

Minutes of November 1, 1960
Meeting of Board of Representatives
Stamford, Connecticut

2936

A regular meeting of the Board of Representatives of the City of Stamford was held on Tuesday, November 1, 1960, in the Cafeteria of the Dolan Jr. High School, Toms Road, Stamford, Connecticut. The meeting was broadcast over Radio Station WSTC.

The meeting was called to order at 8:07 P.M. by the President, John R. Nolan.

INVOCATION: Given by Rev. Stephen Chrepta of St. Vladimir's Church.

ROLL CALL was taken by the Clerk. There were 33 present and 7 absent. Three members arrived late, changing the roll call to 36 present and 4 absent. The absent members were: Edward Dombroski, Stanley Kulish, Anthony Esposito and Stuart Palmer.

ACCEPTANCE OF MINUTES:

Meeting of September 15, 1960

The Minutes of the above meeting were accepted, subject to the following change:

Page 2904, correction in Resolution No. 332.
Change second paragraph where it reads"dated
August 23, 1960,....." to read:

".....dated September 12, 1960....."

Meeting of October 3, 1960

The Minutes of the above meeting were accepted, subject to the following changes:

Page 2926, item (2) where it now reads "(Reported to Mr..
Nolan by a Mr. John Stockwell)" should be changed to
read:

"(Reported to Mr. Nolan by a Mr. John Stockla)"

Page 2918, 8th paragraph, starting with "MR. SCARELLA said.."
Mr. Scarella asked this to be corrected to read:

"MR. SCARELLA said this Board had not empowered
the Health & Protection Committee to investigate....."

COMMITTEE REPORTS:

STEERING COMMITTEE REPORT - MEETING HELD MONDAY, OCTOBER 17, 1960

The following report of the above Committee was presented by John R. Nolan, Chairman, who requested Mrs. Farrell to read it:

A meeting of the Steering Committee of the Board of Representatives was held at 8:15 P.M. in the Mayor's Office, City Hall, on Monday, October 17, 1960.

Present were: John Nolan, Chairman; Clyde O'Connell; Henry Nolan; William Ivler, Rutherford Huizinga, Peter Sileo, Paul Shapero, George Russell,

William Murphy, Daniel Baker, James Carey, Paul Callahan and Mayor J. Walter Kennedy.

Absent were: Daniel Reback, Steve Kelly, Bernard Geronimo, John DeForest and Mrs. Eleanor Austin.

Re: Matters not yet approved by Board of Finance

The Mayor spoke to the members in regard to better liaison between the various City Boards so that important fiscal matters will not be held up. He suggested that committee meetings might be held in advance of action by the Board of Finance, so that committees would be in readiness to report at the next Board meeting in order that prompt action might be taken. As an example, he cited the sale of city owned land in the East Meadow Street Redevelopment Project which is of prime importance to the city at this time necessitating quick action.

- (1) Confirmation of BUILDING BOARD OF APPEALS' decision, reversing Building Inspector letter dated 10/5/60 from Edgar Cullman, for permission to erect a metal and wood building for private use as an indoor horse riding rink. (Note: Confirmation by Board of Representatives is necessary under Sec. 13 (d) of Building Code- See page 11 of Code)
 REFERRED TO LEGISLATIVE & RULES COMMITTEE
- (2) APPEAL from decision of PLANNING BOARD in application of SALVATORE VAVAIA, No. MP 8) to change land use category. (Note: All papers not yet received from Planning Board)
 REFERRED TO PLANNING & ZONING COMMITTEE
 LEGISLATIVE & RULES COMMITTEE
- (3) APPEAL on application No. 60-024 to ZONING BOARD of ANTHONY MARCO Concerning Newfield Swim Club - Letter from Attorney Frank H. D'Andrea, Jr., dated Oct. 11, 1960, in which it is claimed that this matter is not properly before the Board of Representatives and cites the reasons why it is claimed to be invalid.
 REFERRED TO PLANNING & ZONING COMMITTEE
 LEGISLATIVE & RULES COMMITTEE
- (4) Proposed Ordinance to restrict the use of City recreation areas, parks and beaches (Brought up by Mr. Ivler at the Sept. 15th Board meeting, but his motion for suspension of rules to consider same was LOST. See page 2912 Minutes of 9/15/60)
 REFERRED TO LEGISLATIVE & RULES COMMITTEE
- (5) SOUNDVIEW AVENUE - Petition concerning installation of sidewalks (Copy of petition without signatures received in office of Board of Representatives 10/7/60 from Mr. Kelly, 12th District Representative.
 ORDERED FILED
- (6) SOUNDVIEW AVENUE - Petition opposing original petition for installation of sidewalks (Signed by 13 residents) ORDERED FILED, with copy to Public Works Committee.
- (7) Four letters from residents of SOUNDVIEW AVENUE and vicinity, OPPOSING the installation of sidewalks and requesting that their names be removed

