

Minutes of September 10, 1962  
Meeting of the 7th Board of Representatives  
Stamford, Connecticut

3479

A regular meeting of the 7th Board of Representatives of the City of Stamford was held on Monday, September 10, 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 8:12 P.M.

INVOCATION was given by Rev. Claude L. Peters, Stamford Baptist 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 30 members present and 10 members absent at the calling of the roll. Mr. Connors and Mr. Shanen arrived shortly afterward, two new members replaced Mr. McLaughlin and Mr. Mazza, who resigned. This changed the final roll call to 34 present and 6 absent. The absent members were: Patsy Arruzza, Fred Blois, Dr. Melvin Grove, William Murphy, Stanley Kulowiec and Anthony Eposito.

RESIGNATIONS AND ELECTION OF SUCCESSORS TO FILL BOARD VACANCIES:

- (1) Jack McLaughlin, (Republican) member from 20th District (Resigned)
- (2) Raymond H. Mazza, (Democrat) member from 11th District (Resigned)

THE PRESIDENT called for nominations to replace Jack McLaughlin, as Representative from the 20th District, Mr. McLaughlin having resigned at the August 6, 1962 meeting of the Board, in accordance with the terms of Sec. 115 of the Charter, as amended at the November 8, 1960 referendum.

MR. JOHNSON, Minority Leader, placed the name of ALAN H. KETCHAM, Republican, as Representative from the 20th District, replacing Jack McLaughlin.

(57) Mr. Johnson said Mr. Ketcham was a previous member of the Board, having served two terms, from 1955 to 1959.

The nomination was seconded by Mr. Oppenheimer and several others. CARRIED unanimously.

THE PRESIDENT declared Mr. Ketcham elected.

THE PRESIDENT called for nominations to replace Raymond H. Mazza, as Representative from the 11th District, who submitted his resignation on August 29, 1962.

In the absence of the member from the 11th District, Mr. Murphy, the PRESIDENT recognized John Nolan, Majority Leader.

MR. NOLAN placed the name of JOHN V. KANE, Jr., Democrat, as Representative from the 11th District, replacing Raymond Mazza, in nomination.

Mr. Nolan read a letter from Mr. Murphy, Representative from the 11th District, in which he recommended that Mr. Kane be nominated to replace the vacancy created by Mr. Mazza's resignation.

Mr. Nolan's nomination was seconded by Mr. Mulreed and Mr. Kuczo. CARRIED unanimously.

THE PRESIDENT declared Mr. Kane elected. He asked Mr. Ketcham and Mr. Kane to come forward at this time to be sworn into office.

Mr. Ketcham and Mr. Kane having been sworn into office, assumed their seats as members of the Board, changing the roll call to 34 present and 6 absent.

ACCEPTANCE OF MINUTES - Meeting of August 6, 1962

The Minutes of the above meeting were accepted, there being no corrections.

COMMITTEE REPORTS:

THE PRESIDENT read the following report:

STEERING COMMITTEE REPORT  
Meeting held Monday, August 27, 1962

A meeting of the Steering Committee was held on Monday, August 27, 1962 in the Mayor's Office, City Hall.

The meeting was called to order at 8:20 P.M. The Chairman, Paul D. Shapero, presided. All members were present with the exception of Messrs. Blois, Murphy, Mulreed and Shanen.

The following matters were discussed and acted upon:

- (1) Three additional appropriations, tabled at the August 6, 1962 Board meeting, (Items No. 2, 3 and 5 on 8/6/62 Agenda) ORDERED PLACED ON AGENDA UNDER FISCAL COMMITTEE.
- (2) \$3,500.00 appropriation requested by Police Department, for purchase, training, feeding, maintaining and equipping two dogs. (Mayor's letter 7/23/62) REFERRED TO FISCAL COMMITTEE AND HEALTH & PROTECTION COMMITTEE
- (3) Concerning Mayor's appointments to Southwestern Fairfield County Regional Planning Agency

The Chairman said the Mayor would have some appointments for the above Agency ready in time for the next Board meeting. REFERRED TO APPOINTMENTS COMMITTEE

- (4) Easement to Stamford Water Co., for sum of \$1.00 covering 20 ft. strip of land, from Vine Road to Little Hill Drive, shown on Map #7314, entitled: "Map Showing Right-of-Way Conveyed to Stamford Water Co. by City of Stamford". (Mayor's letter 7/5/62) (Approved by Board of Finance 8/9/62)  
REFERRED TO LEGISLATIVE & RULES COMMITTEE
- (5) Letter of 7/16/62 from PARKING AUTHORITY, tabled at the 8/6/62 meeting, concerning request to place 17 parking meters on city-owned property at junction of Main and West Main Streets - ORDERED ON AGENDA UNDER HEALTH & PROTECTION COMMITTEE



