

Minutes of August 7, 1961
Meeting of the Board of Representatives
Stamford, Connecticut

3173

A regular meeting of the Board of Representatives of the City of Stamford was held on Monday, August 7, 1961 in the Cafeteria of the Dolan Junior High School, Toms Road, Stamford, Connecticut.

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

INVOCATION was given by Rev. Peter Botton, St. Cecelia's Catholic Church.

PLEDGE OF ALLEGIANCE TO FLAG: The President led the members in the pledge of allegiance to the flag.

ROLL CALL was taken by the Clerk. There were 28 present and 12 absent at the calling of the roll. Four members arrived later in the meeting, changing the roll call to 32 present and 8 absent.

The absent members were: Benjamin Kozlowski, George Georgoulis, Clyde O'Connell, Robert Meyers, Raymond Mazza, Stanley Kulish, Carmine Longo and Stuart Palmer.

ACCEPTANCE OF MINUTES: Meeting of July 10, 1961

The Minutes were accepted with the exception of two corrections on page 3165, and 3171. Line 10, end sentence after the word "petitioners" with the sentence now reading: "MR. SILEO spoke in favor of the petitioners."

On page 3171, Mr. Henry Nolan asked to have the second sentence in the second paragraph under "New Business" changed to read: "I don't know why it is taking the State so long to install these lights."

COMMITTEE REPORTS:

The President requested Mrs. Farrell to read the Steering Committee report, as follows:

STEERING COMMITTEE REPORT
Meeting held Monday, July 24, 1961

A meeting of the Steering Committee was held on Monday, July 24, 1961, in the Mayor's office, City Hall, at 8 P.M.

The Chairman, John R. Nolan, Presided. The following members were present: John Nolan, Eleanor Austin, James Carey, William Murphy, Peter Sileo, Daniel Baker, Clyde O'Connell and Jack McLaughlin. Also present were Rose Farina and Paul Callahan. Robert Meyers arrived later.

Absent were: John DeForest, Daniel Reback, Paul Shapero, Henry Nolan, Stephen Kelly, Allen Shanen, George Russell and George Connors.

The following matters were discussed and acted upon:

(1) Additional appropriations:

All requests for additional appropriations, previously approved by the Board of Finance at their July 13, 1961 meeting were referred to the FISCAL COMMITTEE. In the case of items of \$2,000

and over, with the exception of pensions, these were also referred to a secondary committee.

- (2) Lease between City and Elm Sales Service, Inc. covering rental of City-owned property adjacent to the Alford Lane Pumping Station, for period June 1, 1961-May 31, 1962, at annual rental of \$1,200.00 (Requested in Mayor's letter of 5/23/61 and approved by Board of Finance 7/13/61) REFERRED TO LEGISLATIVE AND RULES COMMITTEE
- (3) Concerning exchange of properties between City and Laminated Shim Company, at intersection of Union Street and Kirkham Place (To alleviate bad traffic condition) (Requested in Mayor's letter of 5/18/61 - Approved by Board of Finance 7/13/61) REFERRED TO LEGISLATIVE AND RULES COMMITTEE
- (4) Letter from Commissioner of Finance dated 7/21/61 requesting passage of three resolutions concerning NORTHWOODS ROAD, PINNER LANE AND WALLACE STREET REFERRED TO LEGISLATIVE AND RULES and the PLANNING AND ZONING COMMITTEE
- (5) Building Board of Appeals - Request for confirmation of decision in reversing action of Building Inspector on request of the HARTFORD ELECTRIC LIGHT CO. to install gas-fired, above-the-floor space heaters in warehouse and office building to be erected at HARBOR VIEW AVENUE and BLONDELL STREET (In accordance with the provisions of Sec. 13. d. of the Building Code, page 11) REFERRED TO LEGISLATIVE AND RULES COMMITTEE

Note: The following three items (Nos. 6, 7 and 8) were not ordered placed on the Agenda.

- (6) Concerning license to give pony rides - Letter dated 6/29/61 from James Ericson - Concerns Section 3, item #4, Chapter 30 of Code of General Ordinances. REFERRED TO LEGISLATIVE AND RULES COMMITTEE
- (7) Housing Authority - Request for discontinuance of private way known as Garfield Avenue, between westerly line of Lawn Avenue and easterly line of Custer Street (Mayor's letter 6/22/61) REFERRED TO LEGISLATIVE AND RULES COMMITTEE
- (8) Parking Authority - Request in letter of 6/27/61 for approval of lease agreement on property located at corner of Bell and Atlantic Streets, owned by the 221 Atlantic Street Corporation REFERRED TO LEGISLATIVE AND RULES COMMITTEE
- (9) Carbon copy of letter dated 7/13/61 to Mayor from Planning Board Director - Concerning acquisition of 50 foot right of way across City property for access to University of Connecticut site - ORDERED NOTED AND FILED
- (10) Petitions for road acceptance - These were all REFERRED TO THE PLANNING AND ZONING COMMITTEE
- (11) Medical Arts Building Special Investigating Committee final report ORDERED PLACED ON AGENDA

- (12) Concerning proposed Ordinance presented by William Murphy some time ago -
Re: FOOD HANDLERS and referred to HEALTH & PROTECTION COMMITTEE at that time.

MR. MURPHY asked about the status of this matter. Mr. Baker, Chairman of the Health & Protection Committee, said they were awaiting word from Dr. Costanzo and as soon as more information was available, would report on it.

- (13) Concerning further public hearings on Fluoridation of City Water Supply

MR. BAKER, Chairman of the Health & Protection Committee, said a third hearing would be held on this matter in the fall, to enable those who wished to speak in rebuttal to have that opportunity.

ADJOURNMENT:

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

Respectfully submitted,

John R. Nolan, Chairman
Steering Committee

FISCAL COMMITTEE:

MR. REBACK, Chairman, reported that the Fiscal Committee met the evening of August 3, 1961 in the Mayor's office. Present were the following: Mrs. Eleanor Austin, Miss Rose Farina, George Connors, Peter Sileo, George Russell, Jack McLaughlin, Paul Callahan and Daniel Reback, Chairman.

- (1) a. \$4,000.00 - VETERANS' GRAVE COMMISSION - Covering the following:
(Mayor's letter 7/7/61)

Code 128.5710 Salaries -----	\$2,000.00
Code 128.5711 Care of Graves-----	2,000.00
	<u>\$4,000.00</u>

- b. \$5,000.00 - PATRIOTIC OBSERVANCES COMMISSION - Covering the following:
(Mayor's letter 7/7/61)

Veterans' Day Observance -----	\$2,500.00
Memorial Day Observance -----	2,000.00
Other Civic Observances -----	500.00
	<u>\$5,000.00</u>

MR. REBACK: "We met with the Chairman of the Education, Welfare & Government Committee and it was decided to defer for further information these two items, so we will not report on these tonight." (Referring to the above matters)

- (2) \$5,400.00 - WORKMEN'S COMPENSATION AWARD to Mrs. Rose C. Troy, Widow of Patrolman David L. Troy (Mayor's letter 7/5/61)

MR. REBACK MOVED for approval of the above request. He said: "This will cover for Mrs. Troy an award of \$50.00 a week, retroactive to 1960, July 8th, for as long as she lives or remains unmarried, as well as the sum of \$500.00 for funeral bills." Seconded by Mr. Connors.