from original petition. ORDERED FILED, with copy to Public Works Committee.

- (8) Health Department - September monthly report concerning sanitary inspection of Southfield Village and Oak Park Project. ORDERED FILED, with copies to Health and Protection Committee.
- (9) Petitions for acceptance of roads. REFERRED TO PLANNING & ZONING COMMITTEE
- (10) Error in Resolution No. 332 - Letter from CORPORATION COUNSEL, dated 10/7/60 calling attention to error in resolution presented by Planning & Zoning Committee at Board meeting held Sept. 15th (See page 2904 of Minutes)

ABOVE REFERRED TO PLANNING & ZONING COMMITTEE

- (11) Re need for acquisition of additional park lands - Letter from Joint Committee on Parks & Recreational Facilities, dated 10/7/60 attaching a list of 22 organizations, comprising the "Joint Committee" ORDERED FILED, with copy sent to Parks & Recreation Committee.
- (12) Personnel Commission Minutes of Meeting held Sept. 19, 1960 - Carbon copy of Minutes - ORDERED FILED, with copy sent to Chairman of Personnel committee.
- (13) Concerning recodification of Code of General Ordinances as per provisions of Public Act No. 430, which specifies this work be done on or before December 31, 1960

Mr. John Nolan, Chairman, explained that a meeting had been held the morning of October 10, 1960, in accordance with the instructions of the Board at meeting held September 15, 1960 (See page 2899 of Minutes). He explained that several questions had been raised at the meeting and before the Purchasing Agent can proceed, he will have to know how many copies of the Code will be needed. Also, how many binders will be necessary. This, in order to furnish all City Departments, Boards and Commissions with copies for their use.

This matter was referred to the Legislative & Rules Committee to determine just how many copies of the Code, as well as binders, would be needed.

There being no further business to come before the Committee, the meeting was adjourned at 9 30 P.M.

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JOHN R. NOLAN,
Chairman, Steering Committee

FISCAL COMMITTEE

MR. REBACK, Chairman, explained that at the time the meeting of the Steering Committee, there were no fiscal matters steered to his committee. He said there was one matter pending, as follows:

- \$269,460.00 - Resolution amending Capital Projects Budget for 1960-61 by adding thereto an item to be known as "The Smith House" (A chronic and convalescent hospital) and appropriation of funds therefor. (Mayor's letter 9/15/60)
(Note: Also referred to Education, Welfare and Government Committee)

MR. REBACK MOVED for approval of the following resolution; seconded by Mr. Sileo; Mr. Ivler reported that his Committee (Education, Welfare & Government) had met on September 29, 1960 and approved this resolution:

RESOLUTION NO. 339

AMENDMENT TO CAPITAL PROJECTS BUDGET FOR
1960-1961 BY ADDITION THERETO OF ITEM TO
BE KNOWN AS "THE SMITH HOUSE" (A chronic
and convalescent hospital) AND ADDITIONAL
APPROPRIATION OF \$269,460.00 THEREFOR

BE AND IT HEREBY IS RESOLVED by the Board of Representatives of the City of Stamford, pursuant to Section 611.5 of the Stamford Charter, to approve an amendment to the 1960-1961 Capital Projects Budget, by adding thereto an item to be known as "The Smith House" (a chronic and convalescent hospital). and

BE IT FURTHER RESOLVED to approve the appropriation of \$269,460.00 for said "Smith House", which said sum is to be financed by the issue of bonds.

