

Minutes of August 6, 1962
Meeting of the 7th Board of Representatives
Stamford, Connecticut

3438

A regular meeting of the 7th Board of Representatives of the City of Stamford was held on Monday, August 6, 1962, in the Cafeteria of the Dolan Junior High School, Toms Road, Stamford, Connecticut.

The meeting was called to order by the President, Paul D. Shapero, at 8:15 P.M.

INVOCATION was given by Rabbi Samuel M. Silver of Temple Sinai.

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

OBSERVANCE OF MOMENT OF SILENCE - In memory of Vincent J. Vittti, 3rd District Representative and
Charles W. White, City Engineer

THE PRESIDENT requested a moment of silence in tribute to the memory of Vincent J. Vittti, 3rd District Representative, and Charles W. White, City Engineer, who recently passed away.

ROLL CALL was taken by the Clerk. There were 35 members present and 5 absent at the calling of the roll. Mr. Sherman arrived shortly afterward, two new members replaced Mr. Melzer, who resigned, and Mr. Vittti. This changed the final roll call to 38 present and 2 absent. The absent members were Patay Arruzza and William Murphy.

RESIGNATIONS AND ELECTION OF SUCCESSORS TO FILL BOARD VACANCIES:

- (1) Franklin Melzer (D), 8th District Representative (resigned)
- (2) Vincent J. Vittti (D), 3rd District Representative (deceased)

THE PRESIDENT read the resignation of FRANKLIN MELZER, 8th District Representative, who resigned from the Board for the reason that he had moved out of his District; this resignation being in accordance with Sec. 115 of the Charter, as amended at the November 8, 1960 referendum.

MRS. AUSTIN MOVED that Mr. Melzer's resignation be accepted with deep regret. Seconded by Mr. McLaughlin and CARRIED unanimously.

Election of Successor to Franklin Melzer:

MRS. AUSTIN presented the name of DR. MELVIN N. GROVE (D) 97 Prospect Street, as replacement for Mr. Melzer in the 8th District and MOVED for approval of his appointment. Seconded by Mr. Baker, and CARRIED unanimously. The President administered the oath of office and Dr. Grove assumed his duties.

Mr. Sherman arrived at this time, changing the roll call to 37 present.

THE PRESIDENT called on Mr. Scarella, 3rd District Representative, for his nomination for the vacancy created by the death of Vincent Vittti.

MR. SCARELLA offered the name of ROGER P. TARANTO, Democrat, 110 Liberty Street as replacement for Mr. Vittti. Seconded by Mr. Kelly.

MR. NOLAN, Majority Leader, presented a letter from the Chairman of the Democratic Party which said the Democratic City Committee voted at their meeting of July 27, 1962, without dissent, to endorse VINCENT G. CAPORIZZO, Democrat, 3rd District, residing at 183 Fairfield Avenue, as replacement for Vincent J. Vitti, as a Representative from the 3rd District. Mr. Nolan said the action taken by the City Committee was taken at the request of its Third District member. Mr. Nolan said the wishes of the City Committee should be respected as it would set a bad precedent if their wishes were ignored.

MR. KUCZO said he attended the particular meeting to which Mr. Nolan refers and voted against this replacement, and Mr. Nolan had read this was "without dissent".

MR. SCARELLA said he was shocked to think that a legislative body should not recognize the wishes of the people in the 3rd District and thought this procedure was highly irregular, with a Board member from the 9th District making a nomination for a replacement in the 3rd District. He said this was without precedent and had never been done before on this Board. He objected to this procedure.

MR. NOLAN said he was not presenting the name in his position as a member of this Board from the 9th District - that he was presenting the wishes of the Democratic City Committee in his position as Majority Leader of the Board. He said it was his understanding that the District Committee members had conveyed their wishes to Mr. Scarella as to their choice for this replacement and Mr. Scarella has seen fit to ignore their wishes.

There was considerable debate at this point. The President called for order.

MR. SCARELLA objected and rose to a point of order. The President asked on what point of order he objected. Mr. Scarella said Mr. Nolan's remarks in regard to the Democratic City Committee's recommendations for filling the vacancy in the 3rd District, were not relevant to the matter before this body.

THE PRESIDENT said he would not rule Mr. Nolan out of order for the reason that any operation of the Democratic City Committee is relevant at this point.

MR. NOLAN continued his remarks, and urged the members to vote for Vincent Caporizzo.

For the reason that there were two nominations for the vacancy in the 3rd District, the Tellers distributed ballots and the President instructed the members to write in the name of the person they wished to fill the vacancy.

Result of VOTE: 8 votes for Roger P. Taranto, 27 votes for Vincent G. Caporizzo, and 2 abstentions. The President announced VINCENT G. CAPORIZZO elected as 3rd District Representative and he was sworn into office and assumed his seat on the Board.

The election of the two new members resulted in a roll call of 38 present, and 2 absent.

ACCEPTANCE OF MINUTES - Meeting of June 22, 1962
Meeting of July 2, 1962

The Minutes were accepted with the following corrections to the July 2, 1962 Minutes on pages 3430 and 3431:

Page 3430, last paragraph, beginning with "Mr. Sherman" to be changed to read "MR. MEAD";

Page 3431, first paragraph, beginning with "Mr. Sherman" to also be changed to read "MR. MEAD".

COMMITTEE REPORTS:

THE PRESIDENT read the following report:

STEERING COMMITTEE REPORT
Meeting held Monday, July 23, 1962

A meeting of the Steering Committee was held on Monday, July 23, 1962 in the Mayor's Office City Hall.

The meeting was called to order at 8 P.M. The Chairman, Paul D. Shapero, presided. All members were present with the exception of Messrs. Murphy, Baker, Mulreed, Shanen, McLaughlin and Melzer.

