

Minutes of December 3, 1962
Meeting of the 7th Board of Representatives
Stamford, Connecticut

3533

A regular meeting of the 7th Board of Representatives of the City of Stamford was held on Monday, December 3, 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 8:05 P.M.

INVOCATION was given by Rev. Charles J. Sargent, Union 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 35 present and 5 absent at the calling of the roll. However, a member resigned and a replacement was sworn in which changed the roll call to 36 present and 4 absent. The absent members were: William Murphy, Stanley Kulowiec, William Hearing and Daniel Baker.

FILLING OF VACANCIES:

(1) Board of Selectmen vacancy created by resignation of Joseph Mancusi (D)

MR. NOLAN MOVED for suspension of the rules to consider the filling of a vacancy on the Board of Selectmen created by the resignation of Joseph Mancusi. Mr. Johnson seconded the motion. CARRIED unanimously.

MR. NOLAN placed the name of ROBERT FORTUNATO (D) in nomination to fill the vacancy created by the resignation of Mr. Mancusi from the Board of Selectmen.

He read a letter, addressed to him as Majority Leader of the Board, from the Democratic City Committee, endorsing Mr. Fortunato for this post.

MR. MULREED SECONDED the nomination. CARRIED unanimously.

(2) Vacancy on Board of Representatives in 15th District created by resignation of William Walsh (R) (Moved from city)

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

MR. JOHNSON placed the name of ROMAINE A. PHILPOT, II (Republican) 46 Oakdale Road, Glenbrook, as replacement to fill the vacancy in the 15th District.

The nomination was seconded by Mr. Ketcham and Mr. Russell. CARRIED unanimously.

MR. PHILPOT was sworn in as a member of the Board of Representatives by the President. This changed the roll call to 36 present.

ACCEPTANCE OF MINUTES - Meeting of November 13, 1962

The Minutes of the above meeting were accepted with the following corrections:

Page 3525, fifth paragraph, starting with "Mr. Sherman" change second line after the word "pressure -" to read:

"--- that he believes that the price should not be -----"

Page 3524, fifth paragraph from bottom of page:

Take out "Mr. Schwartz and-----"

MR. KUCZO called attention to page 3522 in which a letter was read for him in his absence by Mr. Scarella. He said due to the fact that the first part of the letter was left out it would appear that he was not in favor of "consolidation".

THE PRESIDENT suggested that he present the letter so that it could be printed in full in the Minutes.

MR. KUCZO said he just wished to call attention to the fact that he is not against "consolidation".

COMMITTEE REPORTS:

THE PRESIDENT read the following report:

STEERING COMMITTEE REPORT

Meeting held Monday, November 19, 1962

A meeting of the Steering Committee was held on Monday, November 19, 1962 in the Mayor's Office, City Hall.

The meeting was called to order at 8:15 P.M. The Chairman, Paul D. Shapero, presided. The following members were present: Paul Shapero, Rose Farina, David Johnson, Alan Ketcham, John Nolan, Anthony Truglia, Eleanor Austin and Allen Shanen.

The following matters were discussed and acted upon:

- (1) Mayor's appointments - Letter dated 11/19/62 concerning appointments to be submitted prior to next Board meeting - REFERRED TO APPOINTMENTS COMMITTEE
- (2) Additional appropriations previously approved by the Board of Finance on November 8, 1962 - REFERRED TO FISCAL COMMITTEE, with items of \$2,000 and over referred to a secondary committee.
- (3) Concerning proposed resolution authorizing the issuance of general obligation coupon bonds in the amount of \$4,127,000.00 to finance the 1962-1963 Capital Projects - REFERRED TO FISCAL COMMITTEE (Mayor's letter 10/30/62)
- (4) Concerning proposed Ordinance adopting a new codification and rearrangement of the existing Ordinances of the City of Stamford, Connecticut (1962 revision) - REFERRED TO LEGISLATIVE & RULES COMMITTEE
- (5) Re: Newly codified Code of General Ordinances and Charter (1962 Revision) Distribution and charge for same.