- (6) MITCHELL STREET - Concerning improvement to be carried out in accordance with provisions of Chapter 64 of Charter and Ordinance No. 79 (letters from Commissioner of Finance dated 8/9/62 and 8/16/62) REFERRED TO PLANNING & ZONING COMMITTEE
- (7) HOLBROOK ESTATES - Concerning improvements to be carried out on APPLE TREE DRIVE, BOXWOOD DRIVE, HOLBROOK DRIVE and PINE TREE DRIVE, in accordance with provisions of Chapter 64 of Charter and Ordinances No. 79 and No. 94 (Letters from Commissioner of Finance dated 8/13/62) REFERRED TO PLANNING & ZONING COMMITTEE
- (8) Carbon copy of report dated 7/27/62 from HEALTH DEPARTMENT on SOUTHFIELD VILLAGE monthly inspection, made July 26, 1962 - REFERRED TO HEALTH AND PROTECTION COMMITTEE
- (9) Concerning Survey of Welfare Department (See page 3434, Minutes of 7/2/62; also page 3441, item #12, Minutes of 8/6/62)
- Mrs. Clarke, Chairman of the Education, Welfare & Government Committee, presented a progress report of her committee on the above matter, which she read at this time.
- (10) PUBLIC UTILITIES COMMISSION - Notice of hearing concerning increase in rate for taxis, to be held on September 11, 1962 in State Office Building, Hartford, Conn. - NOTED AND ORDERED FILED
- (11) INTERVALE ROAD - Change of name, requested in letter postmarked 8/17/62 from James B. Perkins and Billie M. Perkins - To change name of section of road to (1) Shadow Lane, or (2) Cardinal Trail.  
(REFERRED TO PLANNING & ZONING COMMITTEE)
- (12) BUTTERNUT LANE - Request in letter dated 8/22/62, from Bruce M. Bogin, attorney with law firm of Durey & Pierson, for city to continue the paving of his street (a city-owned strip of land) to its "logical extreme". REFERRED TO PLANNING & ZONING COMMITTEE
- (13) WELFARE DEPARTMENT report for May 1962 - REFERRED TO EDUCATION, WELFARE AND GOVERNMENT COMMITTEE
- (14) Petition for change of street name, from Kramer's Road to ISLAND HEIGHTS CIRCLE - Contained in letter of 7/25/62 from C. W. Goebel Associates, Inc. REFERRED TO PLANNING & ZONING COMMITTEE
- (15) Letter dated 8/1/62 from Michael S. Sherman, 18th District Representative, concerning conflict of interest - REFERRED TO CORPORATION COUNSEL FOR A RULING (by the Chairman)

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

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 Friday, September 7, 1962 at Dolan Jr. High School, and present were the following members: Eleanor Austin, Chairman; Stephen Kelly, Jack Baer and Samuel Cushing, with Patsy Arruzza absent.

She reported that all appointees whose names appear on the agenda were interviewed and it was the recommendation of the committee that their 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:

SOUTHWESTERN FAIRFIELD COUNTY REGIONAL PLANNING AGENCY:

(Three members appointed by Mayor in conformity with the provisions of Public Act No. 448 of 1959 Session of General Assembly and Ordinance No. 100 Supplemental)

- |   |                           |
|---|---------------------------|
| (1) <u>JOHN R. NOLAN</u> (D)<br>(1 yr. term for 1st term) | Term Ending: Oct. 8, 1963 |
| VOTE: 31 yes<br>3 no                                      |                           |
| (2) <u>MICHAEL S. SHERMAN</u> (R)<br>(2 yr. term)         | " " Oct. 8, 1964          |
| VOTE: 30 yes<br>4 no                                      |                           |
| (3) <u>STEARNS E. WOODMAN</u> (R)<br>(2yr. term)          | " " Oct. 8, 1964          |
| VOTE: 34 yes  |                           |

(Note: Vote was taken by ballot, with the Tellers distributing and collecting same.)

FISCAL COMMITTEE:

MR. MEYERS, chairman, presented his committee report at this time. He said a meeting was held on September 5, 1962.

In regard to reclassifications on the agenda (Nos. 1, 2 and 3) which had been deferred from the previous meeting, he reported these were the subject of lengthy discussion between members of the committee, the Personnel Director, Mr. McCutcheon, and Mr. Kaminski, Chairman of the Personnel Commission.

Mr. Meyers said the committee asked why requests for reclassifications are made during the year, particularly so soon after the start of the new fiscal year and why reclassifications were not made effective according to the fiscal year, starting with the next fiscal period so as to alleviate the need for interim appropriations.

He said they had been advised that, as a matter of policy, the Personnel Commission and its Director feel that the morale of the City employees would suffer by an employee having to wait such a period of time for an approved reclassification to become effective. Obviously, he said, with annual reclassifications, an employee who is reclassified shortly after the deadline period would have to wait approximately a year for his raise to become effective.



He said they also discussed the problem of longevity increases and merit increases. The Civil Service pay scale provides for longevity increases for the first five years only. Subsequently, an employee remains in the same salary level, regardless of additional terms of service and regardless of increased proficiency in the job classification.

Mr. Meyers said, as a result, many employees are shifted into an employment role which carries additional responsibilities as well as requiring additional abilities and therefore, the reclassification of employees remains the logical means by which these additional job requirements are compensated.

He said the committee was informed that the large majority of City employees have served the City over many years and that in relation to the total employment of the City (approximately 1,200) the number of reclassifications granted annually is extremely small (about 25).

- (1) \$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) (Deferred 8/6/62)

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

- (2) \$425.00 - Planning Board, Code 134.2201, New Equipment (Electric Typewriter for use of new Clerk-Typist, approved in this year's budget) (Mayor's letter 6/7/62) (Deferred 8/6/62)

MR. MEYERS MOVED for approval of the above request. Seconded by Miss Farina and CARRIED unanimously.

