

SPECIAL MEETING OF BOARD OF REPRESENTATIVES  
"CALLED" BY TEN MEMBERS OF THE BOARD

A Special Meeting of the Board of Representatives was held on Thursday, February 23, 1961, at 8:15 P M. in the Cafeteria of Dolan Junior High School, in response to a "Call" issued by ten members of the Board, in accordance with Sec. 202 of the Charter.

ROLL CALL was taken by the Clerk. There were 33 present and 7 absent at the calling of the roll. However, Mr. Murphy and Mr. Russell arrived later, changing the roll call to 35 present and 5 absent. The absent members were: Michael Macri, Allen Shanen, Edward Dombroski, Stanley Kulish and Stuart Palmer.

The Clerk read the following "Call" of the meeting:

We, the undersigned members of the Board of Representatives, hereby call a Special Meeting of the Board of Representatives for February 23, 1961, at 8 p.m. at Dolan Jr. High School Cafeteria for the purpose of:

- (1) Clarifying the Board Rules, and
- (2) Considering the appointment of a special five-man committee to study the Rules of the Board.

GEORGE GEORGULIS  
 GEORGE V. CONNORS  
 PATRICK J. SCARELLA  
 STEPHEN E. KELLY  
 GERALD J. RYBNICK  
 EDWARD DOMBROSKI  
 STANLEY J. KULISH  
 WILLIAM M. IVLER  
 PAUL J. KUCZO, JR.  
 JAMES E. MULREED

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The Minutes of the meeting were taken by Peter C. Sileo, Clerk. Mrs. Farrell being absent.

The meeting was broadcast over Radio Station WSTC.

(1) Clarifying the Board Rules:

MR. CONNORS MOVED that this Board clarify its existing rules by here stating that its intention and purpose in originally adopting its present Rules (including paragraph #3 under "Committees") was to give to the President of the Board only the power to so appoint and did not give such officer the power to remove any member from a committee once appointed. Seconded by Mr. Kuczo.

Note: Paragraph #3 under "Committees" reads as follows:  
 "All Committees shall be appointed by the President, unless otherwise specifically directed by the Board. The member first named shall be Chairman. The Chairman shall name one of the other members of that Committee as Vice Chairman."

MR. CONNORS spoke on the motion and said it was his opinion the President of the Board does not have the power to remove anyone from a Committee once he has been appointed to that Committee.

MR. BAKER asked if this motion was being presented because of action taken by the President at the February 6th Board meeting when he announced certain changes in Committee assignments, to which Mr. Ivler objected at the time it was done. His question was not answered.

MR. CALLAHAN spoke against the motion and said it was his interpretation of the Rules that the President had the power to remove as well as appoint.

MR. GEORGIOULIS spoke in favor of the motion.

MR. O'CONNELL spoke in opposition to the motion.

MR. CONNORS spoke once more in favor of his motion.

MR. BAKER said he saw no reason for calling a special meeting of the Board unless it was an extreme emergency and that the Legislative and RULES Committee is the proper Committee to consider any changes in the rules of the Board and any contemplated rule changes should necessarily be referred to that Committee in the usual manner.

MR. MEYERS MOVED to dismiss the motion on the grounds that it was out of order. He quoted from the last page of the Rules under "Amendments" as follows:

"These rules shall not be amended, except by the vote of at least two-thirds of the members present at a meeting in which the notice of said meeting includes the text of the amendment."

Mr. Meyers said the notice of the meeting did not contain the text of the proposed amendment to the Rules of the Board and was therefore improperly called.

MR. SCARELLA rose to a point of order.

The President said it was his understanding that if the power to appoint is vested in the President, it must naturally follow that he also has the power to remove. He said he agreed with Mr. Meyers that the "Call" of the meeting did not contain the text of any contemplated amendment to the Rules. However, the President ruled Mr. Meyers motion out of order.

MR. MEYERS MOVED the meeting be adjourned for the reason that the entire purpose for calling the meeting is out of order. This motion was not seconded and therefore not voted upon.

MR. SHAPERO asked Mr. Connors, through the Chair, whether it was his intention to make it a rule that the President does not have the power to remove a member of a Committee, or did he merely intend to instruct the President that in the future he should not do so.