MR. SHAPERO informed the members that these books will soon be ready for distribution. There was some discussion as to the distribution and charge to be made for books sold. It was decided to leave this matter up to the President, Majority and Minority Leaders to handle.

- (6) Concerning possible revision of Ordinance No. 51 "Regulating Width of Streets" and the addition of a possible waiver clause in order to conform with State Statutes - REFERRED TO LEGISLATIVE & RULES COMMITTEE
- (7) Concerning periodical review of Building Code in accordance with suggestion proposed by Mrs. Dwight W. Marshall - REFERRED TO LEGISLATIVE & RULES COMMITTEE

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

vf

PAUL D. SHAFERO, Chairman
Steering Committee

APPOINTMENTS COMMITTEE:

MRS. AUSTIN, Chairman, reported that the Committee met this evening at 7 P.M. and present were the following members: Eleanor Austin, Chairman, Patsy Arruzza and Samuel Cushing. She said the Committee *is in the process of interviewing* ~~would interview~~ the candidates as submitted by the Mayor. She read the following list of the candidates and said they would be reported on at the January 7, 1963 Board meeting in conformance with Charter provisions:

HEALTH COMMISSION:

Term Ending:

DR. BERT BALLIN (Democrat) (5 yr. term)
168 Four Brooks Road
(Reappointment)

Dec. 1, 1967

HUBBARD HEIGHTS GOLF CLUB COMMISSION:

HARRY A RINALDI (Republican) (5 yr. term)
11 Grandview Avenue
(Reappointment)

Dec. 1, 1967

PARK COMMISSION:

ROBERT F. CROSSWAITE (Republican) (5 yr. term)
11 Bertmor Drive
(Replacing T. Frank Cowlin)

Dec. 1, 1967

PATRIOTIC & SPECIAL EVENTS COMMISSION:

LESLIE MEYERS (Independent) (5 yr. term)
26 Old Well Road, Springdale
(Reappointment)

Dec. 1, 1967

PERSONNEL COMMISSION:

JAMES J. SOTIRE (Employees' representative)
(3 year term)

Dec. 1, 1965

PLANNING BOARD:

JAMES F. BINGHAM (Republican) (5 yr. term)
1 Old Wagon Road
(Replacing Robert Lewis)

Dec. 1, 1967

PUBLIC WELFARE COMMISSION:

FREDERICK M. LIONE (Republican) (3 yr. term)
763 Shippan Avenue
(Reappointment)

Term Ending:

Dec. 1, 1965

ZONING BOARD OF APPEALS:

FRANK D. D'ANDREA, JR. (Republican) (5 yr. term)
35 Twin Brook Drive
(Replacing W. S. Herrmann)

Dec. 1, 1967

THE PRESIDENT informed the members that if anyone wishes to be present at the time these people are interviewed, to contact Mrs. Austin who will tell them when the interviews are to be held.

MR. CUSHING asked a question of Mrs. Austin, through the Chairman. He asked if she would explain exactly why the Board is not acting on these appointments tonight.

THE PRESIDENT called Mr. Cushing's attention to Section 503 of the Charter, concerning "Appointments and Removal of Board Members and Alternate Members." (Approved at the November 7, 1961 referendum), in which it reads:

".....The Board of Representatives shall defer final action on all nominations until its next regular meeting."

FISCAL COMMITTEE:

MR. MEYERS, Chairman, presented his committee report. He said a meeting was held November 26, 1962 and those present were: George Connors, Rose Farina, Richmond Mead, Jr., George Russell and Robert Meyers.

- (1) \$42,500.00 - TELLER PROPERTY purchase - Resolution No. 399 amending 1962-1963 Capital Projects Budget for purchase of Teller property adjoining West Beach and appropriation therefor. (As outlined in Mayor's letter of 9/6/62)

MR. MEYERS MOVED for approval of the following resolution. Seconded by Mr. Connors. Mr. Shanen said he had given the report of the Parks & Recreation Committee at the November meeting on this matter, when they had approved the request.