MR. REBACK gave the background information on this project. He said it had been in "the works" for some 19 years and it was time it was passed; that it would provide a little over 70 beds for the chronically ill patients and would leave more room in Stamford's hospitals for the acutely ill. He stated that \$600,000 was appropriated in the 1959-1960 Capital Projects Budget for this project, but nothing had been started yet, and in the meantime the site was given away by the city for use by the University of Connecticut branch and it would no, be necessary to purchase another site for the hospital. (Note: See page 23 of the 1959-60 Capital Projects Budget for this appropriation)

MR. CONNORS spoke in favor of this appropriation.

MR. IVLER said he agreed with the previous speakers as to the desperate need for a convalescent home.

Mr. Scarella, Mr. Nolan, Mr. Russell, Mr. Baker, and Mr. Huizinga also spoke in favor of the appropriation.

Mr. Kuczo arrived at this time. (8:40 P.M.) This changed the roll call to 34 present and 6 absent.

After considerable debate, Mr. Meyers moved the question.

VOTE taken on Resolution No. 339. CARRIED unanimously by the 34 members now present.

LEGISLATIVE & RULES COMMITTEE

MR. SHAPERO, Chairman, disqualified himself from all doings of the Committee as to the following matter and Robert M. Meyers, acted as Chairman, pro tempore:

(1) ANTHONY MARCO APPEAL (Application No. 60-024) from action of ZONING BOARD
Concerning Newfield Swim Club (Note: Also referred to
Planning & Zoning Committee)

MR. MEYERS presented the Committee report on the above appeal from action taken by the Zoning Board. He said a meeting was held October 27, 1960 and present were Messrs. George Russell, Daniel Baker and Robert Meyers. He presented the following report which he read at this time:

The Legislative and Rules Committee being aware that, pursuant to Section 553.2 of the City Charter of Stamford, signatures of 300 land owners within the City is required to properly bring this appeal before the Board of Representatives, considered as the first element of importance the number and validity of the signatures on the appeal of Anthony Marco, et als.

Pursuant to the request of the Legislative and Rules Committee, the Administrative Assistant to the Board of Representatives counted the signatures appearing on the original petition. She reported, per letter of October 31, 1960 that there appeared a total of 313 signatures upon the petition.

The validity of 25 signatures was questioned by the attorneys for the Newfield Swim Club, and they also alleged that one name appeared twice (that of Russell W. Meals), and that two signatures were illegible.

This Committee determined that the name of Russell W. Meals did appear twice, and that, although there were two signatures which were, in our opinion, illegible, we felt that we would give the benefit of the doubt to the resident appellants.

In order to determine the validity of the other signatures under attack, the alleged improper names were submitted to Mr. Frederick W. Dawless, Assessor of the City of Stamford. Upon examination of the land records as they are reflected by the information contained in the Assessor's Office, Mr. Dawless presented his findings, per his letter dated October 21, 1960, to this Committee.

This Committee, after personally examining a photostatic copy of the petition of Anthony Marco et als, and determining that the allegedly improper names did, in fact, appear upon the petition, and, after taking into consideration the finding by Mr. Dawless that at least 25 signatures upon the petition were not the signatures of land owners within the City of Stamford, was presented with the opportunity to vote on the question.

It was the unanimous vote of this Committee that, although their personal sympathies lie elsewhere, the appeal was not properly before this body and therefore not subject to consideration by this body.

Robert M. Meyers
Temporary Chairman
Legislative & Rules Committee

MR. REBACK, 16th District Representative, asked if this meant that neither he nor Mr. Carey, the other Representative from the 16th District, would be allowed to speak on this matter.

The President ruled this would be allowed.

MR. MEYERS said he, personally, had no objection to anyone being heard on this matter, as it is of vital importance to the affairs of the City of Stamford. He asked to be allowed to clarify the functions of the Legislative & Rules Committee and stated that they were to serve as a fact-finding committee and that in the event they found, upon examination of the appeal that it was not properly before the Board, that the report of the Committee would decide the question.

The President said there was no question before the house at this time, because of the invalidity of the petition and that there had been no motion.

MR. REBACK asked if the petition could be amended so that it might appear before the Board with the necessary 300 signatures needed.

The President explained this could not be done because the time limit under Charter provisions, had run out.

MR. SCARELLA rose to a point of information. He questioned the Chairman of the Legislative & Rules Committee, through the Chair. He asked if the signatures on the petition were invalid and if there had been time to notify the petitioners that their signatures were invalid.