The following matters were discussed and acted upon:

- (1) Additional appropriations previously approved by the Board of Finance on 7/12/62 - REFERRED TO FISCAL COMMITTEE, with items of \$2,000 and over referred to a secondary committee.
- (2) Mayor's letter 7/23/62 concerning proposed Ordinance restricting parking vehicles on City streets - REFERRED TO LEGISLATIVE AND RULES COMMITTEE
- (3) Mayor's letter 7/23/62 concerning confirmation of appointments to various Boards and Commissions - REFERRED TO APPOINTMENTS COMMITTEE
- (4) Mayor's letter of 7/17/62 concerning identification cards and enrollment of Board members in Civil Defense - ORDERED UNDER "COMMUNICATIONS"
- (5) Petition dated 7/17/62 from James E. Kennedy, United Fund Campaign, requesting permission to erect a campaign indicator on Atlantic Square in front of City Hall - REFERRED TO LEGISLATIVE AND RULES COMMITTEE

There was some discussion on above matter, and it was decided not to send petitions of this nature to the Parks and Recreation Committee for the reason that it involved legal questions pertaining to compliance with liability, etc., and they were more properly within the province of the Legislative and Rules Committee.

- (6) Telegram concerning request to place float in center of city, publicizing "Captive Nations" Day - REFERRED TO LEGISLATIVE AND RULES COMMITTEE for further checking. (Attached to letter of 7/19/62 from Mayor)
- (7) Letter from Parking Authority, dated 7/16/62, asking the Board to reconsider their previous request, denied by the Board on 7/2/62, for public metered parking area for 17 cars on city-owned property located at junction of Main and West Main Streets - REFERRED TO HEALTH AND PROTECTION COMMITTEE

Minutes of August 6, 1962

- (8) Mayor's letter of 7/5/62, concerning discontinuance of Peck's Lane, located on Greenwich Avenue property, conveyed to the City Housing Authority - REFERRED TO PLANNING AND ZONING COMMITTEE
- (9) Letter from Eleanor R. Austin, 8th District Representative, concerning problem of "Hay Fever" Season

As the above matter was not considered within the province of this Board, it was REFERRED TO MAYOR J. WALTER KENNEDY, for whatever action he deems fit.

- (10) Letter dated 7/10/62 from Franklin Melzer, 8th District Representative, acknowledging recent letter of sympathy from the Board - Read and ordered under "COMMUNICATIONS"
- (11) PLANNING & ZONING COMMITTEE - All matters deferred by this Committee at the July 2, 1962 Board meeting - ORDERED PLACED ON AGENDA
- (12) Concerning Survey of Welfare Department:

MR. JOHNSON, Minority Leader, brought this matter on the floor. After some brief discussion by the members, it was decided to refer this to the EDUCATION, WELFARE AND GOVERNMENT COMMITTEE, to take whatever action they deem appropriate.

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

vf

Paul D. Shapero, Chairman
Steering Committee

APPOINTMENTS COMMITTEE:

MRS. AUSTIN, Chairman, presented the report of her committee at this time. She said the Committee met on July 30, 1962, with the following members present: Stephen Kelly, Eleanor Austin and Jack Baer. Absent were Patsy Arruzza and Samuel Cushing.

Mrs. Austin announced the appointment of Stephen Kelly as Vice Chairman of the Appointments Committee.

She reported that all appointees whose names appear on the agenda were interviewed by the Committee, with the recommendation of the committee that the appointments be confirmed by the Board.

MRS. AUSTIN presented the names of the following and MOVED for approval of their appointments. The vote is indicated after each name:

PLUMBING EXAMINING BOARD:

Term Expiring:

JOSEPH J. SANTORO (R) (Layman - 3 year term)
35 DePinedo Avenue
(Successor to Robert Warner, R)

Jan. 1, 1965

VOTE: 34 in favor
2 opposed
2 abstentions

BOARD OF TAX REVIEW:

STANLEY GRABOWSKI (D)
113 Clinton Avenue
(Filling out unexpired term of
Michael Grzekaczuk, resigned)

Term Expiring:

Dec. 1, 1964

VOTE: 34 in favor
2 opposed
2 abstentions

PARKING AUTHORITY:

J. JOSEPH RYAN (D) (3 year term)
380 Hope Street, Glenbrook
(Successor to James J. Healey, D)

Jan. 1, 1965

VOTE: 36 in favor
2 opposed

FISCAL COMMITTEE:

MR. MEYERS, Chairman, presented his committee report at this time. He said a meeting was held on July 30, 1962. Those present were: William Murphy, Rose Farina, George Connors, Eleanor Austin, Richmond Mead and Jack McLaughlin. George Russell was absent.

- (1) \$582.00 - Board of Recreation, Code 720.0101, Salaries (Increase to next step in salary grade for 2 Supervisors, reclassified to Directors)
(Mayor's letter 7/5/62)

MR. MEYERS MOVED for approval of the above request. Seconded by Mr. Kelly and CARRIED unanimously.

- (2) \$414.00 - Tax Collector, Code 146.0101, Salaries (Reclassification of Tax Collector from Grade S-24 at \$9,403.00 to Grade S-25 at \$9,817.00 -- being an increase of \$414.00) (Mayor's letter 6/8/62)

MR. MEYERS MOVED for approval of the above request. Seconded by Mr. Connors.

MR. MEAD, a member of the Fiscal Committee, said he did not vote for the above item and wished to present a minority report in regard to it, which he did at this time. He said he was appalled that in the first month of operating under the new 1962-1963 budget that this Board is now confronted with additional appropriations totaling \$26,270.00, not of an emergency nature, and which could have been forecast and included in the current budget and this is the reason he feels a minority report is warranted, and wanted to go on record protesting these appropriations.

MR. MEAD MOVED that the above request be TABLED for one month so that additional information can be obtained.

MR. MEAD said he could see no reason why this could not have been put in the budget and has to be brought up as an emergency appropriation. He said he felt by registering his negative vote, it might call attention to more thoughtful budget preparation in the future. He said if an inequity in salary existed, the same inequity existed prior to this time when the budget was being prepared and should

have been included in the departmental budget request. Furthermore, he said, this request was presented without any supporting documents to substantiate the claim that an inequity existed. Now, in the second month of the present fiscal year, additional appropriations are being requested.

Mr. McLaughlin seconded Mr. Mead's motion to TABLE.

MR. MEYERS said there were a few comments which were not included in his minority report. He said that if any member of his committee feels that additional information is necessary in connection with any items before the committee, they should call it to his attention and whatever information that is necessary will be obtained. He objected to bringing this up on the floor of the Board, when it could have been handled in Committee. He said a comment was made to him to the effect of "no - never mind."