RESOLUTION NO. 399

AMENDING 1962-1963 CAPITAL PROJECTS BUDGET
FOR PURCHASE OF TELLER PROPERTY ADJOINING
WEST BEACH AND APPROPRIATION THEREFOR IN
AMOUNT OF \$42,500.00

BE AND IT HEREBY IS RESOLVED by the Board of Representatives of the City of Stamford, that the 1962-1963 Capital Projects Budget be amended by the addition thereto of an item to be known as "TELLER PROPERTY PURCHASE", and

BE IT FURTHER RESOLVED to appropriate the sum of \$42,500.00 for said purchase.

MR. CUSHING said he opposes the method of acquisition of this property, but not the acquisition itself.

MR. NOLAN said he did not want to bring up the debate over this matter that went on at the November meeting, but that he felt the method was the best one open - that it is hoped it won't happen again, but the fact remains it did happen and the best solution is the one offered.

MR. KELLY said he wants to know "if that man will be paid before he removes that scow."

MR. MEYERS informed him that the scow will be removed.

MR. MORRIS asked for a roll call vote. There being no objection, a roll call vote was taken, there being 26 votes in favor, 9 opposed, with the President not voting.
CARRIED:

THOSE VOTING IN FAVOR

ARRUZZA, Patsy
AUSTIN, Eleanor R.
BAER, Jack
BLOIS, Fred C.
CAPORIZZO, Vincent
CLARKE, Hilda S.
CONNORS, George V.
DOMBROSKI, Edward
ESPOSITO, Anthony
FARINA, Rose C.
GROVE, Dr. Melvin
KANE, John V., Jr.
KELLY, Stephen E.
KOZLOWSKI, Benjamin
LILLIENDAHL, Frances
LONGO, Carmine V.
MEAD, R. A., Jr.
MEYERS, Robert M.
MULREED, James E.
NOLAN, John R.
O'NEILL, Richard J.
RUSSELL, George
RYBNICK, Gerald J.
SCARELLA, Patrick
SHANEN, Allen J.
TRUGLIA, Anthony D.

THOSE OPPOSED

CUSHING, Samuel D.
JOHNSON, David L.
KETCHAM, Alan H.
KUCZO, Paul J., Jr.
MORRIS, Thomas A.
OFFENHEIMER, David
PHILPOT, Romaine A. II
SCHWARTZ, Ronald M.
SHERMAN, Michael S.

- (2) \$130,000.00 - Resolution amending 1962-1963 Capital Projects Budget for Purchase of the Palmer Property for Park Purposes and appropriation therefor in accordance with terms of contract, as outlined in Mayor's letter of 6/7/62. (Deferred 11/13/62)

MR. MEYERS reported that the above matter was DEFERRED, pending further information.

- (3) \$200.00 - BOARD OF REPRESENTATIVES, Code 106-0404 - Official Notices (Mayor's letter 11/1/62)

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

- (4) \$3,000.00 - PUBLIC WORKS DEPARTMENT, Code 630-1803, City Hall Maintenance-Maintenance and Alterations (REDUCED by Board of Finance from \$12,000) (Mayor's letter 11/1/62)

MR. MEYERS MOVED for approval of the above request. Seconded by Mr. Blois, who said the Public Works Committee also approved this appropriation. CARRIED unanimously.

- (5) \$4,127,000.00 - Resolution No. 400 authorizing the issuance of general obligation coupon bonds to finance the 1962-1963 Capital Projects (Mayor's letter 10/30/62) (Similar resolution adopted by the Board of Finance on 11/8/62)

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

RESOLUTION NO. 400

RESOLUTION AUTHORIZING THE ISSUANCE OF FOUR MILLION ONE HUNDRED TWENTY-SEVEN THOUSAND DOLLARS (\$4,127,000) GENERAL OBLIGATION BONDS OF THE CITY OF STAMFORD, CONNECTICUT, TO FINANCE THE CAPITAL PROJECTS IN THE CAPITAL BUDGET FOR THE FISCAL YEAR 1962-1963 TO BE FINANCED WITH FUNDS RAISED BY BORROWING.