- (3) \$856.00 - Welfare Department, Code 410.0101, Salaries (Reclassification of three employees, as outlined in Mayor's letter of 6/8/62) (Deferred 8/6/62)

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

- (4) \$3,500.00 - Police Department - For purchase, training, feeding, maintaining and equipping two dogs. (Mayor's letter 7/23/62)

MR. MEYERS said, in view of the demonstration viewed by the Board members this evening on how this Canine Corps operates, he felt confident that the members would agree that this is a worthwhile undertaking for the City. He said the committee unanimously approved this item and he MOVED for approval of this request. Seconded by Mrs. Austin.

MR. KETCHAM said, having been removed from public life during recent years, he only knows what he reads in the papers. He said he read in the paper that steps are already being taken to purchase these dogs and, as a matter of fact, the training program is already under way. He asked if this assumption was correct.

MR. MEYERS said Mr. Ketcham is partially correct that the training is already under way, but contrary to popular belief and not believing everything he reads in the papers, his committee had a long discussion with the Chief of Police and found that the news article was in error regarding the appropriation of any money to finance this training. He read the Committee report on this item:

".....it was learned that the Police Department has not entered into any agreement and has not committed or attempted to commit, funds which heretofore were not appropriated. The Police Department has an account for training purposes, which can be utilized for such elements of training as is deemed necessary and proper by the Chief.

"It was explained to this Committee that these dogs (they expect to be using German Shepards) will be utilized throughout the City for different special assignments, as well as patrol. Working with crowds, tracking, foot patrol and working in conjunction with radio cars would be within the scope of the dogs' abilities and training. The Chief pointed out that these animals are trained to check a back door while an officer checks a front door of a building. This could prove to be an invaluable aid to a patrolling officer.

"It was pointed out that a kennel is expected to be constructed on City property. It was the Chief's desire that, if possible, such a kennel would be constructed in the immediate vicinity of the Police Department."

MR. MEYERS gave a breakdown of the costs, as follows:

2 dogs, trainer and trainer handler @ \$850.00-----	\$1,700.00
Food, maintenance and equipment -----	800.00
Total K-9 Corps -----	\$2,500.00
Facilities (Contingency Fund) -----	1,000.00
	<u>\$3,500.00</u>

MR. TRUGLIA, Chairman of the Health & Protection Committee, to whom this had also been referred, reported that his Committee has concurred in approving this request.

MR. CONNORS spoke in favor of the appropriation.

MR. SCARELLA said he would not be in favor of any appropriation until the manpower of the Police Department is brought up to requirements and until increased salaries for members of the force is recognized.

MR. BAKER said he has no doubt that the use of these dogs would serve a useful function of helping to preserve law and order, but he has a fundamental revulsion against training dogs to attack human beings and unless it can be shown that law and order cannot be preserved otherwise, he is opposed to this.

MR. KUCZO asked how the rotating shifts on the Police Department would be handled when these dogs are "one-man dogs" which he understands is the case.

MR. TRUGLIA said this question was raised and the answer was that the dog would have to be re-trained in the event someone other than the dog's usual handler attempts to use the dog in police work.

After some considerable further debate as to the manner in which this would operate, a VOTE was taken on the motion to approve this appropriation and CARRIED with one negative vote.

LEGISLATIVE AND RULES COMMITTEE:

- (1) Proposed amendment to Sec. 3.4 of Ordinance No. 65 Supplemental - (Requested in Mayor's letter 3/16/62 - See item #2, Minutes 4/2/62, page 3337 - Deferred 5/7/62, page 3360, item #3; deferred 6/4/62; deferred 7/2/62)  
(Note: This is item #4 on the agenda)



MR. BAKER explained this provides for a bond in the nature of a cash security upon an appeal to Court from an order of the Commissioner of Health - the amount of such bond to be determined by the Commissioner. He said the Committee is of the opinion that such enactment is beyond the powers of this Board and therefore does not recommend its adoption.

- (2) (Note: This is item #5 on the agenda) Concerning adoption of proposed Ordinance Restricting Parking Vehicles on City Streets - (Requested in Mayor's letter of 7/23/62) (See page 3440, item #2, Minutes of 8/6/62)

MR. BAKER MOVED for adoption for publication of the following proposed Ordinance. Seconded by Mr. Sherman and CARRIED unanimously:

PROPOSED ORDINANCE PERTAINING TO THE RESTRICTION  
OF PARKING VEHICLES ON PUBLIC STREETS

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

SECTION 1. Stopping, standing, or parking prohibited. No signs required.

- (a) No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic-control device, in any of the following places:

1. On a sidewalk;
2. In front of a public or private driveway;
3. Within an intersection;
4. Within 15 feet of a fire hydrant;
5. On a cross walk;
6. Within 10 feet of a cross walk at an intersection;
7. Within 30 feet upon the approach to any flashing beacon, stop sign, or traffic-control signal located at the side of a roadway;
8. Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless the city traffic authority has indicated a different length by signs or markings;
9. Within 50 feet of the nearest rail of a railroad crossing;
10. Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of said entrance (when properly signposted);
11. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
12. On a roadway side of any vehicle stopped or parked at the edge or curb of a street;
13. Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
14. At any place where official signs prohibit stopping.