MR. MEYERS explained that when these reclassifications were passed by the Personnel Commission in relation to when the budget is prepared, there occurs a discrepancy in timing and in fairness to those concerned, this Board should think in terms of the timing element and that is, when the reclassification of these employees was passed by the Personnel Commission in relation to when the budget is prepared and also the relationship of the City in its obligations to pay salaries to Civil Service employees who have been reclassified. He said it is often impossible to have these reclassifications timed in exact accordance with the preparation of the budget, which is prepared many months in advance. These increases cannot be included in the budget until approval has been given by the Personnel Commission and they are necessarily done on an individual basis.

MR. CONNORS asked if there would be any hardship involved to the employee if the Board should defer action on this for a month.

MR. NOLAN said if it involves no hardship on the employee involved, he would certainly go along with deferring action for another month.

MR. MEYERS replied that the obligation of the city in regard to salaries to members of the city's Civil Service employees cannot be abrogated, so that postponing action on this will not affect the money which must be appropriated whether it is done now or next month.

MR. NOLAN said as long as this is the case, he would be willing to go along with postponing action for another month.

MR. BAKER asked if this Board has the right to question the right of the Civil Service Commission to reclassify employees. There was considerable debate at this point.

VOTE taken on Mr. Mead's motion to TABLE action on this for another month. CARRIED.

(3) \$425.00 - Planning Board, Code 134.2201, New Equipment (Electric Typewriter for use of new Clerk-Typist, approved in this year's budget)
(Mayer's letter 6/7/62)

MR. MEYERS said the Fiscal Committee voted to DEFER the above matter for one month for the reason that further study is needed because of lack of information.

MR. SCARELLA asked to have this repeated.

THE PRESIDENT informed him that item #3 was deferred so that the Committee could obtain further information, being the item concerning a new typewriter for the Planning Board.

- (4) \$600.00 - Zoning Board - Code 138.0401, Advertising & Printing (1961-1962 fiscal year) (Deferred by Board of Finance 6/14/62; approved 7/12/62) (Mayor's letter 6/8/62)

MR. MEYERS MOVED for approval of the above request. Seconded by Mr. Connors and CARRIED unanimously.

- (5) \$856.00 - Welfare Department, Code 410.0101, Salaries (Reclassification of three employees, as outlined in Mayor's letter of 6/8/62)

MR. MEYERS MOVED for approval of the above request. Seconded by Mr. Connors.

MR. MEAD presented his minority report on this item. He said that despite the fact that the three individuals involved are undoubtedly deserving of a salary increase, he voted in the negative for the following reasons:

- (a) To protest the lack of foresight in planning the 1962-1963 budget.
- (b) To emphasize the need for a procedure in the future which would eliminate the necessity of Board members spending time going through meaningless academic routine to "rubber stamp" an additional appropriation which is already a "fait accompli."

MR. MEAD MOVED this be TABLED for additional information. Seconded by Mr. Nolan.

MR. CONNORS spoke against tabling this request. He said Mr. Mead is well aware, just as he is, as a member of the Fiscal Committee, the explanation for the need for this appropriation. He said one of the Case Workers received a Master's Degree - legally they could not put that into the budget until it had happened, which meant it became an automatic increase in grade, which she is entitled to receive.

VOTE taken on TABLING this matter. CARRIED.

MR. CONNORS questioned the vote. A standing vote then was taken, and CARRIED.

- (6) \$25,000.00 - Public Works Department - Resolution amending 1962-1963 Capital Projects Budget for "Highways, Resurfacing" (Mayor's letter 6/5/62) (Deferred by Board of Finance 6/14/62 and approved 7/12/62)

MR. MEYERS presented a resolution on the above matter and MOVED its adoption. Mr. Blois seconded the motion and read his Committee report at this time, as it had also been referred to the Public Works Committee. Mr. Blois said his committee voted in favor of this appropriation, with the exception of Mr. Mead, who made it known that he wished to register a negative vote against the appropriation.

MR. BLOIS said they feel that this is an annual appropriation and a very necessary one, which was left out of the present budget by human error. He said if we want our roads repaired, we have no alternative but to grant these funds to the Public Works Department as there are no funds available to purchase materials needed for the repair of our streets.

MR. MEAD presented his minority report and said he voted in the negative on this item for the following reasons:

- (a) To protest the loose budget planning which negates the many man-hours this Committee and others devoted to reviewing and analyzing the 1962-1963 Budget and to try and impress on the administration the need for strict adherence to the approved budget.
- (b) I resent the implied threat of living with "pot holes in the streets" for the coming year, if this appropriation is not approved. If this is such an important item, which has appeared in the budget year after year, all the more reason it should have been included in the budget. How many more items of this magnitude have "inadvertently" been left out of the approved budget?
- (c) In the Mayor's letter of June 5, 1962 covering this item, paragraph 5 mentions that this item should be RE-INSTATED in the Capital Budget, which gives the impression that it was in originally, but subsequently cut by the Board, or Committee, which such is not the case. The correct terminology should be to include an additional \$25,000 appropriation to the Capital Budget.

MR. MEAD MOVED to TABLE this matter in order to obtain additional information. Seconded by Mr. Walsh and Mr. Russell.

MR. KELLY spoke against the motion to table for the reason that time is drawing to a close when this patching can be done, as it cannot be done during the winter months and there are many places where this work is very badly needed.

MR. RUSSELL spoke in favor of tabling the matter. He called attention to pages 58 and 59 of the current budget and said he was very confused as to whether or not this item was really left out of the budget. He called attention to an item in the budget, namely Code 606.0601 (Operating Budget) for General Materials and Supplies in the amount of \$50,000.00. He said in the 1959-1960 Budget it was \$40,589.00 and in 1960-1961 it was \$41,000.00 and this year and all time high of \$50,000.00 was appropriated. He said in the explanation on page 58 of this year's budget it says: "An increase of \$9,000 is sought to cover cost of asphalt products used for expanded street repair program." He said "we voted this money and now we are told here tonight that we did not vote it - I'm confused, because I have the budget book in front of me which our own Fiscal Committee o.k'd at the time the budget was approved and I can see no remarks where this Board turned it down. It seems to me that there is no question but that this should be referred back to Committee for further investigation."