MR. BAKER, Chairman of the Health & Protection Committee, to whom this had also been referred, said his Committee concurred in approval of the award.

VOTE taken on item #2. CARRIED unanimously.

- (3) \$410.00 - TAX COLLECTOR, Code 575.1, Salaries (To cover salary grade changes for two employees, as outlined in the Mayor's letter of 6/29/61)

MR. REBACK MOVED for approval of the above. Seconded by Mr. Sileo and CARRIED unanimously.

- (4) \$127.93 - DEPARTMENT OF HEALTH, Code PP 420.1, Salaries (Mayor's letter 6/30/61)

MR. REBACK MOVED for approval of the above. Seconded by Mr. Cole and CARRIED unanimously.

- (5) \$588.00 - DEPARTMENT OF PUBLIC WORKS - Code 416A.1, City Hall Maintenance (Salary reclassification of 2 employees) (Mayor's letter 6/29/61)

MR. REBACK MOVED for approval of the above. Seconded by Mr. Kelly, and CARRIED unanimously.

Concerning reclassifications and salary changes:

MR. REBACK: "Mr. President, may I digress for a moment?"

Permission was given for Mr. Reback to "digress".

MR. REBACK: "The Fiscal Committee, in passing these three items (#3, 4 & 5), would like to recommend that, in the future, any personnel reclassifications that will appear before this Board, also be made the business of the Personnel Committee.

"At this point we believe that the chipping away of the present pay scale we have in the elevation of individuals is not being done in the most business-like fashion. There is no question but that these people do require additional dollars. However, we find that it becomes an additional burden over the year and thus presents an additional tax increase in the future. It becomes our job, of course, to pass on this additional money, but we feel that we do not get all the facts because we deal only in the finances.

"We would like to suggest that from now on the Personnel Committee sit in with the Personnel Commission when this type of raise comes up, so that they may answer any questions concerning raise in pay grades and other forms of raising a City employee's salary."

MR. SCARELLA asked to be given the floor and was allowed to speak.

MR. SCARELLA: "I would just like to take exception to a few remarks that Mr. Reback made, if I may at this time. I would like to state that just because Mr. Reback feels that there is a scale, that inequalities cannot exist. When he raises the question of

taxes and tax rate increases why these are so minute that it would be very difficult to even break them down."

MR. CONNORS: "I don't want to disagree with Mr. Scarella, but I happen to agree with our Chairman Mr. Reback. In the past we've had Chairmen that have given us a report every month. They have sat in at every meeting and have come in every month with a report. I know, because I sat with them for 2½ years. I feel that in fairness to the Fiscal Committee, and as a member of the Committee, we sit there in the dark - we don't know what's going on - I know that we can get all the information we want out of our Committee and we wouldn't have a bit of trouble if our Chairman would report to the Fiscal Committee what happened-----"

THE PRESIDENT: "In all fairness to the Chairman of the Personnel Committee, the matter has never been referred to the Committee, so I think he is therefore not delinquent. I think the only matter that can be debated at this point is the fact that the Board itself did not refer these matters to the Committee."

MR. CONNORS: "I beg to differ with you, Mr. President. I think it is, because the Chairman is required to attend ALL the meetings of the Personnel Commission. He should have a report every month which we always had in the past - I know, because I was a member of this Committee. I feel that if the Chairman of a Committee don't see fit to attend the Commission meetings, he should then refer this to an Assistant Chairman and he should report to the Board. But, we should have a report every month as to what transpired in the meeting of the Personnel Commission."

THE PRESIDENT said he remembered when the Personnel Commission did not allow anyone to sit in at their meetings.

MR. CONNORS replied that this was only during the Griffenhagen Survey.

MR. CALLAHAN: "Mr. President, it was my suggestion at the Fiscal Committee meeting that this matter be brought before the Board. I suggested it, because for the last year all the pensions that have come before us - or rather, before the Fiscal Committee - and all these job reclassifications - we are more or less duty bound to approve them. We don't know that much about it. I suggested that in the future we could recommend that the Personnel Committee come in with a monthly recommendation on all these job reclassifications, so that the Fiscal Committee could rely on their judgment. I wasn't suggesting that it should have been done in the past - I was merely saying that from now on in the future, it would be a wise thing to do so that the Fiscal Committee would have their recommendations to base their decisions on."

MR. SCARELLA: "The part that I take exception to is bringing this matter out on the floor of this meeting. If the Chairman does not have the facts before him, why come out with a favorable report? I take exception to the fact that this was brought out in an open meeting."

THE PRESIDENT said he had been at the meeting and that the Chairman had said he thought this would be a more orderly process to refer all matters concerning pay raises or reclassifications to have it also referred to the Personnel Committee, so that the Committee could sit in with meetings of the Personnel Commission and come in with the facts, so as not to overburden the Fiscal Committee. He said that in the future the Steering Committee will refer these personnel matters to the Personnel Committee so they can advise the Fiscal Committee.

MR. REBACK thanked the President for allowing him to "digress", and returned to the other matters that had been referred to his Committee.

- (6) \$1,252.00 - Resolution amending 1960-1961 Capital Projects Budget - HUBBARD HEIGHTS GOLF COMMISSION - To transfer \$1,252.00 from item known as "Guard Rails" to item known as "Addition to Building"
(Mayor's letter 6/30/61)

MR. REBACK explained that this is not a request for additional funds - that the funds are already in their budget, and it is merely a transfer of this sum from one account to another.

MR. REBACK MOVED for approval of the following resolution. Seconded by Mr. Baker:

RESOLUTION NO. 365

AMENDING 1960-1961 CAPITAL PROJECTS BUDGET -
HUBBARD HEIGHTS GOLF COMMISSION - TO TRANSFER
\$1,252.00 FROM ITEM KNOWN AS "GUARD RAILS" TO
ITEM KNOWN AS "ADDITION TO BUILDING"

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 to transfer the sum of \$1,252.00 from "Guard Rails" account to "Addition to Building" account, which transfer will cover the installation of a permanent roof over part of the terrace to replace the use of canvas awning, and

BE IT FURTHER RESOLVED that said sum be raised by the transfer of \$1,252.00 from unexpended Capital balance in the "Guard Rails" account to "Addition to Building" account, 1960-1961 Capital Projects Budget, paid out of direct taxation.

MR. REBACK spoke in favor of the transfer.

MR. DEFOREST: "If we do not pass this transfer, will it go back to the General Fund?"

MR. REBACK: "No, in this case they would probably put up the guard rails, even though, at this point they feel it would cut down on the amount of parking available. If we deny it, they will not be able to do anything with it."