MR. CONNORS replied that in the past they had "swaps" from one committee to another. He explained the reason for calling a special meeting was that if they brought it before the Board at a regular meeting it would come up under "New Business" at the end of the meeting when everyone was tired and wanted to go home.

MR. RYBNICK said he thought the "Call" of the meeting was for the clarification of the rules and not to make any new ones.

The President said the clarification of the rules would necessarily mean in any future action taken, not past action.

MR. RYBNICK asked Mr. Connors if he meant his motion to pertain to the future or for the present.

MR. SHAPERO asked Mr. Connors if he wants to write this motion into the rules so that they will become a part of the Rules of the Board.

MR. MEYERS said he still insisted that any proposed amendment to the Rules must, of necessity, be included in the text of the "Call" of the meeting and must therefore be written. He said this is clearly a request for an amendment to the Rules of the Board and not a clarification of the Rules. He requested an interpretation from the Chair.

The President said it was his feeling that the President does have the power to both appoint and remove Committee members.

The President asked Mr. Meyers to withdraw his motion (to dismiss the original motion) which he did at this time.

MR. SCARELLA said he wanted to know where it was stated in the Rules that the President has the right to remove any member from a Committee once he is appointed. He said he thought it created a bad precedent.

MR. CALLAHAN MOVED the previous question and MOVED that a roll call vote be taken on Mr. Connors' motion. Seconded by Mr. Baker and CARRIED.

MR. SCARELLA said he wanted the vote taken by District and ~~not~~ the usual alphabetical roll call.

MR. BAKER objected to departing from the usual procedure.

The members requested the Clerk read Mr. Connors' motion, which he did at this time, as follows:

"MR. CONNORS MOVED that this Board clarify its existing rules by here stating that its intention and purpose in originally adopting its present Rules (including paragraph #3 under 'Committees') was to give to the President of the Board only the power to so appoint and did not give such officer the power to remove any member from a Committee once appointed."

The Clerk took a roll call vote on the above motion, with the vote resulting as follows:

THOSE VOTING IN FAVOR OF MOTION

George V. Connors  
George Georgoulis  
William M. Ivler  
David L. Johnson  
Stephen E. Kelly

THOSE VOTING AGAINST MOTION

Eleanor R. Austin  
Daniel Baker  
Fred C. Blois  
Paul T. Callahan  
James E. Carey, Jr.

THOSE VOTING IN FAVOR OF MOTION

Paul J. Kuczo, Jr.  
 Jack McLaughlin  
 James E. Mulreed  
 Alvin T. Philpotts  
 Patrick J. Scarella  
 Anthony D. Truglia

THOSE VOTING AGAINST MOTION

Edwin W. Cole  
 John L. DeForest  
 Anthony Esposito  
 Rose C. Farina  
 Bernard B. Geronimo  
 Benjamin Kozlowski  
 Carmine Longo  
 Joseph Mancusi  
 Raymond H. Mazza  
 Robert M. Meyers  
 Henry F. Nolan  
 J. Clyde O'Connell  
 Daniel M. Reback  
 Gerald J. Rybnick  
 Paul D. Shapero  
 Peter C. Silco

The President announced the motion to be LOST, with a vote of 11 in favor and 21 opposed, the President not voting. Mr. Murphy and Mr. Russell arrived after the above vote was taken.

MR. BAKER MOVED for adjournment.

The President refused to accept Mr. Baker's motion as there were more speakers who wished to be heard on the second portion of the "Call".

(2) Considering the appointment of a special five-man committee to study the Rules of the Board.

MR. GEORGIOULIS MOVED that this Board appoint a five-man committee, composed of GEORGE CONNORS, PATRICK SCARELLA, JOHN DEFOREST, PAUL CALLAHAN and RAYMOND MAZZA, for the purpose of examining our existing rules to determine whether the giving of the power of removal from committees to the President of the Board should continue; and to further determine whether our rules should be amended to deal with members of the Board using their official position to influence other city officials and employees for such member's own personal gain; and for said committee to report thereon as promptly as possible, submitting to the full Board its recommendations, if any, for the amendment of our Rules. Seconded by Mr. Ivler.

MR. CALLAHAN said he thought the proper procedure would be for this to go through the Steering Committee, and be steered to the proper committee, which is the usual procedure.

MR. IVLER stated that the rules should clearly state that the President DOES or DOES NOT have the power to remove anyone from a committee.