WHEREAS, pursuant to Section 630 of the Charter of the City of Stamford, as amended, the Board of Representatives of the City of Stamford has received a letter from the Mayor, dated October 30, 1962, requesting it to authorize the issuance of bonds to finance all of the Capital Projects contained in The Capital Budget for the fiscal year 1962-1963, as amended, as are to be financed with funds raised by borrowing; and

WHEREAS, this Board has been furnished with a certified copy of a resolution of the Board of Finance, approving the aforesaid authorization;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF REPRESENTATIVES OF THE CITY OF STAMFORD, CONNECTICUT

1. That there be and there hereby is authorized, under and pursuant to the Charter of the City of Stamford and any other general or special statutes thereby enabling, the issuance and sale from time to time of general obligation, coupon, serial bonds of the City of Stamford, Connecticut, in the aggregate principal amount of Four Million One Hundred Twenty-Seven Thousand Dollars (\$4,127,000) for the purpose of paying for Capital Projects consisting of the several public improvements or other municipal works of a permanent character or for land taken for the purpose of such improvements or municipal works, all as hereinafter more fully described. Each of said Capital Projects is included in The Capital Budget for the fiscal year 1962-1963, as amended, duly adopted, and reference is hereby made to the said The Capital Budget, as amended, for a more complete description of the particular Capital Projects hereinafter designated.

The said Capital Projects and the extent to which they are to be financed

with the proceeds of the bonds herein authorized are as follows:

DEPARTMENT OF PUBLIC WORKS

Sanitary Sewer Construction

Extension of Sanitary Sewers South of Parkway	\$1,500,000	
West Side Relief Line	<u>150,000</u>	\$1,650,000

Flood Control Construction

Hurricane Protection	<u>100,000</u>	\$1,750,000
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BOARD OF EDUCATION

Board of Education Construction

Jr. High School - Vine Road	\$ 500,000	
Rogers School - Rehabilitation and Addition	1,029,000	
Cloonan School Rehabilitation	<u>348,000</u>	\$1,877,000

URBAN REDEVELOPMENT COMMISSION

Urban Redevelopment

Cash Grant-Aid to Southeast Quadrant	\$ 100,000	
Parking Facilities	<u>400,000</u>	\$ 500,000
Total -----		<u>\$4,127,000</u>

2. That said bonds shall be issued in the name of and upon the full faith and credit of the City of Stamford, and shall be issued as four separate bond issues, and subject to the Charter of the City of Stamford and other applicable provisions of law, in the manner and in the principal amounts that the Board of Finance may determine from time to time, including, but without limitation, the determination of the form, date, dates of payment of principal and interest and all other particulars; and said Board of Finance, or, if authorized by the Board of Finance, the Commissioner of Finance, may determine the rate or rates of interest which the said bonds are to bear.
3. That each of the Capital Projects hereinabove described and contained in The Capital Budget for the Fiscal year 1962-1963, as amended, is hereby confirmed as a duly authorized Capital Project.

4. That, with respect to the issuance of any bonds hereinabove authorized, there be and hereby is authorized, under and pursuant to Section 630.1 of the Charter of the City of Stamford, the Connecticut General Statutes and any other enabling authority in amendment thereof or in addition thereto, but within such limitations, if any, as may be imposed by resolution of the Board of Finance, the making of a temporary loan or loans by the issuance and sale from time to time, as funds may be required, of a temporary note or notes of the City of Stamford in anticipation of the moneys to be derived from the sale of such bonds for designated Capital Projects and the renewal of the same by the issuance and sale of a renewal temporary note or notes; provided, however, that the aggregate principal amount of temporary notes or renewal notes at any one time outstanding shall never exceed the principal amount of the bond issue in anticipation of which such notes were issued.
5. That this resolution shall take effect immediately, and all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed.