MR. DEFOREST: "I understand that part, but I just wondered if we turned it down would the money go back into the General Fund - in other words, unexpended funds."

MR. REBACK: "question that - I think the money would be used for what it was intended."

MR. DEFOREST: "I'm not sure that I like the way this is being done. If we are voting for guard rails, that's one thing. But, when I see it shifted over to something else I don't really know what they are going to do with it - they say something about a roof somewhere - I really don't know exactly what it's for. I might very likely vote against it if I knew more about it."

MR. CONNORS read the Mayor's letter of June 30, 1961, requesting this transfer.

Mr. Connors called attention to the third paragraph in the Mayor's letter in which he states that he had an opinion from the Corporation Counsel that this transfer falls under the scope of Section 611.5 of the Charter. He said: "So if he go an opinion from the Corporation Counsel, I should think that ought to be good enough."

MR. BAKER: "I would like to say that I think the decision of the Commission which runs Hubbard Heights not to install these guard rails was a very wise one indeed. The parking has spilled over so that people are now parking on the sides of the road. If they should erect guard rails, it would further restrict the amount of parking available and create a serious traffic problem on the shoulders of the highway, because people who are playing golf are certainly entitled to park somewhere. I think the decision to transfer the use of these funds is a wise one and the use to which the money will be put is a necessary one, and as long as these funds are available and they are not asking for additional funds, I think the recommendation should be adopted."

MR. KELLY, as Chairman of the Parks and Recreation Committee, spoke in favor of the transfer and urged the members to approve the request.

After considerable further debate, a vote was taken on Resolution No. 365 and APPROVED unanimously.

- (7) \$3,231.56 - PENSION, Patrolman John R. Doyle (Effective 7/15/61, based on 62% of his annual salary of \$5,407.63, in amount of \$3,352.73) (Mayor's letter 7/7/61)

MR. REBACK MOVED for approval of the above pension. Seconded by Mr. Sileo and Mr. Mancusi and CARRIED unanimously.

- (8) \$3,014.53 - PENSION - Mrs. Margaret T. Knapp, widow of Detective John H. Knapp (Effective 7/29/61, based on 50% of annual salary of \$6,518.00, in amount of \$3,239.00) (Mayor's letter 7/7/61)

MR. REBACK MOVED for approval of the above pension. Seconded by Mr. Cole and CARRIED unanimously.

- (9) \$807.68 - PENSION - Mrs. Pansy L. Hall, mother of Fire Lt. Harry F. Hall (Effective 3/25/61, based on 50% of annual salary of \$5,995.00 in amount of \$2,997.50) (Mayor's letter 5/4/61)

MR. REBACK MOVED for approval of the above pension. Seconded by Mr. Kelly and CARRIED unanimously.

- (10) \$22,000.00 - Resolution amending 1961-1962 Capital Projects Budget - By adding thereto an item in the amount of \$22,000.00 to be known as "SIDEWALKS - HIGH RIDGE ROAD" to be financed by issuance of bonds, with temporary or interim financing in accordance with Section 630.1 of the Charter. (Mayor's letter 7/13/61)

MR. REBACK MOVED for approval of the following resolution. Seconded by Mr. Henry Nolan:

RESOLUTION NO. 366

AMENDING 1961-1962 CAPITAL PROJECTS BUDGET BY ADDING
THERETO THE SUM OF \$22,000.00 FOR PROJECT DESIGNATED
AS "SIDEWALKS AND/OR CURBING" TO PROVIDE SIDEWALKS
ON EAST SIDE OF HIGH RIDGE ROAD

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 1961-1962 Capital Projects Budget, to Project therein designated as "SIDEWALKS AND/OR CURBING" an amount of \$22,000.00 to provide sidewalks on the east side of High Ridge Road, running approximately from Bulls Head to Turn-of-River, and

BE IT FURTHER RESOLVED that said Project be financed by the issuance of bonds, with temporary or interim financing, to be arranged in accordance with Section 630.1 of the Charter.

MR. REBACK: "This item is not only needed, but it is virtually a necessary addition to the new Rippowam High School. This sidewalk will take care of the walking children, who will not only attend the high school, but those younger ones who will attend Junior High School.

"As you know, High Ridge Road today is a broad artery of traffic and is heavily trafficked during the morning hours, and provides a potential hazard to children who are walking and must therefore walk in the road.

"This should have been originally put into the Capital Projects budget, but has been knocked out prior to this, and I strongly urge every member to vote for this particular appropriation, because it is an absolute necessity for the safety of the children attending Rippowam High School."

MR. DEFOREST: "May I ask Mr. Reback one question? Is this \$22,000.00 the last word, or, are we going to hear more later?"

MR. REBACK: "Probably what you will hear will be the many thanks of the mothers of the children who will use the sidewalk." (laughter)

MR. DEFOREST: "What I mean specifically is, will we be asked to appropriate still more money at a later date?"

MR. REBACK: "To the best of my knowledge, the \$22,000.00 is the exact amount, in the opinion of the Public Works Department, that will be required to put in sidewalks and curbing from Bulls Head to Turn-of-River."

HENRY NOLAN: "The curbing is already there, Mr. Chairman, I'd like to point out. Dan Baker and I have been talking about the need for the sidewalks for a long time. Thanks to the Mayor and the Commissioner of Public Works, they have pushed it forward.

"We have brought out from the beginning as to why the State Department of Public Works did not put them in. I understand the reason they didn't is because it's not their policy - they put in top soil and grass.

"Now, it seems to me that our representatives on the State Legislature should find methods and means to change the policy of the State. I recall very vividly when the Burdick Jr. High School went on fire, the State Board of Education's policy was that they would give State aid to education on new buildings, but nothing else.

"The then Superintendent of Schools went to Hartford and convinced the people up there that the re-building of Burdick Jr. High School was just as important to the children of the City of Stamford as a new junior high school. So, the State Board of Education at that point changed their policy."

"I think that the State Public Works Department should realize their coming in to a busy community like Stamford with their roads that they are also responsible for the pedestrian traffic and should put in sidewalks."

MR. CONNORS asked a question of Mr. Reback. He said: "How would the sidewalks affect the bus system that we have in the schools? Would that cut down on the need for buses?"

MR. REBACK replied that the sidewalks take care of the children who would be walking anyhow. He said it was merely a matter of safety for children who had to walk to school and not economy to curtail the need for school buses.

MR. BAKER spoke in favor of having the sidewalks installed.

MR. CONNORS said he knew of other sections of the City that neither have sidewalks for the children to walk on or buses to drive them to school and they are forced to walk in the street. He said the reason he had asked the question was because he had heard someone state at a budget hearing that "because there are no sidewalks you have to give them bus service".

MR. McLAUGHLIN spoke in favor of the sidewalk appropriation.

MR. JOHNSON asked what provision would be made for the children who live on the side that has no sidewalk.

MR. REBACK said he was sure the State was planning to install signal lights to enable the children to cross safely.