MR. BAKER rose to a point of order. He said Mr. Ivler should confine his remarks to what was now before this Board - namely the appointment of a special five-man committee to study the rules of the Board, for the reason that the Board has already acted upon the previous matter.

The President said it was his opinion that Mr. Baker is correct and that the speaker should confine his remarks to the motion now before the Board, but that he would leave this decision up to the members, for the reason that he might later read his remarks misconstrued in some out of town newspaper.

MR. IVLER continued his remarks regarding the President's right to remove a Board member once he was appointed to a Committee.

MR. MEYERS rose to a point of order, saying he thought the speaker should confine his remarks to what is now being considered by this Board -- namely, the appointment of a five-man committee to study the rules.

MR. IVLER continued speaking, mentioning certain personalities on the Board and some of their personal activities.

MR. BAKER objected to Mr. Ivler's repeated attacks on certain members of the Board, and said he did not think they were within the scope of the "Call".

The President ruled Mr. Ivler's remarks not germane and asked him to please confine his remarks to the motion and not indulge in personalities.

MR. IVLER apologized for his remarks and said it was not his intention to slander anyone.

MR. IVLER resumed talking about certain members of the Board and their personal activities.

Several of the members objected to the line of debate. Mr. Baker said that Mr. Ivler was casting aspersions on the character of certain members of this Board and he resented these repeated personal attacks under circumstances where they were unable to defend themselves.

The President informed Mr. Ivler that if he wished to bring any charges against any member or members of the Board that there were plenty of ways in which this could be done -- through the Steering Committee, or to make the charges in a letter to the President.

MR. MEYERS called Mr. Ivler's attention to Section 204.2 of the Charter, which gives this Board the power, by a two-thirds vote of its entire membership, to investigate any officer, department or agency of the city.

MR. BAKER objected to Mr. Meyers' remarks and said they were out of order because they were not germane to the motion before the Board.

The President ruled Mr. Baker correct and said the speakers must confine their remarks to the subject.

MR. IVLER continued his previous debate, mentioning the personal activities of certain Board members.

The President ruled Mr. Ivler out of order.

MR. SCARELLA spoke on the motion and urged the appointment of a five-man committee to study the rules of the Board.

MR. O'CONNELL said he thinks this machinery is already available in the Legislative and Rules Committee and it is not necessary to create another committee to do the same thing that is within the province of a standing committee of this Board. He called upon the members of the Board to defeat the motion.

MR. MEYERS spoke against the motion. He said if Mr. Ivler wished to "investigate" anything that he considered improper conduct of any board member that the machinery was already available and that "we have a fine procedure set forth in our Charter,

namely, Section 204.2<sup>m</sup>.

MR. CALLAHAN MOVED the question by a roll call vote. Seconded by Mr. Meyers.

The Clerk took a roll call vote on the motion made by Mr. Georgoulis, with the vote resulting as follows:

THOSE VOTING IN FAVOR OF MOTION

George V. Connors  
George Georgoulis  
William M. Ivler  
Stephen E. Kelly  
Paul J. Kuczo, Jr.  
Jack McLaughlin  
James E. Mulreed  
Patrick J. Scarella  
Anthony D. Truglia

THOSE VOTING AGAINST MOTION

Eleanor R. Austin  
Daniel Baker  
Fred C. Biois  
Paul T. Callahan  
James E. Carey, Jr.  
Edwin W. Cole  
John L. DeForest  
Anthony Esposito  
Rose Farina  
Bernard B. Geronimo  
David L. Johnson  
Benjamin Kozlowski  
Carmine V. Longo  
Joseph Mancusi  
Raymond H. Mazza  
Robert M. Meyers  
William D. Murphy  
Henry F. Nolan  
J. Clyde O'Connell  
Alvin T. Philpot.  
Daniel M. Reback  
George Russell  
Gerald J. Rybnick  
Paul D. Shapero  
Peter C. Silco

The President announced the motion LOST, with a vote of 9 in favor and 25 opposed, the President not voting.

ADJOURNMENT:

MR. CALLAHAN MOVED for adjournment at 10 P.M. Seconded by Mr. Longo and CARRIED unanimously.

  
Peter C. Silco, Clerk

APPROVED:

  
John R. Nolan, President  
Board of Representatives

Note: The minutes of the above meeting were not recorded. They were broadcast over Radio Station WSTC.

John R. Nolan, President