- (b) No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such distance as is unlawful.

SECTION 2. Parking not to obstruct traffic.

No person shall park any vehicle upon a street, other than an alley, in such a manner or under such conditions as to leave available less than 10 feet of the width of the roadway for free movement of vehicular traffic.

**SECTION 3. Parking in alleys.**

No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than 10 feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand, or park a vehicle within an alley, in such position as to block the driveway entrance to any abutting property.

**SECTION 4. Parking for certain purposes prohibited.**

No person shall park a vehicle upon any roadway for the principal purpose of:

- (a) Displaying such vehicle for sale;
- (b) Washing, greasing, or repairing such vehicle, except repairs necessitated by an emergency.

**SECTION 5. No stopping, standing, or parking near hazardous or congested places.**

- (a) The city traffic authority is hereby authorized to determine and designate by proper signs places in which the stopping, standing, or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic.
- (b) When official signs are erected at hazardous or congested places as authorized herein, no person shall stop, stand, or park a vehicle in any such designated place.

**SECTION 6. Application of article.**

The provisions of this article prohibiting the standing or parking of a vehicle shall apply at all times or at those times herein specified or as indicated on official signs except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic-control device.

**SECTION 7. Penalty - Fine.**

Any person, firm or corporation violating any of the provisions of this ordinance shall be fined for each such violation a sum not exceeding \$25.00.

**SECTION 8. Removal of vehicles by police.**

Upon discovering any such vehicle so parked in violation of this ordinance or when any vehicle upon a highway is so disabled as to constitute an obstruction to traffic and the person or persons in charge of the vehicle are by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal or when any vehicle is left unattended upon a street and is parked so as to constitute a hazard or obstruction to the normal movement of traffic, any police officer may remove or cause said vehicle to be removed to a garage or other parking area, either public or private.

**SECTION 9. Notice of removal.**

Whenever such a police officer removes or causes the removal of a vehicle from a public street as authorized by this ordinance, and he knows, or is



able to ascertain from the registration records in the vehicle, the name and address of the owner thereof, he shall give or cause to be given, notice in writing to such owner, of the fact of such removal and the reasons therefor and of the place to which such vehicle has been removed. A copy of said notice shall also be given to any person who is in charge of the place to which such vehicle has been removed. If the name and address of the owner is not ascertainable as above, and the vehicle is not claimed within a period of three (3) days, the police department shall request such information of the Department of Motor Vehicles of the State where such vehicle is registered.

SECTION 10. Procedure for release of vehicle.

Before the owner or person in charge of any vehicle taken into custody, as above provided, shall be allowed to remove the same from the place where it has been impounded, he shall furnish to a member of the police department, evidence of his identity and ownership, shall sign a receipt for such vehicle, and shall pay at police headquarters, the cost of removal, not to exceed Fifty (.50) Cents for each day, or portion of a day, that such vehicle is so stored in excess of the first twenty-four (24) hours.

The police department is authorized to enter into an arrangement with companies offering towing service and provide such service as is required in the enforcement of this ordinance.

SECTION 11. Police Department to keep records.

It shall be the duty of the police department to keep a record of the names of the owners of all vehicles taken into custody under these provisions, the numbers of their state license plates, the place where each vehicle is being stored, and the nature, circumstances and disposition of each case.

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

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- (3) Concerning proposed amendment to Building Code relating to plate glass or patio doors. (Submitted in letter of 5/28/62 by Ronald M. Schwartz, 16th District Representative) (Note: Not on agenda)

MR. BAKER said the above item has been in his committee for several months in regard to safety precautions to be used in connection with plate glass or patio doors. He said this matter is not yet ready for presentation. Deferred.

- (4) (Note: This is item #1 on the agenda) Concerning final adoption of amendments to Building Code regarding Shut-Off Valves. (Sec. 613 of Plumbing Code - see page 161 of Code) Deferred 5/7/62, page 3360, item #4; approved for publication on 7/2/62; published 7/7/62; tabled 8/6/62 - see pages 3449-50 of Minutes)

MR. BAKER reported this matter was still in Committee as it is not yet ready for presentation. Deferred.

- (5) (Note: This is item #2 on the agenda; also under "Petitions")

PETITION NO. 291 - UNITED FUND request for permission to erect campaign indicator on Atlantic Square in front of City Hall (Letter of 7/17/62)

MR. BAKER MOVED for approval of the above petition. Seconded by Miss Farina.

MR. CONNORS asked why this petition had been referred to the Legislative and Rules Committee, and not the Parks and Recreation Committee.

THE PRESIDENT replied this was decided at the Steering Committee meeting.

MR. CONNORS said he thought this type of decision was a matter for the whole Board to decide, and not the Steering Committee. He said it would appear that the Legislative and Rules Committee has enough work now without getting into petitions also.

THE PRESIDENT said the function of the Steering Committee is to refer matters to the appropriate committees concerned. He said there were certain questions involved, such as whether or not there is adequate insurance coverage and other legal questions which the Steering Committee felt should more properly be within the province of the Legislative and Rules Committee. He said referral of these matters is properly the function of the Steering Committee and not of the entire Board.

MR. SCARELLA said he had a question. He asked if all the legal requirements have been met.