MR. NOLAN said he would like to know if the tabling of this appropriation would affect the program of repairing the city streets and if this is going to hold it up, he certainly would be against it.

MR. BLOIS said it is getting late and he is sure it would hold up the program.

MR. MEYERS said he understands that there is a pressing need for this work to be done during the summer months.

MR. McLAUGHLIN said he was in favor of TABLING.

MR. RYBNICK said he objects to delaying this any further.

MR. KUCZO said he agrees with Mr. Rybnick.

MR. MEYERS explained that in the transcribing of a lengthy budget, it was merely an error in transcription and inadvertently left out and this is the reason for the appropriation at this time.

MR. CONNORS spoke against the motion. He explained that this is strictly for a "patch program".

MR. NOLAN said he wished to speak against the motion - that it seems to be a necessary thing and should not be further delayed.

MR. BAKER spoke against the motion, and said Mr. Mead would penalize the citizens by holding this up.

MR. MEAD said that he agreed with Mr. Baker that it would penalize the citizens, who will look into the matter at the next election as to the competency of those who are running the city. He spoke at some length. He said this appropriation is not even identified with a Code number.

THE PRESIDENT called for order.

MR. SHANEN MOVED THE QUESTION. Seconded by Miss Farina and CARRIED.

VOTE taken on TABLING, as moved by Mr. Mead. LOST by a standing vote.

VOTE taken on the following resolution, as previously moved by Mr. Meyers. CARRIED, with two negative votes (Mr. Russell and Mr. McLaughlin):

RESOLUTION NO. 392

AMENDING 1962-1963 CAPITAL PROJECTS
BUDGET FOR "HIGHWAYS, RESURFACING"

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 Capital Projects Budget for the year 1962-1963 by adding an item to be known as "HIGHWAYS" the additional sum of \$25,000.00 for the purpose of resurfacing of highways; and

BE IT FURTHER RESOLVED, to approve the appropriation of \$25,000.00 for said project.

LEGISLATIVE AND RULES COMMITTEE:

MR. MEYERS presented the report of the above committee in place of the Chairman, Mr. Baker who had been absent on vacation at the time of their meeting. He reported that a committee meeting was held on July 30, 1962 and they approved both matters on the agenda.

- (1) Final adoption of Ordinance re HOUSING AUTHORITY of City of Stamford request for approval of conveyance of city-owned land - 3 tracts on GREENWICH AVENUE,

for the purpose of a public housing project (Mayor's letter 6/21/62)
(Approved for publication 7/2/62 and published 7/6/62)

MR. MEYERS MOVED for final approval of the following Ordinance, subject to prior approval by the Board of Finance, seconded by Mr. Blois and CARRIED unanimously:

ORDINANCE NO. 101 SUPPLEMENTAL

CONCERNING CONVEYANCE OF CITY-OWNED PROPERTY TO
THE HOUSING AUTHORITY OF THE CITY OF STAMFORD

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

In conformity with Section 488 of the Stamford Charter and notwithstanding any provisions of Chapter 2, Sections 24 to 27, inclusive, of the Code of General Ordinances of the City of Stamford, the conveyance to the HOUSING AUTHORITY OF THE CITY OF STAMFORD, a public body corporate and politic, located in the County of Fairfield and State of Connecticut, created and existing by virtue of the General Statutes of the State of Connecticut, of the following properties:

FIRST TRACT:

All that certain piece, parcel or tract of land, together with the buildings and improvements thereon, situated in the City of Stamford, County of Fairfield and State of Connecticut, shown and designated as Parcel "A" on a certain map entitled "Map No. 1 Showing Property At Greenwich Avenue Surveyed For The City of Stamford, Conn.", which map is to be filed in the office of the City and Town Clerk of the said City of Stamford, reference thereto being hereby had.

Said parcel as shown on said map is bounded:

Northerly: One hundred sixty seven and 4/100 (167.04) feet more or less, as shown on said map, by an old burying ground, or Greenwich Avenue Cemetery, so called;

Easterly: Two hundred and thirty six (236) feet more or less, as shown on said map, by the Rippowam or Mill River;

Southerly: One hundred forty seven and 5/100 (147.05) feet more or less, as shown on said map, by land of the State of Connecticut, being the northerly boundary of the Connecticut Turnpike; and

Westerly: Two hundred fifty six and 63/100 (256.63) feet as shown on said map, by Greenwich Avenue.

SECOND TRACT:

All that certain piece, parcel or tract of land together with the buildings and improvements thereon, situated in the City of Stamford, County of Fairfield and State of Connecticut, shown and designated as Parcel "B" on a certain map entitled "Map No. 1 Showing Property At Greenwich Avenue Surveyed For The City of Stamford, Conn.", which map is to be filed in the office of the City and Town Clerk of the said City of Stamford, reference thereto being had.

Said parcel as shown on said map is bounded:

- Northerly: Ninety four and 1/100 (94.01) feet more or less as shown on said map, by land of the State of Connecticut, being the southerly boundary of the Connecticut Turnpike;
- Easterly: Ninety nine (99) feet more or less, as shown on said map, by the Rippowam or Mill River;
- Southerly: Forty seven and 96/100 (47.96) feet more or less as shown on said map, by South State Street; and
- Westerly: One hundred seven and 18/100 (107.18) feet as shown on said map, by Greenwich Avenue.

THIRD TRACT:

All that certain piece, parcel or tract of land, together with the buildings and improvements thereon, situated in the City of Stamford, County of Fairfield and State of Connecticut, shown and designated as Parcel "C" on a certain map entitled "Map No. 2 Showing Property At Greenwich Avenue Surveyed For The City of Stamford, Conn.", which map is to be filed in the office of the City and Town Clerk of the said City of Stamford, reference thereto being hereby had.