(6) \$20,000.00 - POLICE DEPARTMENT - Traffic Lights - Resolution amending 1962-1963 Capital Projects Budget to add an item to be known as "Traffic Lights" and appropriation therefor. (REDUCED by Board of Finance from \$40,000) (Mayor's letter 10/4/62)

MR. MEYERS said the above matter has been DEFERRED for further information.

LEGISLATIVE AND RULES COMMITTEE:

In the absence of Mr. Baker, Chairman, the committee report was given by Mr. Sherman.

- (1) JAMES B. JENSEN APPEAL from denial by Planning Board of application for a Master Plan change in land use category from "Residential, Multi-Family Medium Density" to "Commercial, Neighborhood or Local Business".

MR. SHERMAN said the above matter was referred to the Committee for determination of the validity of the appeal - not for anything on the merits of the appeal.

He said it was apparent on the appeal petition that several of the properties listed were owned by more than one person and the question arose as to whether the signatures of all the several owners were required, whereas Mr. Jensen had obtained only one owner's signature in several instances. He said this matter was referred to the Corporation Counsel and they have his written opinion to the effect that in the case of there being several co-owners, that the signatures of all are required. Therefore, he said it was the opinion of the Committee that the appeal is not well taken and that it is not properly before this Board.

The letter from the Corporation Counsel, referred to above, follows:

November 28, 1962

Dear Mr. Sherman:

This letter is in response to your request for an opinion as to whether or not the following provisions contained in Section 552.3:

".....if the owners of more than fifty per cent of the privately-owned land in the area included in the proposed amendment to the zoning map, or if the owners of more than fifty per cent of the privately-owned land located within five hundred feet of the borders of such area, file a signed petition favoring such amendment with the zoning board within ten days....."

requires signature by all of the owners of a particular tract of land or whether or not the signature of any one of several owners of a particular tract of land is sufficient for purposes of filing a petition under Section 552.3.

In Case No. 1416 Emilie Woldan vs City of Stamford (Board of Representatives), 22 Conn., Sup. 164, Judge Johnson held that substantially similar words contained in Section 552.2 of the Charter require that those owning the entire interest in the property must join in order to make a valid protest under Section 552.2. Judge Johnson cited the case of Warren V. Borawski, 130 Conn. 676 (1944) which held that a co-tenant is not an "owner" within the meaning of the zoning ordinance in question and that those owning the entire interest in the property must join in order to make a valid protest. That case also held that an executor or an administrator is not an "owner" within the meaning of that ordinance.

Therefore, it is my opinion that the same requirements apply to Section 552.3 of the Charter as are required in Section 552.2 of the Charter and that signatures of all co-tenants, that is, those owning the entire interest in the property, must join in the petition.

Very truly yours,

(signed) Isadore M. Mackler
Corporation Counsel

- (2) Proposed Ordinance adopting a new codification and rearrangement of the existing Ordinances of the City of Stamford, Connecticut (1962 revision)
(Adoption for Publication)

THE PRESIDENT said Mr. Baker has informed him that no action can be taken on the above matter at this time, as there are numerous changes and corrections that have to be made in the new book of Ordinances, so it is not appropriate at this time to pass an Ordinance adopting a new book of Ordinances of the City of Stamford.

HEALTH & PROTECTION COMMITTEE:

Parking Authority - Request in letter of 10/24/62 for permission to install 21 all-day meters on Beechler Street and 12 meters on South Street from railroad bridge to the Electric Specialty Co. (Deferred 11/13/62)

MR. TRUGLIA said there was no report from his committee.

PLANNING & ZONING COMMITTEE:

MR. RUSSELL said there is actually only one item to be considered by the Committee, since the Jensen appeal has been ruled not properly before this body.