THE PRESIDENT said it was his understanding that approval for matters of this kind are always given subject to approval by the Corporation Counsel and compliance with all legal requirements, such as proper insurance coverage, etc.

MR. SCARELLA asked if the Legislative and Rules Committee has checked with the Corporation Counsel and the Chief of Police.

MR. BAKER said it was the unanimous opinion of the committee that this was a very worthy enterprise as many members who have been engaged in the work of the United Fund recognize and know its importance, and the committee approved this request without reservation. He said it was the understanding of his committee that all necessary legal requirements would be met.

THE PRESIDENT informed Mr. Scarella that the organization making the request always presents to the appropriate City Departments evidence of proper insurance coverage and whatever other legal requirements that have to be met.

MR. KELLY said he objects to this being taken away from the Parks and Recreation Committee. He said it is not a legal problem - that it goes to the office of the Commissioner of Finance, to the Police Department, to the Fire Department. He said he can't see why this is taken out of the Committee that has done "that proper work for over 13 years to my knowledge".

MR. SCARELLA said he knew the original procedure of approving these matters, as subject to the approval of the Corporation Counsel, etc. However, he said he did not want to put the Police Chief in the position of saying "no" or the Corporation Counsel in the position of saying "no" -- subject to their approval.

He said he had asked one question and that is, did the committee have ample time to clear it with the Chief of Police and the Corporation Counsel.



MR. BAKER objected to this futile pursuit. He said his committee felt it incumbent upon them to pass only on the desirability of granting permission and did not conceive it to be their responsibility to inquire further, naturally assuming that the appropriate steps would be taken preliminary to the actual installation to the satisfaction of both the Corporation Counsel and the Chief of Police. He said they regarded this as within the province of "their official capacity to perform" (referring to city departments) and that it was only referred to his committee to inquire into the desirability of approving it.

After considerable further debate, a VOTE was taken on Mr. Baker's motion to approve the granting of this petition. CARRIED unanimously.

(6) (Note: This is item #3 on the agenda) - Approval of Easement to Stamford Water Company, for sum of \$1.00, covering 20 ft. strip of land, from Vine Road to Little Hill Drive, shown on Map #7314, entitled: "Map Showing Right-of-Way Conveyed to Stamford Water Co. by City of Stamford." (Mayor's letter 7/5/62)

MR. BAKER said unless there is some urgency on the above matter, he would request that it be laid over for another month, as it escaped his attention and was overlooked.

MR. SCHWARTZ said it was his understanding that this easement is necessary for the development of the school that is under construction. He said it depends on how soon they would need water there - if it is needed soon, then action would have to be taken.

THE PRESIDENT informed Mr. Schwartz that no one seems to be in a position to answer that question.

MR. SCARELLA MOVED this matter be taken out of committee. Seconded by Mr. Kelly.

MR. SHERMAN said in the absence of any evidence that this is of an emergency nature, he agrees that the granting of an easement is a subject which requires some study, and for this reason should be defeated.

VOTE taken on Mr. Scarella's motion to bring this out of Committee. LOST.

MR. SHANEN and MR. BAKER were excused at this time, changing the roll call to 32 now present.

HEALTH & PROTECTION COMMITTEE:

Parking Authority request in letter of 7/16/62 for 17 parking meters on city-owned property at junction of Main and West Main Streets - (Denied at 7/2/62 Board meeting and tabled at 8/6/62 meeting)

MR. LONGO was excused at this time, changing the roll call to 31 now present.

MR. TRUGLIA explained that when this matter of the Parking Authority's request to place 17 meters on city-owned property at junction of Main and West Main Streets last month, the question arose as to whether the city had a right to use this land for parking purposes and turn it over to the Parking Authority. He said a legal opinion was requested of the office of the Corporation Counsel, which he read as follows:

September 10, 1962

Mr. Anthony Truglia  
Board of Representatives  
Stamford, Connecticut

Dear Mr. Truglia:

Re: Property owned by the City of  
Stamford, South Side of West  
Main Street at Main Street

At your request, I have made an investigation concerning the above matter. Our records indicate that there is no legal bar to the use of said property for parking purposes.

Cordially,

(Signed) Theodore Godlin  
Assistant Corporation Counsel

MR. TRUGLIA MOVED for approval of the installation of the 17 parking meters, as previously described. Seconded.

MR. CUSHING spoke against the motion. He said this Board has discussed this quite a bit in the past and just on the question of whether or not it would pay to invest a great deal of money in installing meters, paving, etc., he was convinced it would be a waste of money.

MR. RUSSELL said he agreed with Mr. Cushing that this should be turned down.

MR. SCHWARTZ said this is a bottleneck and is a hazardous place to try and put 17 parking meters. He said he was opposed to the motion.

MR. MULREED said he was interested in knowing if this parking lot will provide a need that is not already met.

MR. TRUGLIA said the site needs cleaning up as it is full of garbage and broken bottles and debris of various kinds. He said he looked into the matter thoroughly and this installation would meet a very definite need.

MR. CONNORS said it was his belief we have nothing to lose on the deal.

MR. SCARELLA spoke against having these meters.

MR. TRUGLIA MOVED the question. DEFEATED by a vote of 13 in favor and 18 opposed.