Said parcel as shown on said map is bounded:

- Northerly: One hundred seventy six and 58/100 (176.58) feet more or less as shown on said map, by land of J. Walter Johnson and Lillian Johnson;
- Easterly: Two hundred and forty three (243) feet more or less as shown on said map, by the Rippowam or Mill River;
- Westerly: Thirty five (35) feet more or less as shown on said map, by the said Rippowam or Mill River;
- Southerly: Seven (7) feet as shown on said map, by the said Rippowam or Mill River; and again
- Easterly: Seventy one and 32/100 (71.32) feet as shown on said map, by the said Rippowam or Mill River; and again
- Southerly: One hundred five and 8/100 (105.08) feet as shown on said map, by Pulaski Street; and again
- Westerly: Two hundred eighty six and 45/100 (286.45) feet as shown on said map.

Including all right, title and interest in and to a certain abandoned passageway shown as "Pecks Lane" on said map, for the price of ONE DOLLAR (\$1.00), is hereby approved, approval of the Mayor, the Planning Board and the Board of Finance having been previously granted.

The Mayor is hereby authorized and empowered to act for the City and to execute all documents necessary to transfer title to said property.

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

(Note: See abandonment of Peck's Lane under Planning & Zoning report)

- (2) Final adoption of amendments to Building Code, concerning shut-off valves
(Sec. 613 of Plumbing Code - see page 161 of Code) (Deferred 5/7/62 - see
page 3360, item #4) (Approved for publication 7/2/62 - published 7/7/62)

MR. MEYERS said the Committee voted in favor of adopting this amendment to the Building Code. However, last Friday, subsequent to the Committee meeting, he said he had received a long distance telephone call from the General Counsel of the Hartford Electric Light Company. He said with all due respect to the legal talent on the Legislative and Rules Committee, he felt this man was more experienced in the field of public utilities law and the relationship of the PUC and the regulations promulgated under this Commission. His attention was directed to several legal questions to which he did not have the answer at the time; however he indicated to the attorney that he was not in a position to defer action on this proposed amendment to the Building Code himself - that the committee had voted in favor of its adoption. He said he has not had the opportunity to meet with the members of the committee on this, but had talked briefly with Mr. Schwartz prior to tonight's meeting - that he would not quote what he said, but let him speak for himself on this matter.

MR. MEYERS asked permission to depart from the usual procedure, in view of the circumstances, and suggested that this be DEFERRED until after the committee had a chance to meet with the legal counsel for HELCO in order to take advantage of his specialized knowledge in this particular field and to make sure we are not attempting to legislate improperly. He said this might save the city embarrassment and much possible trouble in the future by deferring this matter.

MR. MEYERS MOVED to TABLE action on this for another month. Seconded by Mr. Kelly, who said he agreed with Mr. Meyers. He said the legal staff members of HELCO always sit in on matters pertaining to our Building Code and have done so for a great many years.

MR. MORRIS objected to deferring this again. He showed the Board members a curb box and explained what it is.

MR. SHERMAN said he fails to see why this should be deferred for another month, and spoke in opposition to tabling.

MR. SCHWARTZ called attention to Mr. Baker's remarks on page 3425 of the Minutes of July 2, 1962, pointing out the urgency for this. He said he concurred 100% with the report that Mr. Baker gave at that time. He urged that there be no further delay.

MR. BAKER said he recalled very specifically the discussion on this matter and at that time they talked about not imposing any obligation on any public utility for the very reason that there might be a violation - that "we might be invading the jurisdiction of the PUC". He said it might very well be that there are additional complications or ramifications of which we have not taken cognizance.

MR. CONNORS said he was very much in favor of installing these valves. However, he called attention to Sec. 613 of the Building Code concerning "SHUT OFF VALVES" and quoted as follows:

" 1. Every building hereafter erected and in every existing building other than dwellings, which may be supplied from some outside source with gas, vapor or fluid, except potable waters, shall have a conveniently accessible stopcock or other suitable device fixed to the supply pipes at a place outside of the building arranged to allow the supply to be shut off. Such stopcock or other device shall be marked to indicate the contents and purpose of the supply pipe to which it is attached.

" (a) The provisions of paragraph 1 above shall not apply to installations maintained under regulations of the Connecticut Public Utilities Commission by a public service company, as defined in Section 16-1 of the General Statutes, Revision of 1958."

MR. CONNORS said that this was perhaps what Mr. Meyers was referring to -- the fact that the public utilities are governed by the General Statutes and are under the control of the Public Utilities Commission. He said it would seem that there should be further investigation before going ahead.

After some further debate, a ROLL CALL VOTE was taken on Mr. Meyer's MOTION TO TABLE, and CARRIED by a vote of 20 in favor and 17 opposed, as follows:

Those voting in favor

Eleanor R. Austin
Jack Baer
Fred C. Blois
George Connors
Edward Dombroski
Anthony Esposito
Rose C. Farina
Stephen E. Kelly
Benjamin Kozlowski
Stanley Kulowiec
Carmine V. Longo
Raymond H. Mazza
Melvin Grove
Robert M. Meyers
James E. Mulreed
John R. Nolan
Gerald J. Rybnick
Allen J. Shanen
Anthony D. Truglia
Vincent Caporizzo

Those opposed

Daniel Baker
Hilda S. Clarke
Samuel D. Cushing
William Hearing
David L. Johnson
Paul J. Kuczo, Jr.
Frances Lilliendahl
Jack McLaughlin
R. A. Mead, Jr.
Thomas A. Morris
Richard J. O'Neill
David Oppenheimer
George Russell
Patrick Scarella
Ronald M. Schwartz
Michael S. Sherman
William Walsh

MR. MEYERS said this concludes his report for the Legislative & Rules Committee.

HEALTH & PROTECTION COMMITTEE:

Parking Authority - letter of 7/16/62 requesting review of request for 17 parking meters on city-owned property at junction of Main and West Main Streets (Denied at 7/2/62 meeting - See page 3428 of Minutes)

MR. TRUGLIA said he would again MOVE that this be approved. Seconded by Mr. Kelly.

MR. KELLY said he would like to know what happened to the Board of Representatives' parking privileges while they are downtown on city business.

THE PRESIDENT reminded Mr. Kelly that this has nothing to do with what is now on the floor.

MR. KELLY said he knows this, but he wishes to have it referred to the Health and Protection Committee.

MR. JOHNSON asked if there has been any additional information presented to the Committee which might change the vote taken by this Board at their July meeting.