It was explained that the petition is delivered to the Zoning Board under certain provisions of the Charter, with a definite time limit and cannot be taken back by the petitioners once it has been filed in conformity with the Charter.

MR. GERONIMO asked a question through the Chair. He asked if any member of the Legislative & Rules Committee was present when the verification of the land owners in the petition was checked. Mr. Meyers replied that no one was present during the checking of the signatures.

MR. IVLER objected to the method of handling these matters. He spoke at some length, explaining the way these had been done in the past and the method whereby these appeals were acted upon. He said the Board should learn from this experience that although the Board was unable to act at this time on this specific case, in the future they would be forewarned and it should not happen again.

MR. DEFOREST asked the Chairman of the Committee if there was any other item that helped the Committee to decide that this appeal was not properly before the Board.

MR. MEYERS replied that it was the opinion of the Legislative & Rules Committee that the prime question was whether or not the petition itself was valid and if it were not, then there was nothing before the Board to decide as it was then improperly before the Board. If the legal requirements had not been met, it would necessarily foreclose all further consideration of the appeal.

MR. BLOIS arrived at this time, 9:07 changing the roll call to 35 present and 5 absent.

MR. REBACK MOVED that the Board overrule the Legislative & Rules Committee and vote on this matter.

MR. IVLER ROSE to a point of information. He asked if such a motion can be made after the Legislative & Rules Committee has ruled that the appeal is improperly before the Board.

The President ruled that this is within the wisdom of the entire Board as to whether or not they wish to consider the appeal. He said the Board has a factual report from the Legislative & Rules Committee stating that this is not legally before the Board and a motion from Mr. Reback which suggests this matter is properly before the Board and can be acted upon. The President requested Mr. Reback to restate his motion.

MR. REBACK MOVED that this Board REJECT the ruling of the Zoning Board on this appeal. Seconded by Mr. Carey.

MR. BAKER MOVED for a recess at this time. Mr. Ivler seconded the Motion.

The President ruled the motion out of order at this time.

After further discussion, MR. BAKER MOVED for a recess. Seconded by Mr. Ivler and LOST by a rising vote.

Mr. Macri arrived at this time 9:22, changing the roll call to 36 present and 4 absent.

MR. SCARELLA spoke against the motion. He said it was his belief that this Board should act upon the laws that govern it and that taking action contrary to the laws are strictly illegal.

MR. CONNORS agreed with Mr. Scarella. He said it was very unfortunate that the signatures did not comply with the requirements of the Charter, but this Board must be governed by the laws under which it operates. He said it would make this legislative body look foolish to violate the laws supposed to govern them.

MR. IVLER said he would not be a party to "giving a nice big package of nothing being given to the petitioners"; that the motion to consider the appeal is definitely not legally before the Board for consideration and that the Courts would throw out any action taken under such circumstances. He said he opposed fooling people by taking action that this Board knows will never be upheld in a Court of law, and this Board has no jurisdiction.

MR. RUSSELL, Chairman of the Planning & Zoning Committee, to whom this matter had also been referred, spoke on the motion. He reiterated the sentiments of the previous speakers that there is no question, under Section 53.2 of the Charter, that this appeal can be considered as legally before the Board of Representatives. He urged that the Board be guided by the facts and not by emotions.

MR. MURPHY said he realizes that trying to act on this appeal would only be a very futile action that would only reflect on the Board. He said it was his opinion that members wanted the opportunity to express themselves publicly that although they could not act, they wanted it known they personally felt in sympathy for the predicament in which the petitioners found themselves.

MR. BAKER said the Committee had considered this very carefully and although they were in sympathy with the petitioners and felt very strongly about it, that they had exhausted every possible technicality under which the Board could consider the matter. He said the Committee had checked the names on the petition three times and had been forced ultimately to come to a conclusion which was contrary to their convictions and personal sympathies.

Several of the members spoke for a second time on the motion.

MRS. AUSTIN MOVED the previous question. Seconded and CARRIED unanimously.

VOTE taken on Mr. Reback's motion that this Board REJECT the ruling of the Zoning Board, which was seconded by Mr. Carey.

MR. SHAPERO asked to have it noted in the minutes that he was not voting on this matter.

RISING VOTE taken on Mr. Reback's motion. LOST.