There being no further debate, a VOTE was taken on Resolution No. 366. CARRIED unanimously.

LEGISLATIVE & RULES COMMITTEE:

MR. SHAPERO, Chairman, presented his committee report. He said a meeting was held this evening to consider the matters referred to his committee. Present at said meeting were the following: Paul Shapero, David Johnson, Michael Macri and Daniel Baker.

- (1) Final adoption of Ordinance Pertaining to Exhibition of Motion Pictures on Sundays and Hours of Operation (Adoption for publication 7/10/61, published 7/17/61)

MR. SHAPERO MOVED for final adoption of the following Ordinance. Seconded by Mrs. Austin and CARRIED unanimously:

ORDINANCE NO. 96 SUPPLEMENTAL

AN ORDINANCE PERTAINING TO THE EXHIBITION OF MOTION PICTURES ON SUNDAYS AND HOURS OF OPERATION

BE AND IT IS HEREBY ORDAINED BY THE CITY OF STAMFORD THAT:

1. Chapter 30, Section 6 of the Code of General Ordinances of the City of Stamford is hereby repealed and the following is substituted in its place:

CHAPTER 30 - Section 6. SUNDAY MOVIES.

In accordance with Section 7-165 of the General Statutes, Revision of 1958, and any amendments thereto, motion picture exhibitions on Sundays, between the hours of one o'clock P.M. and eleven-thirty o'clock P.M., are hereby authorized.

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- (2) Three Resolutions concerning bringing the following roads up to standards acceptable by the City, under Chapter 64 of the Charter: NORTHWOODS ROAD, PINNER LANE AND WALLACE STREET (Requested in letter of 7/21/61 from Commissioner of Finance - See previous Resolution No. 364, minutes of 7/10/61, page 3169)

MR. SHAPERO yielded the floor to Mr. Russell, Chairman of the Planning and Zoning Committee, to report out on the above matter.

MR. RUSSELL said his committee did not hold a formal meeting this month. He said an informal meeting was held to approve the matters in Committee.

MR. RUSSELL: "The Committee is ready to re-present two resolutions concerning Northwoods Road and Pinner Lane and a new resolution concerning Wallace Street. The reason for having to present second resolutions on Northwoods Road and Pinner Lane is because last month we did not have all the information that was needed. At the request of the Commissioner of Finance, Norman Gluss, in his letter of 7/21/61, we are presenting corrected resolutions, as we now have all the information."

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

RESOLUTION NO. 367

DIRECTING IMPROVEMENTS TO BE CARRIED
OUT ON NORTHWOODS ROAD

BE AND IT HEREBY IS RESOLVED BY THE BOARD OF REPRESENTATIVES OF THE CITY OF STAMFORD:

That it is the opinion of the Board of Representatives that the public health, safety, welfare, convenience and necessity require the construction and layout of the highway known as NORTHWOODS ROAD in conformity with the specifications set forth in Ordinance No. 79 Supplemental of the Code of General Ordinances of the City of Stamford; and

IT IS FURTHER RESOLVED that it is the intention of the Board of Representatives, with the approval of the Mayor, to construct and layout said highway, together with any curbing, drainage or other incidental installations required to carry out said project pursuant to the powers granted it under Section 640 of the Charter of the City of Stamford; and

IT IS HEREBY FURTHER RESOLVED that the Mayor be and is hereby requested to direct the Department of Public Works to do the preliminary engineering work, including preparation of surveys, plans, profiles, specifications and estimates of the total cost of the improvement and to submit a report thereon to the Commissioner of Finance who shall make estimates of the value of any land proposed to be taken and of the amounts of the benefits or damages which should be assessed against or in favor of each piece of property affected; and

IT IS FURTHER RESOLVED that the Mayor be requested to submit a report thereon to the Board of Representatives; and

IT IS FURTHER RESOLVED that approximately fifty (50%) per cent of the cost of the work and improvements as aforesaid shall be assessed against the properties benefited thereby; and

IT IS FURTHER RESOLVED that all necessary and requisite steps be taken toward the construction and layout of said highway, curbing, drainage and incidental installations in accordance with the provisions of Chapter 64 of the Charter of the City of Stamford.

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

RESOLUTION NO. 368

DIRECTING IMPROVEMENTS TO BE CARRIED
OUT ON PINNER LANE

BE AND IT HEREBY IS RESOLVED BY THE BOARD OF REPRESENTATIVES OF THE CITY OF STAMFORD:

That it is the opinion of the Board of Representatives that the public health, safety, welfare, convenience and necessity require the construction and layout of the highway known as PINNER LANE in conformity with the specifications set forth in Ordinance No. 79 Supplemental of the Code of General Ordinances of the City of Stamford; and

IT IS FURTHER RESOLVED that it is the intention of the Board of Representatives, with the approval of the Mayor, to construct and layout said highway, together with any curbing, drainage or other incidental installations required to carry out said project pursuant to the powers granted it under Section 640 of the Charter of the City of Stamford; and

IT IS HEREBY FURTHER RESOLVED that the Mayor be and is hereby requested to direct the Department of Public Works to do the preliminary engineering work, including preparation of surveys, plans, profiles, specifications and estimates of the total cost of the improvement and to submit a report thereon to the Commissioner of Finance who shall make estimates of the value of any land proposed to be taken and of the amounts of the benefits or damages which should be assessed against or in favor of each piece of property affected; and

IT IS FURTHER RESOLVED that the Mayor be requested to submit a report thereon to the Board of Representatives; and

IT IS FURTHER RESOLVED that approximately seventy (70%) per cent of the cost of the work and improvements as aforesaid shall be assessed against the properties benefited thereby; and

IT IS FURTHER RESOLVED that all necessary and requisite steps be taken toward the construction and layout of said highway, curbing, drainage

and incidental installations in accordance with the provisions of Chapter 64 of the Charter of the City of Stamford.

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

RESOLUTION NO. 369

DIRECTING IMPROVEMENTS TO BE CARRIED
OUT ON WALLACE STREET

BE AND IT HEREBY IS RESOLVED BY THE BOARD OF REPRESENTATIVES OF THE CITY OF STAMFORD:

That it is the opinion of the Board of Representatives that the public health, safety, welfare, convenience and necessity require the construction and layout of the highway known as WALLACE STREET in conformity with the specifications set forth in Ordinance No. 79 Supplemental of the Code of General Ordinances of the City of Stamford; and

IT IS FURTHER RESOLVED that it is the intention of the Board of Representatives, with the approval of the Mayor, to construct and layout said highway, together with any curbing, drainage or other incidental installations required to carry out said project pursuant to the powers granted it under Section 640 of the Charter of the City of Stamford; and

IT IS HEREBY FURTHER RESOLVED that the Mayor be and is hereby requested to direct the Department of Public Works to do the preliminary engineering work, including preparation of surveys, plans, profiles, specifications and estimates of the total cost of the improvement and to submit a report thereon to the Commissioner of Finance who shall make estimates of the value of any land proposed to be taken and of the amounts of the benefits or damages which should be assessed against or in favor of each piece of property affected; and

IT IS FURTHER RESOLVED that the Mayor be requested to submit a report thereon to the Board of Representatives; and

IT IS FURTHER RESOLVED that approximately seventy-five (75%) per cent of the cost of the work and improvements as aforesaid shall be assessed against the properties benefited thereby; and

IT IS FURTHER RESOLVED that all necessary and requisite steps be taken toward the construction and layout of said, highway, curbing, drainage and incidental installations in accordance with the provisions of Chapter 64 of the Charter of the City of Stamford.