MR. TRUGLIA said the reasons given last month were several. One was that the land was going to be used as a park some day; or perhaps the land was to be used for a bridge, etc. However, the situation has not changed, and perhaps 20 or 30 years from now the city may decide to make other use of it, but for the moment, it could be used to good advantage as a parking lot.

MR. BAKER asked Mr. Truglia a question, through the Chairman. He asked if there were any plans in the foreseeable future in regard to a proposed bridge, or for park purposes for this particular piece of land.

MR. TRUGLIA said this is true, to the best of his knowledge.

MR. SCHWARTZ said he recalled some members of this Board stating that this was dedicated park land. He said he wondered if any investigation has been made on this issue and also does this Board have any legal authority to grant this land for parking authority use.

MR. TRUGLIA said he does not have any supporting documents here, but that there has been talk about this being used as park land for years and meanwhile the land just lays dormant with everyone using it to park their cars, and perhaps it may even be used as a dumping ground. He thought it would be a good idea to put it to good use in the meantime.

MR. SCHWARTZ said the reason he raised this question is because the City of Stamford was involved in costly litigation back in the 1920's about this Greenwich Avenue property, which was designated for park purposes and it was only by legislative enactment that this was finally cleared up. He said before the city gets involved in another costly harangue over a matter that should be resolved it might be better to table this matter.

MR. SCHWARTZ MOVED this matter be TABLED until "we get the answers". Seconded by Mr. Cushing.

MR. CONNORS spoke in favor of the motion to table. He said at some time in the near future the city will have use for this property when the bridge goes in. He explained some of its history.

MR. SCARELLA said he thought this should be referred to the Legislative and Rules Committee to look into it further. He said he would like to know how this got back on the agenda after it was disposed of at the July Board meeting.

THE PRESIDENT explained that another letter had been received from the Parking Authority, requesting the Board to reconsider the matter.

After considerable debate, a VOTE was taken to TABLE this matter and CARRIED.

PLANNING & ZONING COMMITTEE:

MR. RUSSELL reported that all matters would be kept in Committee, with the exception of the following, which was item #3 on the agenda for tonight's meeting.

PECK'S LANE - Abandonment of (located on Greenwich Avenue property, conveyed to City Housing Authority - See Ordinance No. 101 Supplemental, adopted under Legislative & Rules Committee) (Mayor's letter 7/5/62)

MR. SCHWARTZ explained that the map in connection with Ordinance No. 101 cannot be recorded in the Town and City Clerk's office until this Board has acted on the abandonment of Peck's Lane.

MR. CONNORS MOVED that this Board hear from Mr. Damms (from the City Housing Authority) on this matter.

A RECESS was declared at this time to give the Chairman of this Committee, Mr. George Russell, a chance to prepare the proper motion with the correct description of this property.

The RECESS was declared over at 10:20 P.M. and the members resumed their seats.

MR. RUSSELL MOVED for abandonment of PECK'S LANE, being more particularly bounded and described as follows. Seconded and CARRIED unanimously:

PECK'S LANE, a road running off Pulaski Street, in a Northerly direction, shown and designated as Parcel "C" on a certain map drawn up of City-owned property, entitled "Map No. 2 Showing Property at Greenwich Avenue Surveyed For The City of Stamford, Conn.", dated May 16, 1962, which map is to be filed in the office of the City and Town Clerk.

PARKS & RECREATION COMMITTEE:

MR. SHANEN said there was no report this month.

MR. HEARING said he would like to make a little report concerning a recent meeting of the Park Commission, which he attended as a member of the Parks and Recreation Committee.

THE PRESIDENT asked Mr. Hearing if he was reporting for the Parks and Recreation Committee.

MR. HEARING replied that Mr. Shanen, as Chairman of that Committee, offered no report.

MR. SHANEN said if a report is to be given to this Board, it has to be on the Agenda and to his knowledge there is nothing for him to report on.

MR. HEARING said then what's the use of having a committee, if no report is ever given.

MR. RUSSELL asked to say something at this time.

Concerning resignation of Franklin Melzer, member of Planning & Zoning Committee

MR. RUSSELL said, as Chairman of the Planning & Zoning Committee, he wished to speak in commendation of Mr. Melzer's services as a member of his Committee. He said his loss to the Committee and to the Board would be sorely felt and he wished to thank Mr. Melzer for his able services and to express his regret at the loss of such an able member of the Committee.

URBAN REDEVELOPMENT COMMITTEE:

MR. OPPENHEIMER offered the following report at this time:

The Urban Redevelopment Committee held three meetings: July 10, 17 and 31.

On Tuesday, July 10, Messrs. Walsh, Kozlowski, Murphy, Longo and Oppenheimer, met at 8:00 P.M. at 308 Atlantic Street with Commission members, Mrs. Marshall, Messrs. Greenbaum, Carey, Plotkin, Shapero, Toth and Board of Finance member, Patrick Hogan. The guest speaker, Mr. Theodore McCrosky of T. T. McCrosky Associates, explained the study his firm made of the parking facilities and traffic flow within our redevelopment. He drew a diagram of the area flow pattern and indicated the 1960 actual and 1970 projected volume of vehicles. An active question and answer period followed.

On Tuesday, July 17, Messrs. Murphy, Esposito, Longo, Dombroski, Walsh and Oppenheimer met at 8:00 P.M. in the Mayor's Office to evaluate the activities of our committee to date. It was concluded that our work was going well, that the Hartford and New Haven trips had been most valuable and that a similar inspection of another city would be worthwhile, possibly New York, Philadelphia or Rochester. The members expressed a desire to learn more about specific parts of the plan. Messrs. Esposito, Longo and Kozlowski will do a depth study on Relocation; Messrs. Murphy and Walsh on Public Housing; Messrs. Sherman and Mulreed on Legal Aspects and Messrs. Sherman and Oppenheimer on the plan and its relation to the rest of the City.

On Tuesday, July 31, Messrs. Esposito, Walsh, Sherman, Mulreed and Oppenheimer met at 8:00 P.M. at 308 Atlantic Street. The Commission was represented by the Chairman, Mrs. Marshall and Messrs. Greenbaum, Carey, Plotkin, Shapiro and Toth. Mr. Norman Gluss, Stamford's Commissioner of Finance, addressed the group on the most interesting and important subject of parking garages and their financial impact and contribution to the City. Once again, a lively question and answer period followed the presentation. In the interests of brevity and a warm summer night, the meeting adjourned at 9:30 P.M.