PLANNING & ZONING COMMITTEE:

- (1) Mrs. Joseph Ackerman's request that a portion of EAST LANE which abuts lot #12 owned by her be accepted as addition to REVONAH AVENUE (Deferred 6/4/62; deferred 7/2/62; deferred 8/6/62)



MR. RUSSELL asked that the above matter be again deferred as the Committee has not been able to get together on this item.

- (2) MUNCO DRIVE - Hazardous condition because of island at end of street (Deferred 3/5/62 - see page 3333, item #3; deferred 5/7/62; deferred 6/4/62; deferred 7/2/62; deferred 8/6/62)

MR. RUSSELL reported as follows on the above matter:

"This item involved a request for the removal of a turnaround island at the end of the road, because of a question of a hazardous condition existing. The Committee members investigated this situation and although the island is in a very unkempt condition with a serious need for cutting down of weeds, they could find no hazardous condition existing. In fact, the island created a sort of traffic control which assured the slowing up of cars using this turnaround. Other facts noted that this road is only about ten years old and this island in center of turnaround was put in by the builder despite the fact that it had always been against the desires of the Public Works Engineering Department and our committee to allow such islands. They are no longer allowed, according to present revised road specifications for subdivisions. However, there are many in existence and the city has repeatedly suggested that adjoining property owners should accept the responsibility of keeping these small areas in pleasant, presentable condition. The Committee therefore recommends that no action be taken on this item."

- (3) MITCHELL STREET - Resolution directing improvement to be carried out in accordance with provisions of Chapter 64 of Charter and Ordinance No. 79 Supplemental (See previous Resolution No. 387, pages 3341-42, Minutes of 4/2/62)

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

RESOLUTION NO. 393

DIRECTING IMPROVEMENTS TO BE CARRIED OUT ON MITCHELL STREET

BE AND IT HEREBY IS RESOLVED by the Board of Representatives of the City of Stamford, that the report of the Commissioner of Finance to the Board of Representatives, dated September 4, 1962, regarding the improvement of MITCHELL STREET is hereby approved, and

BE IT FURTHER RESOLVED, that upon approval of said report by the Mayor of the City of Stamford, said improvements shall be carried out in accordance with said report, after notice of such finally approved report has been given according to law, and

BE IT FURTHER RESOLVED, that the report when so approved by the Mayor, and when funds have been appropriated to pay for the cost of the improvement, shall be recorded in the land records of the City of Stamford.

- (4) HOLBROOK ESTATES - Apple Tree Drive, Boxwood Drive, Holbrook Drive and Pine Tree Drive - Resolution directing improvement to be carried out in accordance with provisions of Chapter 64 of Charter, Ordinance No. 79 and Ordinance No. 94 Supplemental (See previous Resolution No. 306, Minutes of 8/3/59, pages 2631-32)

MR. RUSSELL MOVED for approval of the following resolution. He said this was similar to the prior one just adopted. Seconded by Mr. Meyers and Mrs. Austin:

RESOLUTION NO. 394

DIRECTING IMPROVEMENTS TO BE CARRIED OUT IN HOLBROOK ESTATES, NAMELY, STREETS KNOWN AS APPLE TREE DRIVE, BOXWOOD DRIVE, HOLBROOK DRIVE AND PINE TREE DRIVE

BE AND IT HEREBY IS RESOLVED by the Board of Representatives of the City of Stamford, that the report of the Commissioner of Finance to the Board of Representatives, dated September 4, 1962, regarding the improvement of the following streets, situated in Holbrook Estates, is hereby approved:

APPLE TREE DRIVE  
BOXWOOD DRIVE

HOLBROOK DRIVE  
PINE TREE DRIVE

and,

BE IT FURTHER RESOLVED, that upon approval of said report by the Mayor of the City of Stamford, said improvements shall be carried out in accordance with said report, after notice of such finally approved report has been given according to law, and

BE IT FURTHER RESOLVED, that the report, when so approved by the Mayor, and when funds have been appropriated to pay for the cost of the improvement, shall be recorded in the land records of the City of Stamford.

MR. KETCHAM urged the approval of the above resolution. He said he has a strange feeling that he has been here before, because when he was a member of this Board in 1959, they were then trying to implement this work in the Holbrook Estates.

VOTE taken on the above resolution and CARRIED unanimously.

(5) Acceptance of roads as City streets:

MR. RUSSELL said his committee wishes to present the following roads for acceptance. He said they have been certified for acceptance by the Assistant City Engineer and have met with the approval of the Committee and that all maps are on file in the office of the Town and City Clerk. He MOVED for approval of the following roads. Seconded by Mr. Mulreed and CARRIED unanimously.

GREENLEAF DRIVE - Extending westerly from West Hill Road to and including a temporary turnaround. Length, approximately 1,240 feet, width 27 feet, as shown on Map No. 6272.

SUSSEX PLACE - Extending northerly and easterly from Joffre Avenue to and including a permanent turnaround. Length, approximately 350 feet, width 27 feet, as shown on Map No. 7240.

MRS. AUSTIN was excused at this time, changing the roll call to 30 present.

URBAN REDEVELOPMENT COMMITTEE:

MR. OPPENHEIMER, Chairman, presented the following report of his committee:



The Urban Redevelopment Committee meeting was held August 21st at the offices of the Urban Redevelopment Commission.