- (3) Request from Building Board of Appeals to confirm their decision in reversing decision of Building Inspector on request from THE HARTFORD ELECTRIC LIGHT CO. to install gas-fired, above-the-floor space heaters in Warehouse and Office Building to be erected at Harbor View Avenue and Blondell Street. (In accordance with provisions of Sec. 13. d. of Building Code, page 11)

MR. SHAPERO: "The Committee postponed action on the decision of the Building Board of Appeals, because they were a little confused as to just what was wanted."

- (4) Lease between City and the Elm Sales and Service, Inc., covering rental of City-owned property adjacent to the Alvord Lane Pumping Station, for period June 1, 1961 through May 31, 1962, at annual rental of \$1,200.00 (Mayor's letter 5/23/61)

MR. SHAPERO said the Committee considered and approved this lease.

MR. SHAPERO: "As I understand it, this is property that is not being used and this transaction has been approved by the appropriate city authorities. The rental would be at the rate of \$100 a month. I MOVE that this Board approve the lease."

MR. BAKER seconded the motion and it was CARRIED unanimously.

- (5) Concerning exchange of properties between City and Laminated Shim Company, at intersection of Union Street and Kirkham Place (To alleviate bad traffic condition) (Mayor's letter 5/18/61)

MR. SHAPERO said the committee approved the above request. He said: "I cannot show this map to all members of the Board, which shows the property to be exchanged. It has been approved by all the appropriate Boards. The purpose for the exchange of property is to alleviate a dangerous traffic condition. I MOVE that this be approved by this Board."

MR. RUSSELL seconded the motion and it was CARRIED unanimously.

- (6) Parking Authority - Request in letter of 6/27/61 for approval of lease of property located on corner of BELL AND ATLANTIC STREETS, owned by the 221 Atlantic Street Corporation

MR. SHAPERO MOVED to bring the above matter up under suspension of the rules, as it was not on the agenda. Seconded by Mr. Kelly. CARRIED unanimously.

MR. SHAPERO: "This is a lease between the Parking Authority of the City of Stamford and the 221 Atlantic Street Corporation. It covers property that is bounded easterly by Atlantic Street, southerly by Bell Street and westerly by the present Bell Street parking lot. The rental for this would be the amount that is presently being paid by the owners in taxes. It would simply mean that the Parking Authority would take over all payment of taxes on this property. It is estimated that this will add approximately 34 car spaces to the Bell Street lot and the Parking Authority have requested that we approve it. The Legislative & Rules Committee has approved it and I MOVE that we approve the lease on this property." Seconded by Mr. Baker.

MR. RUSSELL said he was not so sure the city would be getting a very good deal on this as the owners would be paying taxes on the property until such time as a proper buyer comes along and just to park an extra 35 cars, in his opinion, was not much of an incentive.

MR. SHAPERO replied that he was sure that the 221 Atlantic Street Corporation would much prefer having a rental building on this property and to have a tenant, or else to sell the property, rather than to have a hole in the ground as they presently have. He said: "It seems to me that until such time as they do, the City is not going to get very much more by way of taxes than they are getting now, so as a practical matter we are merely changing the persons who pay these taxes. We are gaining parking spaces, which the merchants in the middle of town are clamoring for."

I also might say this, which I probably should have mentioned before, that at any time that this property is sold (it can be sold at any time), the 221 Atlantic Street Corporation has a right to break this lease - and if you have somebody like Lord and Taylor come along who might want to build in the middle of town rather than to have it out in the country, this property will be available."

MR. Mc'AUGHLIN said he would like to know what the taxes are on this property and what the return would be if it is used as a parking area.

MR. SHAPERO replied that he was unable at this time to give him the amount that the city receives in taxes on this property, but he can say that they will continue to receive exactly the same amount as they now get. He read a portion of the lease covering the point in question.

There being no further debate, a VOTE was taken on Mr. Shapero's motion to approve the lease. CARRIED unanimously.

PUBLIC WORKS COMMITTEE:

MR. HENRY NOLAN reported that his committee had voted in favor of the \$22,000 for the High Ridge Road sidewalks for Rippowam School. Regarding the Aquila Road and Kramer Road problem, he reported that the Corporation Counsel's office has informed them that they are ready to come to a conclusion with the bonding company, so that the city can go ahead with bringing these streets up to proper condition for acceptance.

Concerning a drainage problem on Frederick Street, he reported that bids will be in on August 12th.

MR. HENRY NOLAN: "I would like to point out at this time, that this was in our regular budget. But, for many months, the Commissioner of Public Works and your Public Works Committee have tried to get a special appropriation through the Board of Finance and if this had been passed, we would have had the drainage problem solved by now.

"On Virgil Street - the drainage problem - I'd like to point out that the request was for \$38,795.00 and it was reduced by the Board of Finance to \$25,000.00. The bids have been received, and the lowest bid is \$26,615.00, so it is my understanding that the Public Works Commissioner will have to come in with a request for an additional \$4,000.00 which will make up the difference, plus the amount of money that should be in there to take care of contingencies, making a total of \$30,615.00."

HEALTH & PROTECTION COMMITTEE:

MR. BAKER said he had already reported on the one matter referred to his committee, under Fiscal Committee (item 2).

MR. BAKER: "We were to have had a meeting with the Commissioner of Health - however, he was on vacation and for that reason the meeting had to be postponed. We will schedule another meeting with him shortly. The hearing on fluoridation has been postponed until September because of absence from the city of various interested parties. This was done at their request."

PLANNING & ZONING COMMITTEE:

(Note: Item #1 concerning resolutions on Northwoods Road, Pinner Lane and Wallace Street were reported out under Legislative and Rules Committee.)

(2) Acceptance of roads as city streets:

MR. RUSSELL: "The Committee presents the following roads for acceptance. These roads have been in litigation for a long period of time and the Corporation Counsel's office has at long last, after much work on their part to resolve this unfortunate matter brought it to a conclusion."

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

AQUILA ROAD

Approximately 600 feet, including turnaround, as shown on Map #5194 on file in the office of the Town and City Clerk.

KRAMER ROAD:

Approximately 280 feet, as shown on Map #5194 on file in the office of the Town and City Clerk.