- (1) Final adoption of Ordinance changing the name of Kramer's Road (a city street) to ISLAND HEIGHTS CIRCLE (Adopted for publication 11/13/62; published 11/19/62)

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

ORDINANCE NO. 104 SUPPLEMENTALCHANGING THE NAME OF KRAMER'S ROAD (a city street) TO ISLAND HEIGHTS CIRCLE

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

The street name of Kramer's Road, which runs 280 feet from Cove Road northerly to the north property line of Aquila Road, be changed to ISLAND HEIGHTS CIRCLE.

This Ordinance shall take effect upon its adoption.

- (2) Request for variance of 49.50 feet in road width (as specified in Ordinance No. 51 Supplemental) and substitution of frontage on Haviland Road of 44.90 feet in subdivision of John J. Denham, et al, as requested in letter dated 9/26/62 from law firm of Curtis, Brinckerhoff & Barrett

MR. RUSSELL said he wished to report on the above matter and requested that it be turned over to Mr. Johnson, who wishes to present an amendment to Ordinance No. 51 Supplemental, waiving the present requirements that a road be 49-1/2 feet in width.

MR. RUSSELL said he wished to point out that a two-thirds vote will be needed to waive pre-publication on this proposed amended Ordinance.

THE PRESIDENT reminded Mr. Russell that this matter had been referred to the Legislative and Rules Committee by the Steering Committee. (Note: See page 3532 of 11/13/62 Minutes for proposed amendment)

THE PRESIDENT directed Mr. Russell that he would first have to make a motion that this matter be removed from the Legislative and Rules Committee in order to bring it on the floor.

Someone asked if there was any great urgency on this matter. Mr. Russell said there was a problem where this particular law firm had a settlement date of December 1st, and the Committee had inquired if they could wait until the Board meeting tonight and the party involved said they thought it would be all right. He said as long as this matter is on the agenda it should not be a serious problem to act upon it tonight.

MR. RUSSELL MOVED that this matter be taken out of the Legislative and Rules Committee. Seconded by Mr. Johnson and CARRIED unanimously.

MR. RUSSELL yielded the floor to Mr. Johnson at this time so that he might present the suggested amended ordinance.

MR. JOHNSON said it is his understanding that this Board has the right to waive the width of streets, but to make sure that this is so, he would offer an amended ordinance to make it clearer that this Board does have the right to waive that 49-1/2 foot width requirement.

MR. JOHNSON read the present Ordinance as it now stands:

ORDINANCE NO. 51 SUPPLEMENTAL

AN ORDINANCE REGULATING WIDTH OF STREETS

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

No person, company, or corporation, shall lay out or construct any street or way within the City of Stamford, less than forty-nine and one-half (49½) feet in width, of usable land of approximate grade of the road surface.

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

(Adopted this 2nd day of April 1956)

MR. JOHNSON MOVED to add the following amendment to the above Ordinance: seconded by Mr. Russell:

"Provided, however; that the Board of Representatives may, in it's discretion, waive the foregoing requirement of 49-1/2 feet and substitute therefor such lesser requirement as it seems desirable."

MR. JOHNSON said he has a question and that is, by what vote would this have to be passed. He said he would like to have this done by a two-thirds vote of the Board.

THE PRESIDENT asked whether he meant a two-thirds vote of those present or a two-thirds vote of the entire Board. Mr. Johnson said he meant a two-thirds vote of the entire Board.

THE PRESIDENT told him he must move to waive pre-publication.

MR. JOHNSON MOVED for a waiver of pre-publication of the amended Ordinance. Seconded by Mr. Russell. CARRIED. He MOVED for adoption of the Ordinance. Seconded by Mr. Russell.

THE PRESIDENT informed the members that the proposed ordinance would now read as follows:

PROPOSED ORDINANCE REGULATING
WIDTH OF STREETS

(Amending and rescinding previous
Ordinance No. 51 Supplemental)

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

No person, company, or corporation, shall lay out or construct any street or way within the City of Stamford, less than forty-nine and one-half (49½) feet in width, of usable land of approximate grade of the road surface; except that said width may be varied by a two-thirds vote of the Board of Representatives.