Messrs. Louis Greenbaum, Edward Allen, Salem Shapiro, Jack Toth and Miss Susan Pinchot represented the Commission. Committee members and city officials attending were: Messrs. David Oppenheimer, David Johnson, Paul Flockin, Benjamin Kozlowski, Peter Sileo, Ray Sanborn, Edward Dombroski, Sam Wise, Patrick Hogan, Michael Sherman, Saul Kwartin and Mrs. David Oppenheimer.

Mr. James Parker, HHFA Area Coordinator, Mr. Jack Bonkowski, the HHFA's Field Representative to Stamford and Mr. Milo Wilcox, Senior Planner of the Planning and Redevelopment Division of the State Redevelopment Commission were present to explain the agency's roles in redevelopment and to answer questions from the floor.

Mr. Bonkowski described how applications are processed through the offices of HHFA and said that he expected that the Stamford application would be forwarded to Washington within four to six weeks. Both Mr. Parker and Mr. Bonkowski praised Stamford for undertaking a flexible comprehensive plan for the Southeast Quadrant and commended the City on the completion of the East Meadow Project. Mr. Wilcox stated that redevelopment of the Southeast Quadrant will help stem the trend of business moving away from the downtown district and said that Stamford will get top priority for financial assistance from the State when it submits an application following approval of Part I by HHFA.

An informative question and answer session followed and the meeting was adjourned promptly at 10:00 P.M.

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#### CHARTER REVISION COMMITTEE:

THE PRESIDENT announced that the report of the Charter Revision Committee was taken care of at the special meeting of this Board held Friday, September 7, 1962.

MR. SHERMAN asked if the matter of Charter revisions is open for discussion at this point.

THE PRESIDENT said as there is no report from this Committee, he would think that any further questions concerning this would be directed to the Steering Committee.

#### OLD BUSINESS:

MR. SHERMAN: "There seems to be a question as to the procedures which were followed in connection with the Fifth Charter Revision Commission, as evidenced by an article in tonight's Advocate.

"I MOVE that this Board request the Corporation Counsel of the City of Stamford to immediately request of the Attorney General of the State of Connecticut, an opinion as to the validity, from beginning to end, not only of the action of the Charter Revision Commission, but of this Board, in creating the Fifth Charter Revision Commission, and I further MOVE to incorporate in that motion that this Board and its President refrain from certifying to the Town Clerk of the City of Stamford that such Charter revisions be placed on the ballot in November, until such an opinion is obtained from the Attorney General of the State of Connecticut."

Seconded by Mr. Scarella.

MR. NOLAN objected, saying he thinks this should be referred to the Steering Committee for action at the next regular meeting. He questioned as to whether it is at all necessary to consult the Corporation Counsel or that it should be sent to the Attorney General.

MR. SHERMAN said he has no objection to an orderly procedure, but is only interested in having this resolved as quickly as possible. He said he thinks this Board would do well to seek the Attorney General's opinion in order to protect action taken by this Board. He requested the President not to certify to the Town Clerk that these matters be placed on the ballot until such an opinion is requested from the Attorney General. He said he has discussed this with the President personally and he thinks this request cannot come from the Board, but must come from the Corporation Counsel.

THE PRESIDENT said he is prepared to have a meeting of the Steering Committee earlier than is usual and is prepared to present this matter to the Steering Committee for their action. He said he cannot bind himself, nor can he properly bind the Board, and that once action is taken by the Board, his function is not to certify, but is merely ministerial in transmitting action which was taken by the Board.

He said he would, however, promise an early meeting of the Steering Committee and will then present this matter to the Steering Committee for their action. He said he will not pass this matter on until the Steering Committee has acted, but that he definitely cannot bind himself, nor can he properly bind the Board and that once action is taken by this Board his function is not to certify, but action then becomes merely ministerial action in transmitting information relative to action which the Board has taken. He also said he thinks the motion (Mr. Sherman's motion) should properly come under "New Business", but that it is always proper to move for suspension of the rules to consider a matter.

MR. JOHNSON said it was his understanding, in regard to Mr. Sherman's motion, that this would be a request.

THE PRESIDENT said if Mr. Sherman accepts Mr. Nolan's suggestion, it would not then be a motion but would be a request that this matter be considered by the Steering Committee.

MR. SHERMAN said the only thing that troubles him is the time element and that everyone seems to agree that this Board wants to do the right thing.

MR. JOHNSON said he does not know all the legal implications that are involved here and asked: "Is there any possibility, rather than obtaining an Attorney General's decision or opinion, to rather get a Declaratory Judgment on this thing?"

THE PRESIDENT said he has no idea.

MR. SCARELLA said, in referring this matter to the Steering Committee, that this Committee is not empowered to ask the Attorney General or ask the Corporation Counsel; that this would also be time-consuming - they would have to come back to this Board for the final action. He said then the Steering Committee would have to refer it to another Committee, because they are not empowered to take it upon themselves to vote for the members of the Board, and it would then have to come back to this Board at their October meeting and it would not leave time to place it on the ballot. He said it was his opinion that the motion was in order.



MR. NOLAN said all he is saying is that it is not the Board's function to ask the Attorney General; that possibly the Corporation Counsel does not want to consult the Attorney General - possibly he can get a ruling from some other source, or find another way around it. He suggested that the Board could possibly vote to allow the President to look into it and rely upon him to take care of the situation and give him the permission to go ahead, if it is deemed necessary. He objected to making this mandatory, as Mr. Sherman's motion seems to do, because he is not at all sure at this point that this is the proper procedure. He said if Mr. Sherman would consider rephrasing his motion along these lines, that he certainly would go along with it and not make it a mandatory thing, but to rely on the President to seek the information through the Corporation Counsel's office in regard to the legality of this proposal.

