

CITY OF STAMFORD, CONNECTICUT

May 31, 1960

Mr. John R. Nolan, President
Board of Representatives
City Hall
Stamford, Connecticut

Dear Mr. Nolan:

This will acknowledge your letter of May 25th concerning the condition of the old Mansion House at Cove Island.

The Park Commission has been quite aware of the need for extensive restoration and repairs to this building, and as you will recall, has asked for funds for the past two years specifically for this work. These funds were not approved; however, in the meantime we have been far from inactive in maintaining the improving the condition of the house. We have nearly completely restored the downstairs interior and after July 1st we will have a limited fund in our building repair account to begin repair work on the outside. We hope that eventually a sufficient amount will be made available to restore the exterior and that this will be done with professional architectural guidance.

Incidentally, we have offered the Stamford Historical Society the very old and historical house at the entrance to Cove Island Park for conversion to a museum. We have not heard from them concerning this offer, but it is still available.

Very truly yours,

Edward A. Connell, Superintendent
Department of Parks and Trees

- (3) Public Utilities Commission - Letter dated 5/6/60 concerning increase in bus rates of West Fordham Transportation Corporation
- (4) SGCA - Letter dated 5/12/60 - Concerning Board members appearing before other City Boards
- (5) Lenox Avenue Bridge - Letter from Stuart Palmer, 15th District, dated May 22, 1960, but received May 25, 1960 - too late for Steering Committee (Ordered held for Steering Committee)

NEW BUSINESS:

- (1) Southeast Quadrant - Unsanitary Conditions concerning rodent infestation

MR. IVLER brought up the matter of certain unsanitary conditions prevalent in the Southeast Quadrant and MOVED that this be referred to the Steering Committee for proper referral. Seconded by Mr. Reback and CARRIED.

- (2) Light at corner of Manhattan and Pacific Streets

MR. KULISH brought this matter on the floor. He said it had been before the Board in the past when it had been presented by Mr. Marciano, former member of the Board. This was referred to the Steering Committee.

(3) Dangerous conditions at site of various city streets in the process of being torn up because of construction

MR. RUSSELL called the attention of the members to dangerous conditions existing throughout the city where roads are being torn up and small school children on their way to and from school are often forced to walk around excavations and other projects under construction. This matter was also referred to the Steering Committee.

(4) Re: Board of Finance - Schedule of meetings

MR. IVLER brought this matter on the floor once more, as had been previously suggested. He MOVED that a letter be referred to the Charter Revision Committee, concerning the need for Charter amendments to schedule meetings of the Board of Finance so that the Board of Representatives will receive matters approved by the Board of Finance in sufficient time to hold Committee meetings before presentation at the next meeting of the Board of Representatives. Seconded by Mr. Carey and CARRIED.

Next Board meeting:

Because of the 4th of July falling on the first Monday of the month this year, it was decided to hold the July Board meeting on July 11, 1960.

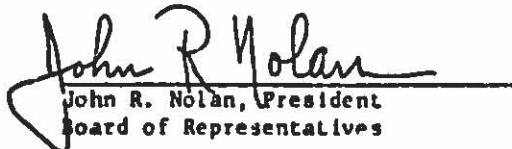
Picnic Committee for 1960:

MR. CONNORS nominated GEORGE RUSSELL as the Chairman of this years picnic Committee. Seconded and CARRIED unanimously.

ADJOURNMENT:

There being no further business to come before the Board, upon motion, duly seconded and CARRIED, the meeting adjourned at 9:30 P.M.

APPROVED-


John R. Nolan, President
Board of Representatives


Velma Farrell
Administrative Assistant

Note: The Minutes of Board of Representatives' meeting are not transcribed verbatim. However, Audograph recordings of all meetings are on file in the office of the Board. Any member wishing to listen to the recordings may do so. |

John R. Nolan, President