MR. HUIZINGA offered a motion in regard to the operation of Swim Clubs.

THE PRESIDENT ruled this out of order - that it could again be presented under "New Business".

MR. SHAPERO, Chairman of the Legislative & Rules Committee, now reported on the other matters which had been referred to his Committee, having disqualified himself on the first matter. He presented the report of his Committee on the following matters and stated that two meetings had been held - one on October 10, 1960 and a second one on November 1, 1960. Present were: Paul Shapero, Robert Meyers, Daniel Baker, Michael Macri, George Russell and Raymond Mazza.

- (2) BUILDING BOARD OF APPEALS - Confirmation of decision approving appeal from decision of Building Inspector taken by EDGAR CULLMAN, for permission to erect a metal and wood building for private use as an indoor horse riding rink. (Note: Confirmation by Board of Representatives is necessary under Sec. 13 (d) of Building Code - See page 11 of Code)

MR. SHAPERO said the Committee considered the above matter and recommends that confirmation of the decision of the Building Board of Appeals be given and SO MOVED. Seconded by Mr. Huizinga and CARRIED unanimously.

- (3) LEASE - Space in City Hall now occupied by City Court Room and offices. Effective January 1, 1961, of 1,540 sq. ft., at rate of \$2.00 per sq. ft. to the State of Connecticut, until permanent facilities of Stamford Circuit Court House are available. (Requested in Mayor's letter of October 13, 1960, with attached copy of lease)

MR. SHAPERO said the Committee recommends approval of this lease, as facilities are not yet ready for the new Court which is to take over on January 1st, 1961, and it is necessary that they be provided with space in which to hold court.

MR. SHAPERO MOVED for approval of the lease. Seconded.

MR. IVLER asked if this provided space for the exclusive use of the Circuit Court. He pointed out that various Committees and Boards had been using the Court Room for meetings of various kinds and it might be possible that under the new Court system, the court room might possibly be locked and the use of these premises denied for certain reasons that are not yet known.

MR. SHAPERO said he did not think this Board can place any such limitation on the new Circuit Court and it was his understanding that when the time came for the

Circuit Court to occupy their own quarters; the space would be blocked off by partitions and made into offices for use by the City.

MR. IVLER MOVED that action be deferred until the use of the Court Room can be determined.

THE PRESIDENT ruled that the motion before the Board was Mr. Shapero's motion to approve the lease and Mr. Ivler's motion could not be considered except as an amendment to the original motion.

MR. IVLER MOVED to amend the original motion to defer action on the lease until it can be determined whether or not the Court Room would be available when not in use by the Circuit Court. Seconded by Mr. Blois. LOST.

VOTE taken on Mr. Shapero's original motion to approve the lease. CARRIED, with two negative votes.

PLANNING & ZONING COMMITTEE:

MR. GEORGE RUSSELL, Chairman, presented his committee report. He MOVED for acceptance of the following streets as city streets and said that they had been certified for acceptance by the City Engineer. Mr. Huizinga seconded the motion. CARRIED:

FOUR BROOKS ROAD - Extending northerly from already accepted portion, to and including temporary turnaround. Length approximately 640 ft., width 26 ft. Shown on Map #6470.

RED FOX ROAD - Extending northerly and westerly from already accepted portion to temporary turnaround. Length approximately 1,090 ft., width 26 ft. Shown on Map #6470.

TIMBER MILL CIRCLE - Extending easterly from Timber Mill Road to and including permanent turnaround. Length approximately 110 ft., width 80 ft. Shown on Map #6707.

TIMBER MILL ROAD - Extending northerly from Dundee Road to and including permanent turnaround. Length approximately 970 ft., width 27 ft. Shown on Map #6707.

(Note: All maps on file in City & Town Clerk's office)

MR. RUSSELL explained there were several other roads, acceptance of which were being held in abeyance until certain requirements are met and will be brought in for acceptance at the next Board meeting.

Re: Proposed Resolution for Acceptance of streets built prior to consolidation, which have never been accepted as city streets

MR. RUSSELL MOVED for suspension of the rules to consider the above matter. Seconded by Mr. Nolan and CARRIED unanimously.