David E. Oppenheimer, Chairman
Urban Redevelopment Committee

CHARTER REVISION COMMITTEE:

THE PRESIDENT informed the members that before the Chairman of the Charter Revision Committee (Franklin Melzer) resigned, he submitted a report, which will be read by Mr. Nolan, the Majority Leader.

The President also informed the members that a report of the 5th Charter Revision Commission has been duplicated and if some of the members have not yet availed themselves of a copy, that copies are available here and they may pick one up at their convenience.

MR. NOLAN read the following report of the Committee:

A meeting was held of the Charter Revision Committee on August 1, 1962 at 8 o'clock in the Mayor's Office. Present were Samuel Cushing, Benjamin Kozlowski, Ronald Schwartz and Franklin Melzer, Chairman.

The report of the Charter Revision Commission was received and Franklin Melzer reported that copies were being printed and would be ready for distribution at the Board meeting on August 6, 1962.

The Committee unanimously agreed to hold a public hearing on August 14, 1962 at 7:30 P.M. in Dolan Jr. High School, in accordance with the requirements of the Home Rule Act. (Public Act No. 465, 1957 Session of General Assembly)

Arrangements will be made to have a notice of the Public Hearing published in the newspaper so that interested parties may attend the Public Hearing.

The meeting was adjourned at 8:30 P.M.

Franklin Melzer, Chairman
Charter Revision Committee

THE PRESIDENT said a notice would be published in the newspaper in regard to the Charter Revision Committee public hearing to be held August 14, 1962.

COMMUNICATIONS FROM MAYORLetter of 7/17/62 concerning Civil Defense enrollment of Board members

THE PRESIDENT called attention to a communication from the Mayor, directing the Board's attention to the fact that all members of the Board of Representatives should be enrolled in Civil Defense and carry an identification and that they should contact the office of Civil Defense on Haig Avenue for the necessary arrangements to be made.

PETITIONS:United Fund - Request for permission to erect campaign indicator on Atlantic Square in front of City Hall (Letter of 7/17/62)

THE PRESIDENT said the above matter was in the hands of the Legislative and Rules Committee.

COMMUNICATIONS FROM OTHER BOARDS AND INDIVIDUALS

RESIGNATION - OF J. JOSEPH RYAN as member of Board of Selectmen (On the confirmation of his appointment to the Parking Authority, made earlier in this meeting - See Appointments Committee)

THE PRESIDENT read a letter of resignation from J. Joseph Ryan as a member of the Board of Selectmen, to take effect immediately upon his confirmation of appointment to the Parking Authority.

THE PRESIDENT said there is now therefore a vacancy on the Board of Selectmen.

MR. NOLAN, Majority Leader, read a letter from the Chairman of the Democratic Party which stated that the Democratic City Committee voted to endorse LUKE MALLOY to fill such vacancy as may occur on the Board of Selectmen of the City of Stamford.

NOMINATION OF LUKE MALLOY, Democrat, as replacement for J. Joseph Ryan, as a member of the Board of Selectmen

MR. NOLAN offered the name of LUKE MALLOY, Democrat, as replacement for Mr. Ryan on the Board of Selectmen, to term expiring December 1, 1963. Mrs. Austin seconded the nomination.

MR. JOHNSON asked if it is not necessary to first suspend the rules before voting on this matter.

THE PRESIDENT said he thought this would be necessary.

MR. JOHNSON MOVED for SUSPENSION OF THE RULES to consider this nomination. Seconded and CARRIED.

VOTE taken on the appointment of Luke Malloy to fill out the unexpired term of J. Joseph Ryan on the Board of Selectmen. CARRIED.

MR. SCARELLA questioned the legality of the method of appointing Mr. Malloy.

MR. NOLAN, Parliamentarian, said this is not an appointment, but is actually an election.

The Clerk was instructed to cast one ballot for the approval of Mr. Malloy. CARRIED.

OLD BUSINESS:

Concerning replacement of members of various Committees:
(See page 3436 of 7/2/62 Minutes)

MR. SCHWARTZ called attention to a matter he had brought on the floor at the July 2, 1962 Board meeting, regarding the filling of vacancies in Committees. He read the following communication into the record, a copy of which he said he had sent to the President of the Board on July 5, 1962:

"Dear Mr. Baker:

In accordance with your request, I hasten to inform you that since November of 1961, as you well know, one Democrat member of the Legislative and Rules Committee has been continuously absent from all Committee meetings.

Despite his absence, I have noted with great distress, the fact that this same member's vote has been given publicly on major issues considered by the Committee, of which you are our Chairman. This action is to be deplored.

On many occasions I have brought this to your attention, as well as have some of the Democrat members of the Committee, and no affirmative action has ever been taken.

It now appears that another Democrat member has resigned from the Board, because of his removal from his District, causing still another vacancy on the Legislative and Rules Committee.

The total membership now on your Committee is reduced to a working force of four Board members, instead of the full complement of six. Your failure personally to take action and your failure to spur action by the Democrat leadership of the Board in this respect, has placed an unfair burden on one of the busiest Committees of the Board of Representatives.

Furthermore, it is grossly unfair not to have the counsel and benefit of deliberation by the Committee of all members thereof.

It is my feeling that immediate action should be taken by you and the Steering Committee to fill this unnecessary gap without any further delay, whether intentional or not.

(Signed) Ronald M. Schwartz"

MR. SCHWARTZ: "I notice that this has not been brought up at any time in the Steering Committee, nor reported on by our President. I fail to understand why a replacement has not been forthcoming. Perhaps it will now be brought up under New Business, but be that as it may, I think our record should show clearly that we have been without two people on this Committee. There is no reason for this and I would submit a request to the President, or whatever procedure you want to follow, to go forward by filling this gap in our ranks immediately."

THE PRESIDENT said he considered this to be a direct attack upon his administration of the Board, as he is personally responsible for these appointments. He called Mr. Schwartz' attention to the fact that Mr. Melzer has just resigned tonight and also called attention to the fact that Mr. Schwartz has not yet given him an opportunity to make an appointment, as the resignation was submitted at approximately 8 o'clock and it is now 10:30 o'clock. He said he felt that an attack of this kind is most unfair.