(3) Proposed resolution for acceptance of streets built prior to April 16, 1950:

MR. RUSSELL introduced the following resolution and MOVED for its adoption for publication, with final approval at the next Board meeting. Seconded by Mr. Truglia 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 September 11, 1961, 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 of aforesaid meeting 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:

ALLYN PLACE - That portion, running easterly for approximately 390 feet from Fairfield Avenue.

HOMESTEAD AVENUE - That portion running easterly from Orchard Street to Southfield Avenue.

PARKS AND RECREATION COMMITTEEConcerning Purchase of property adjoining Southfield Park:

MR. TRUGLIA requested permission to ask the Chairman of the Parks and Recreation Committee a question on behalf of himself and Mr. Kozlowski (2nd District Representatives). Permission was given.

MR. TRUGLIA: "Mr. Kelly, at our last meeting we discussed with you the possibility of the City obtaining the property adjacent to Southfield Park - do you remember that?"

MR. KELLY replied that it had been discussed with Mr. Connell.

MR. TRUGLIA: "I would like to MOVE at this time that this Board send a letter to Mayor Kennedy requesting that the land adjacent to Southfield Park owned by Timothy Egan be investigated for possible purchase by the City of Stamford, reportedly priced at \$30,000.00."

THE PRESIDENT informed Mr. Truglia that he was out of order at this time, but if he cared to bring the matter up again under "New Business" that he might do so, and it could then be referred to the proper Committee.

MR. TRUGLIA: "Couldn't it be brought up under suspension of the rules?"

THE PRESIDENT replied that it could be done if the members so desired.

MR. TRUGLIA: "Then, may I MOVE that we suspend the rules?"

Mr. Connors seconded Mr. Truglia's motion. CARRIED with two no votes.

MR. TRUGLIA: "I make a MOTION that this Board send a letter to Mayor Kennedy, requesting that the land adjacent to Southfield Park owned by Timothy Egan be investigated for possible purchase by the City of Stamford, for a reported price of \$30,000.00."

THE PRESIDENT asked if there was a seconder to the motion.

MR. CONNORS seconded the motion.

MR. MURPHY: "Actually, this motion is a little superfluous right now, because it is my belief that the Park Commission is now in the process of appraisal and negotiation for this land - I think it would be better worded that the Board is in favor of acquisition of this property - because I believe they are in the planning stage right now."

MR. TRUGLIA: "I'm saying that this land should be purchased. I have been talking with Mr. Egan and he assured me that no one has approached him - that he has not been approached by any city officials."

MR. DEFOREST: "I'd like to know more about it before I can go along with this suggestion. I don't want to approve of something that I know nothing about as yet. Let's wait until this investigation gets to the proper stage before we jump the gun."

THE PRESIDENT said, in his opinion, this should more properly be referred to the Steering Committee. He said he did not think this by-passing of the orderly process

of business before the Board was the proper way to handle this matter.

MR. CONNORS said he thought it should be put on the floor, as land is getting scarce and it might be the last opportunity for the city to acquire more property in this location. He said: "What would be wrong in our requesting the Mayor to contact the Park Department to find out if they have inquired about this property."

THE PRESIDENT said he disliked doing it the way it was being done. He said: "It seems to me that the proper way would be to refer this matter to the Steering Committee and have them refer it to the Parks & Recreation Committee. However, we can refer it now to Mr. Kelly's Committee. But, for us to write a letter at this time and suggest to the Mayor that he investigate it, I think doesn't suit the purpose of what we are trying to do."

MR. DEFOREST MOVED that this be referred to the Steering Committee.

MR. TRUGLIA: "May I re-word my motion that it be referred to the Parks and Recreation Committee?"

THE PRESIDENT: "You may."

MR. SHAPERO: "As I understand this thing, we are going to ask Mr. Kelly's Committee to investigate the possibility of purchasing this land - is that right?"

MR. TRUGLIA: "Correct."

MR. SHAPERO: "The reason I raise this point is this - I think in something like this - now this has nothing to do with the merits of buying a piece of land. But, when we, as a Board discuss the possible purchase of anything by the City, I think that we have to be very careful as to what we approve and do not approve, or how we go about suggesting the possible values of land. If we get into this thing, we can put anyone who is in the position of negotiating for the City, in a position where they will not be able to negotiate at all. Therefore, if I were Mr. Eagan now, I would start at \$30,000 as my rock bottom price and try and get more money, because this Board, more or less, is going on record as saying that we've got to pay at least \$30,000 for this property. I think it is fine for us to investigate the possibility of buying possible park land, or anything else, but I don't think we should do it in such a way as to try to hamstring the people who will be doing the negotiating. I don't think we should suggest ANY purchase price."

MR. BAKER MOVED TO AMEND Mr. Truglia's motion that this matter be referred to the Parks and Recreation Committee for the purpose of ascertaining the cost of the purchase of this land (the Eagan property). Seconded by Mr. Truglia and CARRIED.

CHARTER REVISION COMMITTEE:

MR. CALLAHAN: "I would like to report that the Charter Revision Committee wishes to acknowledge receipt of the Charter Revision Commission report. As you all know, there will be a public hearing on the report of the Commission held by the Board on August 31, 1961 at Dolan Jr. High School auditorium at 8:15 P.M. The Charter Revision Committee will present its recommendations on the report at the September 11th Board meeting."

Appointments to Charter Revision Committee:

THE PRESIDENT announced that Peter C. Sileo and George Russell are appointed as

members of the Charter Revision Committee -- that they were inadvertently left off at the time of appointment of the Committee.

This now makes 8 members of the Charter Revision Committee, as follows:

<u>Democrats (6)</u>	<u>Republicans (2)</u>
Paul T. Callahan, Chairman	John L. DeForest
Paul D. Shapero, Vice Chairman	George Russell
J. Clyde O'Connell	
Rose C. Farina	
George V. Connors	
Peter C. Sileo	

SPECIAL INVESTIGATING COMMITTEE ON MEDICAL ARTS BUILDING (Final report):

MR. DEFOREST: "At long last we are having our day."

Mr. DeForest presented the following final report of the Committee:

FINAL REPORT OF SPECIAL INVESTIGATING COMMITTEE

The Board of Representatives, at its special meeting of March 16, 1961, created this Committee under City Charter Section 204.2, entitled "Power to Investigate Administration".

Selected as members of the Committee were Messrs. Paul T. Callahan, Robert M. Meyers and Daniel Baker, Democrats; George Russell, David L. Johnson and John L. DeForest, Republicans. John DeForest was designated as Chairman.

The specific charge of the Committee was to investigate alleged improper political influence in connection with the Medical Arts Pharmacy, operating in one of the first floor units of the Medical Arts Building at 144 Morgan Street.

In addition to many hours in Executive Session, the Committee found it necessary to conduct three public hearings in order to procure all the information it felt was required to reach its decision. These hearings were held on Saturday, April 8, 1961 at Dolan Junior High School; Friday, May 12, 1961 at City Hall and on Monday, May 22, 1961 at City Hall.