MR. RUSSELL MOVED for approval of the following proposed resolution, for publication, final approval to be given at the next Board meeting; seconded by Mr. Scarella and CARRIED unanimously:

PROPOSED RESOLUTION FOR ACCEPTANCE OF STREETS
BUILT PRIOR TO CONSOLIDATION, WHICH HAVE NEVER
BEEN ACCEPTED AS CITY STREETS

Notice is hereby given that the Board of Representatives of the City of Stamford, will, by resolution, at the next regular meeting of said Board, on December 5, 1960, accept the following named streets and highways, which were open to vehicular travel prior to April 16, 1950, as public streets and highways, unless the owners thereof shall, prior to such date, specifically indicate in writing to the Board of Representatives, at the office of said Board in the City Hall, Stamford, Connecticut, their intention to maintain said streets and highways in a private status:

Bennett Street
Broad Street (Greyrock to Grove)
Congress Street
Culloden Road (Ely Place to Frankel Road)
Intervale Road (Turn of River Road, easterly to intersection
with Newfield Drive)
Morris Street
Newfield Avenue
Northhill Street (Palmer to Hope)
Old North Stamford Road
Rose Street
Soundview Avenue (Cove Road easterly to Wallack's Lane)
West North Street (Hubbard Avenue E. to North Street)
Winthrop Place

PUBLIC WORKS COMMITTEE

MR. HENRY NOLAN, Chairman, presented a report of his committee. He said the Committee would like to compliment the Public Works Commissioner, John Canaven, and his staff for the fine job they did in the recent city-wide clean up. The publicity given to the clean-up drive alerted the people of Stamford and the job was effectiently planned and completed.

HEALTH & PROTECTION COMMITTEE

MR. BAKER, Chairman, said there were several things that had been referred to his committee and were still pending. He named them as follows:

- (1) Newfield Area - Unsanitary conditions
- (2) Fluoridation of water supply
- (3) Lenox Avenue

Mr. Baker reported that as to item (1) above the committee had met with the Commissioner of Health and the Commissioner of Public Works. He said a second meeting on this matter would be scheduled in the very near future. As to item (2) he reported that the Committee will hold a meeting shortly with the petitioners. Regarding item (3) Mr. Baker reported that he had disqualified himself in this matter and it was being handled by Mrs. Austin, the Vice Chairman, and would shortly be reported on.

URBAN REDEVELOPMENT COMMITTEE:

MR. CAREY, Chairman, reported that the Board of Finance had not yet approved the sale of the remaining property in the East Meadow Street Project and they were awaiting their approval before they could go ahead with bringing this before the Board.

COMMUNICATIONS FROM OTHER BOARDS AND INDIVIDUALS:

- (1) Letter from Corporation Counsel, dated October 26, 1960, giving opinion as to whether or not the city has the authority to include in city contracts a provision for liquidated damages. (See page 2934 of Minutes Oct. 3, 1960)

The President read the above letter. The following excerpt from this letter refer to the above subject:

"-----This matter has previously been discussed by me with the Engineering Department and the Purchasing Department. I have expressed to these departments my opinion that such a clause can be inserted in these contracts. I cannot, however, state the legal effect of such a clause in this letter because it would cover too much ground. There are lengthy discussions of this question in texts on the law of contracts and other legal treatises. It would be futile for me to discuss such a question in the abstract....."

MR. IVLER spoke on this matter. He stated that it would be most appreciated by this Board if it would be possible to obtain an unequivocal opinion by the Corporation Counsel as to whether this can be done and if so, if it can be enforced. He said he had spoken with the Purchasing Agent, who said he has had no definitive answer, although through the years he has tried to get one. He said he thought it was incumbent on the Corporation Counsel to give an opinion, whether it takes one page or twenty pages. He said he would request a further and more definitive answer to the question.

OLD BUSINESS:

Re: Questions regarding Charter changes to be presented to the voters at the November 8, 1960 election

MR. CALLAHAN, Chairman of the Charter Revision Committee, said he wished to call the attention of the Electorate of the City through the medium of the radio and the press, to a legal notice appearing in today's edition of the Stamford Advocate explaining seven referenda questions. He asked that the Electorate participate in voting on these questions as it is of great importance to the residents of the city when Charter changes are proposed.

Re. Aquila Road

MR. CONNORS called attention to the fact that Mr. Henry Nolan, several months back brought in a Public Works report on the above road.