MR. NOLAN said he agreed with the President - that "we have been experiencing some difficulty because of the amendment to the Charter whereby when a member moves out of his District, he must be replaced by another". He said there are some personal reasons involved in why the particular member referred to is unable to attend meetings, but that adjustments were being made. He said this was a matter that concerns the Democratic members of the Board and thinks this Board gets too much into personalities which is not fair to those involved - that everyone on this Board serves without pay - there are personal reasons and sometimes business reasons that interfere with the attendance at committee meetings.

MR. BAKER said that since it is his Committee, he felt he should speak. He said his Committee is staffed with people of exceptional ability who have assumed a tremendous burden and tried to discharge it faithfully as well and he is very well satisfied with the way the Committee has cooperated and functioned. He said that now Mr. Melzer has resigned, he is hoping to be able to replace him with the same type of high caliber individual. As to the other member who has been subjected to criticism, this man unfortunately has not been able to attend meetings because of certain business commitments - that he works for a living - runs a store. He said he has consulted with him on matters which have been pending before the Committee, that he has expressed his views with regard to those matters and he (the Chairman) was satisfied that his views were not different from those of the other members of the Committee, otherwise they would have been expressed in his Committee report.

MR. SCHWARTZ said the previous speakers were trying to turn his legitimate criticism into a personal attack. He said he has no intent to malign Mr. Mazza; that he realizes he has to work late at night. He said in consideration of the situation, he thinks it behooves the President of the Board to appoint a member of this Committee who will find it possible to attend the meetings of the Committee. He said if a man is unable to attend a Committee meeting and participate in the discussion, that his vote should not be recorded in matters before that Committee.

MR. NOLAN objected to the remarks of the speaker - he said "We don't have to have electioneering on the floor of this Board."

MR. SCHWARTZ continued with his remarks. He said he wrote the letter to the Chairman on July 5 and never heard that he would take care of it or even that he had any intention of taking care of it and that Mr. Nolan had never said it would be taken care of.

MR. NOLAN rose on a point of order, objecting to personal remarks.

MR. BAKER said upon the receipt of Mr. Schwartz' letter, he had sent a reply saying that the letter had been received and "he knew that this matter would be referred to the attention of the proper authorities and that action would be taken".

MR. SHANEN rose to a point of order. He said he sat and listened to Mr. Schwartz read his letter in which he made certain attacks on the administration of this Board and also heard the President and Majority Leader say they were going to take care of the situation. He said it would appear that no further discussion is needed on this matter.

MR. SCARELLA objected, saying this was not a point of order.

THE PRESIDENT called for order.

MR. SCHWARTZ continued with his remarks. He said he would like to know what is the reason for action not being taken and why everyone is trying to make such a big issue of it - that he has been asking this question since November and thinks it is about time it was taken care of - he said Mr. Sherman has been asking; that Mr. Meyers has been asking.

MR. MEYERS rose on a point of personal privilege and objected to remarks being attributed to him.

THE PRESIDENT warned the speaker that he could only speak for himself and his views and not for anyone else.

MR. SHERMAN said he would like to end the discussion - that the truth of the matter was that at the meeting of the Legislative and Rules Committee there were two men who were present at the meeting - that they didn't even have a quorum - that this is a vital Committee and it is important that it be fully staffed.

THE PRESIDENT said he would stop any further discussion by making the new appointments at this time.

MR. KELLY asked to be heard under New Business.

Concerning Parking for Board members engaged in City Business:

MR. KELLY said he would like to ask the Secretary of the Board to find out where Board members can park when they have to come to City Hall on City Business. He said the Board members used to be allowed to park in the Canal Street parking lot, but now you can't get in there, because a gate has been installed.

THE PRESIDENT informed Mr. Kelly that he would ask Mrs. Farrell to write the appropriate letter to the Parking Authority.

Concerning public improvements on MITCHELL STREET:

MR. RUSSELL inquired as to the status of the above project. He said the timing might be affected, with the summer months going by and nothing being done during the road building period. He said he would like to refer this question to the Chairman of the Public Works Committee to inquire as to the status of this matter, as we are running out of time and the residents are a little concerned about it.

Committee Appointments on Board of Representatives:

THE PRESIDENT announced the following changes in Committee appointments:

LEGISLATIVE & RULES COMMITTEE: Franklin Melzer being replaced by
VINCENT CAPORIZZO

PLANNING & ZONING COMMITTEE: Franklin Melzer replaced by DR. MELVIN GROVE

EDUCATION, WELFARE AND GOVERNMENT COMMITTEE: Vincent Vittl being replaced
by DR. MELVIN GROVE

CHARTER REVISION COMMITTEE: Franklin Melzer Chairman, being replaced by
ROBERT MEYERS

Resignation of JACK McLAUGHLIN, Republican, 20th District Representative:

THE PRESIDENT read a letter of resignation from Mr. McLaughlin as a member of this Board from the 20th District, effective immediately; for the reason that he has moved from his District.

THE PRESIDENT expressed his regrets over Mr. McLaughlin's resignation, saying he was sure he expressed the sentiments of the rest of the Board.

MR. JOHNSON spoke briefly, expressing his regret over losing an important Board member such as Mr. McLaughlin.

Mr. Russell, Mr. Connors and Mr. Kelly also spoke briefly, saying they also would miss Mr. McLaughlin personally as well as a member of the Board, and that his leaving would create an empty spot which would be hard to fill.

Next meeting of URC:

MR. OPPENHEIMER announced that the next meeting of his Committee would be held next Tuesday, August 14th; that they expected to have a man representing the Federal Government present and that all members are cordially invited to attend this meeting.

ADJOURNMENT:

There being no further business to come before the Board, upon motion, duly seconded and CARRIED, the meeting was adjourned at 11:00 P.M.

Velma Farrell

Velma Farrell
Administrative Assistant
(Recording Secretary)

vf

APPROVED:

Paul D. Shapero

Paul D. Shapero, President
Board of Representatives

Note: The proceedings of the above meeting were broadcast over Radio Station WSTC.

VF