- * A copy of the 295 page transcript, representing slightly less than ten hours of actual hearing time, is attached, to form a part of the permanent record of the Board. The total cost to the City of the three combined hearings stands at \$613.00.

Although the transcript is long, the Committee feels that the pertinent facts can be stated briefly as follows.

- (A) Mrs. Alice Ballin owned certain property on Morgan Street in an RMF zone.
- (B) A building permit was issued for the construction of the Medical Arts Building on said property.
- (C) Subsequent to the issuance of said permit an application dated

March 8, 1960 and on behalf of Mrs. Ballin, was submitted to the Zoning Board.

- (D) Said application was given public hearing on March 23, 1960.
- (E) On April 8, 1960, the Zoning Board made two amendments to the zoning regulations, effective April 25, 1960, in accordance with a modified version of said application.
- (F) In effect, said amendments added a definition of professional pharmacy, which definition included the provision: "-----that there be no direct access-----no direct outside public access to such pharmacy-----", and added professional pharmacy to the list of uses permitted in RMF zones. (Note: The only question raised as to whether the Medical Arts Pharmacy was in violation of the zoning regulations was with respect to this aspect of the definition.)
- (G) On May 6, 1960, an application on behalf of Mrs. Ballin was submitted to the Zoning Board of Appeals, requesting that a professional pharmacy be permitted to do business in the Medical Arts Building in spite of the fact there was to be direct outside public access to the pharmacy.
- (H) On July 26, 1960, said application was denied on the grounds that no hardship was shown.
- (I) Oral application for a Certificate of Occupancy was made on or about January 3, 1961.
- (J) A Certificate of Occupancy, indicating that the completed building conformed to the plans as originally submitted, was issued on January 3, 1961, and shortly thereafter the Medical Arts Pharmacy took occupancy.
- (K) On March 6, 1961, notice was given to the Medical Arts Pharmacy that it was in violation of the zoning regulations.
- (L) The violation, which existed by reason of the fact there was no direct outside public access to the Medical Arts Pharmacy, has since been corrected.

Each of the sixteen witnesses indicated, under oath, that he had no knowledge of any evidence to add to the above facts which might prove that improper political influence was exerted either by or upon any employee of the City or any member of the City Administration. However, one witness, Mr. William M. Ivler, suggested that the above facts raised a question of political impropriety.

Specifically, Mr. Ivler suggested that improper political influence was exerted in connection with the issuance of the Certificate of Occupancy, since it was issued with respect to a building which would be occupied in part by a professional pharmacy having direct outside public access (a fact which was admitted when the application for a Variance was made to the Zoning Board of Appeals) after the matter had been discussed by certain

City officials including a member of this Board of Representatives and members of the Department of Public Works.

Mr. Ivler, however, agreed that it would have been improper to withhold said Certificate under the above facts, since no violation of the zoning regulations actually existed at the time it was to be issued.

Mr. Ivler further agreed that it could not be said to be improper in any political sense if an individual were to request something to which he was entitled. It should be noted here that said Certificate was issued only after the Corporation Counsel gave the opinion that under the above facts, it could not be withheld and that no notation could be made on it.

This Committee having found the above to be the circumstances, unanimously recommends:

- (1) That the Board find, as this Committee has found, that there was no exercise of improper political influence in the obtaining of any permit, certificate or the like in connection with the Medical Arts Pharmacy; and
- (2) That Mr. Ivler be considered by this Board as having been completely irresponsible in his unwarranted attack on the integrity of the members of this Board and certain other members of the City Administration since the inferences cast by Mr. Ivler, while a member of this Board were as he admitted under oath without foundation and made while he was not possessed of knowledge of the inter-relationship of the Zoning Board, Zoning Board of Appeals and Department of Public Works as he further admitted under oath.

SIGNED:

* The transcript is filed separately. Copies were originally furnished to all members of the Committee.

JOHN L. DEFOREST, Chairman
GEORGE RUSSELL
DAVID L. JOHNSON
PAUL T. CALLAHAN
ROBERT M. MEYERS
DANIEL BAKER

MR. DEFOREST MOVED for acceptance of the report of the Investigating Committee. Seconded by Mr. Callahan.

MR. SCARELLA: "Let me state at the outset that it is not my position to judge, but in all fairness to the parties involved I feel that it is very unfair to give a report of that type. It is my feeling, and I feel very strongly on this, that not one member that voted for the original investigation was placed on this committee. All members that were placed on this Investigating Committee voted against the original investigation. I feel that a certain degree of prejudice was evident.

"Therefore, I want it a matter of public record, because I know that the President of this Board will not let me go into detail, and this report is nothing but a white wash."

THE PRESIDENT: "You still have the floor, Mr. Scar-lla, if you'd like to say something."

MR. SCARELLA: "Is it permissible to go into detail?"

THE PRESIDENT: "About WHAT?"

MR. SCARELLA: "I'd like to ask the Investigating Committee, because that part of the investigation that I attended, there were certain questions and conclusions that were asked, instead of investigating they were questions of conclusion and it is therefore my opinion and I feel that a certain amount of prejudice was evident.

"Mr. Chairman, if I may ask, through the Chair, did the Chairman of this Committee ask in any part of this investigation, if Dr. Ballin was a large contributor to the Democratic Party?"

THE PRESIDENT told Mr. Scarella that his question was out of order.

MR. JOHNSON: "If I may, Mr. President, the answer to that is yes."

MR. SCARELLA: "The answer to that is yes? Thank you."

THE PRESIDENT again informed Mr. Scarella that he was out of order.

MR. DEFOREST: "Mr. President, I would like at this time to thank all those people who served on the Committee for their cooperation. This has not been an easy matter. I also would like to thank all of those who gave of their time and energy during this investigation. I am quite sure that they would much rather have gone to a ball game or fishing or something else, and yet they showed up at these hearings very willingly. In thanking these people publicly, I am sure that I speak for the entire Committee."

THE PRESIDENT: "Mr. DeForest, I also would like to thank you for taking this very burdensome job and think that you did a splendid job."

MR. BAKER: "Mr. Chairman, as a member of the Investigating Committee, I feel it incumbent upon the Committee to point out some salient facts in connection with what I consider to be a completely unwarranted charge of prejudice against the Committee.

"It should be remembered in the first instance that this Committee was composed of bi-partisan members, being evenly divided among Democrats and Republicans. On the Republican side, the Committee was Chaired by the Republican Town Chairman and on the Democratic side by people who are prominent in the leadership of the Democratic Party.

"In the conduct of the investigation we were chiefly concerned with affording a complete and fair hearing. All witnesses were heard fully. All who attended the hearing and have testified were given a complete and full opportunity to state their views without restriction, including Mr. Scarella, who now charges prejudice, which charge he did not make during the course of the investigation.