MR. SCARELLA said the Corporation Counsel is the Counsel for the City of Stamford, and if this Board requests him to obtain a ruling from the Attorney General, he thinks he would be happy to do so. He said the precedent has already been established.

MR. SHERMAN said there may be a question involved as to the validity of the Board's action in this matter (taken on September 7, 1962). He said he thinks it does become mandatory to have a higher authority, on the State level, to indicate to us whether this action is valid or not and that time is of the essence. He said if this Board waits to refer this to the Steering Committee, it would be October before action could be taken and the November meeting (November 5th) takes place the day before election, and the Board would not be able to act in time. He said there is doubt in his mind that this Board can request the Corporation Counsel to ask for an opinion from the Attorney General and he does want to make this mandatory.

MR. SHERMAN said if this is not the proper time to bring this up, then he will MOVE for suspension of the rules in order to permit it. He requested a RULING FROM THE CHAIR as to whether or not his motion is in order or not.

THE PRESIDENT said it is his opinion that the initial motion is not properly within the order of business and it is necessary to MOVE FOR SUSPENSION OF THE RULES.

MR. SHERMAN MOVED FOR SUSPENSION OF THE RULES in order to present the motion. Seconded by Mr. Johnson.

THE PRESIDENT informed the members that this would require a two-thirds vote.

A STANDING VOTE was taken on Mr. Sherman's motion to suspend the rules in order to consider his motion that the Corporation Counsel be directed to obtain a ruling from the Attorney General.

VOTE: 15 in favor and 15 opposed.

THE PRESIDENT declared the rules not suspended, as it requires a two-thirds vote to carry.

THE PRESIDENT: "Mr. Sherman, I am prepared now to deal with your suggestion in the following way: There will be a meeting of the Steering Committee within the week. Prior to that time I will consult with the Corporation Counsel and any other official that he thinks appropriate and at that meeting of the Steering Committee, the proper procedure will be made available to them."

MR. SHERMAN: "Thank you, Mr. President."

NEW BUSINESS:

Concerning amending Circus and Carnival Ordinance to prohibit (To reinstate a previous Ordinance, namely, Ordinance No. 61 Supplemental which was rescinded by the adoption of Ordinance No. 98 - Adopted under suspension of the rules, waiving prior publication, on February 5, 1962)

MR. MEAD asked that an amended Circus and Carnival Ordinance be referred to the Steering Committee for evaluation and consideration to the placing of this Ordinance back in its original form that this Board changed a few months back (2/5/62).

He said this request is necessitated by conditions which existed during the recent three attractions that this Board approved - the noise, early and late; the filth, the offensive odors, the unsanitary handling of food, the carnal language that was given out by the working force and the indecent exposure by the labor force on the Circus grounds.

MR. MEAD pointed out that such attractions are not allowed by our nearby towns and that the vast majority of neighbors on Hanover, Halloween and Shippan Avenue are all in favor of returning to the Ordinance as it was before the passage of Ordinance No. 98.

THE PRESIDENT informed Mr. Mead that this Ordinance would be referred to the Steering Committee for referral to the proper Committee.

Concerning list of roads that have been blacktopped by the Public Works Department this year:

MR. RUSSELL said in going around yesterday, looking at some of the new roads for acceptance, he was a little disturbed to see that some very recent roads - and by recent he was referring to roads accepted in the last couple of years - one of them on which the Maintenance Bond only ran out this year - were very nicely newly blacktopped.

He said in all fairness to the older areas of the City, areas in which there very definitely are some serious road problems, that the question of some of these new and recently accepted roads, particularly in the West Hill area, being recently blacktopped, that there must be something wrong with the system of priority being set up. He said he would like to know why some of these roads are being done ahead of the older roads that need attention much more. He said the conditions on some of these older roads are very dangerous to travel on, many of which are dead end roads and residential roads.

For this reason, he requested that this question be referred to the Public Works Committee to see if there is a possibility of getting a list of roads from the Public Works Department as to what roads they have blacktopped in the last year and what they intend to do the rest of the year, so that in all fairness to all the residents of this city, a more just priority system could be set up.

THE PRESIDENT told Mr. Russell this would be referred to the Public Works Committee.



MR. KELLY said this Board has recently approved an appropriation for blacktopping holes in roads, a matter which was inadvertently left out of this year's budget. He said he recalled the Majority Leader saying his road looked like the shell holes in France in World War I and the roads in the 12th District look the same way. He said he would hate to see the appropriation this Board recently approved being eaten up in blacktopping new roads that do not need it as badly as some of the older ones. He said some of the older roads in the City of Stamford are a disgrace.

ADJOURNMENT:

There being no further business to come before the Board, upon motion, duly seconded and CARRIED, the meeting was adjourned.

*Velma Farrell*

Velma Farrell  
Administrative Assistant  
(Recording Secretary)

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APPROVED:

*Paul D. Shapiro*

Paul D. Shapiro, President  
Board of Representatives

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

V.F.

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