MR. HENRY NOLAN answered this question. He said the Planning Board was making up a bill of particulars on this.

Re: Swim Clubs in City

MR. HUIZINGA, who brought this matter up earlier in the meeting, now brought this on the floor again.

MR. HUIZINGA MOVED that the Legislative and Rules Committee make a study of the problems involved in the operation of non-profit Swimming and/or Tennis Clubs to be constructed in residential areas of the City of Stamford, to meet with those groups of interested citizens who are presently affected by proposed construction, and to set up specific operational rules and regulations and that they report their recommendations to this Board at its next meeting. He said that there are presently several contemplated clubs and will be many more before much more time has elapsed. He said there is one thing that this Board can do and that is, pass legislation governing this sort of thing.

MR. SHAPERO requested as the Chairman of the Legislative and Rules Committee that this go through the Steering Committee for more proper referral to his Committee.

MR. HUIZINGA asked if it would be in order to refer this to a special committee.

MR. HUIZINGA asked that his motion be changed to refer this to the Steering Committee.

Mr. Huizinga's motion was seconded by several and CARRIED unanimously.

Re: Digging up city streets after they are paved

MR. HENRY NOLAN brought up the above matter. He said it was his opinion that something should be done about getting better liaison between those who pave the streets and those who immediately dig it up for various reasons right after it has just been paved.

Re: Newfield Swim Club

MR. McLAUGHLIN MOVED that Mrs. Farrell be instructed to write a letter to the Mayor, asking that the City of Stamford make provisions to purchase this land from the present owners at a condemned price. Seconded by Mr. Reback.

THE PRESIDENT RULED Mr. McLaughlin's motion out of order for the reason that it would require a two-thirds vote to bring it on the floor under suspension of the rules.

MR. BAKER MOVED for suspension of the rules to consider Mr. McLaughlin's motion. LOST.

MR. HUIZINGA asked why it would not be in order for any member of the Board, under "New Business" to make a motion.

THE PRESIDENT explained that the motion was asking for action of the Board, and in order to do this, it would be necessary to have it placed on the Agenda, in order to give prior notice that such action was contemplated by the Board in regard to condemnation of property. He said that, in his opinion, this would necessarily require a two-thirds vote in order to bring it on the floor. He informed Mr. Huizinga that if he wished to appeal from the ruling of the Chair, he was free to do so.

MR. HUIZINGA said perhaps this matter could be referred to the Steering Committee.

MR. McLAUGHLIN MOVED that his previous motion regarding the suggested condemnation of land owned by the Newfield Swim Club, be referred to the Steering Committee. Seconded and CARRIED with one negative vote.

Re: Validity of signatures on petition concerning Newfield Swim Club

MR. BAKER MOVED that this Board refer to the Corporation Counsel the matter of advising the Board as to what procedure the Board should follow in the event that there are appeals to the Board on future contemplated Swim Clubs and related matters of this sort.

THE PRESIDENT explained that this board does have on file several opinions from the Corporation Counsel defining these matters and proper action to be taken. He said he would take care of bringing this to the attention of the Corporation Counsel.

Re: Rates for taking of Minutes for night meetings of various City Boards

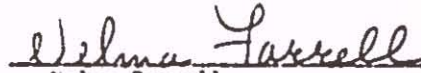
MR. BAKER said it has been brought to his attention that there are several Boards in the City who employ persons to take the Minutes of evening meetings, who are required to not only work during the day, but to attend evening meetings as well. He said these people were paid for working these evening hours at day time rates of pay. He said it was his opinion that these employees should be treated with the same equity that industry shows under the same circumstances.

Mr. Baker suggested that this Board take action in regard to its own employee, and recommend that similar action be taken by other Boards, that employees who are required to work during the evening hours after having put in a full day, be paid at the rate of time and a half.

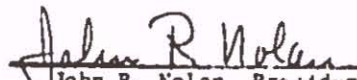
The President said this was an administrative function.

MR. HUIZINGA MOVED for adjournment at 10 45 P.M. Seconded and CARRIED.

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Velma Farrell
Administrative Assistant

APPROVED:


John R. Nolan, President
Board of Representatives

NOTE: The Minutes of the meetings of the Board of Representatives are not transcribed verbatim. However, Audograph recordings of 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