"In my opinion as a lawyer, with considerable trial experience, I want it to be known that I think the standards of fair play were completely and unqualifiedly met with in this hearing and that the conclusions of the Committee are fully justified, particularly in view of the statements made by Mr. Ivler - that he was wrong in a statement of fact made by him, because he was unfamiliar, due to his comparatively recent residence in this community with the operation of the Zoning Board and the Zoning Board of Appeals and that he was in a state of uncertainty and confusion concerning the actual facts as they existed at the time that he made the charges.

"Mr. Ivler was unable to give this Committee any satisfactory explanation as to why he made the charges, in view of his lack of knowledge of the facts as they existed. I think that a Committee of this type, having conducted so careful an investigation and having concerned itself with being so scrupulously fair, that it should not have been subjected to charges of prejudice."

MR. SCARELLA: "I wish to rise for the reason that Mr. Baker has mentioned my name. In all fairness I would like to state that I was no part of this investigation. I had no material for this investigation. I was asked by this Committee by letter to attend. Now, if they call this being courteous-----two members of this Board had to sit there all day, without saying that they had any information to give. Now if any courtesy had been extended to them by the Committee, it was to call on us and then let us go - not to spend the whole day there. So, I take issue with Mr. Baker when he says all courtesies were extended."

"We didn't have to come there - they asked us to come there and we didn't have any information."

MR. SHANEW: "Mr. President, I would just like to question something, for the record (since everything seems to be going on the record and people seem to want to be heard for the record). I would like to know if this is Mr. Scarella's opinion - of prejudice on the part of the Committee - or is this an aspersion. Because, if it's an aspersion, it seems like we will have to have another investigation to check this out."

MR. SCARELLA: "If I may, Mr. President, may I speak?"

THE PRESIDENT: "For the third time, we will allow Mr. Scarella to speak, if there is no objection." There was no objection to him speaking for the third time.

MR. SCARELLA: "There are certain things that have been said that I think I should correct."

THE PRESIDENT: "Mr. Scarella, I'm giving you all the rope you want - go right ahead."

MR. SCARELLA: "Thank you. If Mr. Shanen would listen to me carefully, all I did was state some facts. I haven't taken any part in this investigation. I haven't taken any sides. All I stated was some facts. I suggest that Mr. Shanen listen if he wants me to read over what I said previous to this - he will understand - and I'm sure he must understand, being a school teacher - the words are very clear."

THE PRESIDENT: "Is there anything else, Mr. Scarella?"

There being no further speakers, the President stated a VOTE would be taken on Mr. DeForest's MOTION, previously made at the end of reading the Committee report.

MR. SHAPERD and MR. REBACK asked to be excused from voting.

VOTE taken on accepting the report of the Investigating Committee. CARRIED, with two negative votes and two abstentions.

NEW BUSINESS:

Hazardous parking by residents of apartment houses:

MR. SHANEN spoke in reference to the need for zoning regulations to require builders of apartment houses to provide more adequate parking facilities for the tenants. He said the overflow of parking by tenants on the public streets resulted in grave and hazardous traffic problems, especially during the winter, when the Public Works Department had to remove the snow and these cars had to be towed away to enable the snow plows to get through.

MR. RUSSELL said he agreed with Mr. Shanen that something must be done to alleviate the condition.

The above matter was referred to the Steering Committee for proper referral to Committee.

Stamford High School Good Will Tour Committee

MR. HENRY NOLAN said the above Committee wished to thank the Board of Representatives, Steve Kelly and his Parks & Recreation Committee for their help in granting the Committee permission for the recent Tag Day. He said permission had been given by the Chief of Police for the children to publicly solicit funds on their Tag Day.

MR. DEFOREST said it was his understanding that an Ordinance concerning solicitors was passed in 1959.

MR. CONNORS: "Mr. DeForest is referring to our Peddlers, Vendors and Solicitors Ordinance." *

*(Note: This refers to Ordinance No. 77, Article III concerning "Solicitation of Funds".)

Concerning Picnic for this year:

MR. RUSSELL, Chairman of the Picnic Committee, announced that this year the Committee planned to hold the Board of Representatives' picnic the 3rd week in September.

Next Board Meeting:

THE PRESIDENT announced that the September Board meeting would be held on the second Monday in the month, namely September 11th, for the reason that Labor Day falls on the first Monday.

Concerning meetings of Personnel Committee.

MR. KUCZO said he thought it was very important that this Committee call meetings and have the members attend.

THE PRESIDENT: "Mr. Kuczo, Committees do not call meetings unless they have something before it. For referral of anything to a Committee, it must either be done by the President or by the Steering Committee. So therefore, if a Committee does not have any items referred to it for consideration, it is not necessary to call a meeting."

MR. KUCZO: "Then, if this Committee has no function, why should it exist?"

THE PRESIDENT: "If you can think of something that should be referred to this Committee, we would be glad to have you write us a letter and at the proper time refer it to the Steering Committee to refer it to this Committee and they will investigate it."

MR. RYBNICK: "The function of the Personnel Committee is to attend all meetings of the Personnel Commission and to then bring in a report. Also, any referrals that are made to this Committee by the Steering Committee, should also be reported to this Board. They should attend all meetings of the Personnel Commission, in order that they will be fully informed as to what transpires and be fully informed when matters come before this Board concerning salary reclassifications and that sort of thing."

MR. CONNORS said it was the function of the Personnel Committee to attend all meetings of the Personnel Commission in order to act as liaison between the two Boards.

MR. CONNORS: "There have been many times in the past when things were before the Personnel Commission that these matters did not come up before this Board for two months or more - but at least the Committee knew what was going on."

THE PRESIDENT: "I called Mr. Rybnick on the 'phone just two weeks ago and I suggested that if he would like to be Chairman of this Committee, I would give it to him at that time, and Mr. Rybnick saw fit to say that he would not accept the Chairmanship of the Committee. It seems rather a little ridiculous that this debate should be going on at this time. Now, if Mr. Rybnick would like to be Chairman of the Personnel Committee-----."

MR. CONNORS: "This suggestion came out of the Fiscal Committee - it had nothing to do with....."


THE PRESIDENT: "And, we suggested that at the proper time we would refer these items to Committee."

MR. RYBNICK: "Mr. President, the suggestion that you bring out on the floor of this Board that you asked me to Chair this Committee two weeks ago -- during July and August the Personnel Commission does not meet and for me to accept that job and to expect me to bring in a report is a little ridiculous. I probably wouldn't be able to bring in a report to this Board."

ADJOURNMENT:

On MOTION, duly seconded and CARRIED, the meeting was adjourned at 10:12 P.M.

vf


Velma Farrell
Administrative Assistant
(Recording Secretary)

APPROVED:


John R. Nolan, President
Board of Representatives

Note: The above meeting was broadcast over Radio
Station WSTC and Audograph recordings made.

VF

3197
3174
3177

BOARD OF REPRESENTATIVES

PUBLIC HEARING

HELD

THURSDAY, AUGUST 31, 1961

ON REPORT OF THE 4TH CHARTER REVISION COMMISSION

PRESENTED AT THE AUGUST 7, 1961 BOARD MEETING