This Ordinance shall take effect upon its adoption.

MR. MEYERS said he wishes to go on record as being opposed to the drafting of legislation on the floor of the Board. He said it is very dangerous for a legislative body to draft ordinances on the spur of the moment from the top of someone's head, no matter how capable they may be and that "we are looking for many potential pitfalls".

He said Chapter 64 of the Charter gives the Board of Representatives very broad powers for laying out streets and highways in the City of Stamford. He said, as a Board member, he has not considered this amendment and tonight is the first time he has had a chance to consider it. He said there might be some conflict in terms of the Charter - whether or not we are trying to perform a task which has already been performed by the Charter - whether or not there might be duplication, and, in brief, there are many potential questions that have to be resolved before tampering with the Ordinances. He objected to the procedures being followed, which might possibly open up a "Pandora's" box at some future date and for the welfare of the City it might be best to refrain from drafting legislation on the spur of the moment. He said he would like to see at least one committee of this Board consider, in committee, the proposed change, before the Board acts upon it, and if any legal questions arise, perhaps the Corporation Counsel's office could be consulted.

MR. SHANEN said he agrees with Mr. Meyers.

MR. JOHNSON said his proposed amendment is in the Minutes of November 13, 1962 and can be found at the top of page 3532. He said this was referred to the Legislative and Rules Committee by the Steering Committee. However, he agreed that it was not good practice to attempt to draft legislation during a Board meeting, but as a matter of fact the wording was there, has been considered before and it did go through the proper channels. He said if it is proper to go ahead and waive the requirements of Ordinance No. 51, he will withdraw his motion to consider the amending of the Ordinance.

MR. RUSSELL urged passage of the amended Ordinance.

MR. SCARELLA said he agrees with Mr. Meyers and is against this in principle.

MR. NOLAN said it is his feeling that this should be held off until January to allow the committees to consider it properly and opposed action tonight.

MR. JOHNSON said he is willing to withdraw the motion if it can be made retroactive to December, the date of this meeting.

No one was able to tell Mr. Johnson whether or not this could be done. The President said he doubted very much if any Ordinance could be passed and make it retroactive.

After considerable further debate on the matter, Mr. Johnson said he would withdraw the proposed amended Ordinance.

URBAN REDEVELOPMENT COMMITTEE:

MR. OPPENHEIMER presented his committee report. He reported that the committee met with members of the URC on November 20th. Present were Messrs. Sherman, Oppenheimer, Greenbaum, Carey, Plotkin, Shapiro, Sileo and Mrs. Dwight Marshall.

He said they explored the procedures to be followed - that the Federal government has allocated \$23,500,000 and the State \$6,187,000 which funds will become available when the city approves the Plan. He said they are basically as follows:

1. A public hearing must be held by the Urban Redevelopment Commission, at which time all interested parties will have the opportunity to be heard. The purpose will be to let the Commission and City officials hear the public's reaction to the proposed plan.
2. If the Commission feels the plan is satisfactory, it will be forwarded to the Mayor.
3. The Mayor sends the plan to the Planning Board, Housing Authority, Board of Finance and then for final approval, to the Board of Representatives.

He said they also discussed the legal procedures concerning acquisition of property by negotiation or by condemnation. He explained the difference between the two ways of doing this.

He informed the members that the committee expects to distribute to all Board members at or before the next meeting, a copy of the plan and resolutions required to adopt the plan. Because of the extent of the program, he asked members wishing more information to request same in writing at least a week in advance, in order to permit detailed answers.

NEW BUSINESS:

- (1) Letter from Board of Tax Review, dated 11/27/62, for permission to hold scheduled hearings on assessment revisions on List of Sept. 1, 1962

MR. NOLAN MOVED for suspension of the rules in order to consider action necessitated by the following letter, which he read at this time; seconded and CARRIED;

BOARD OF TAX REVIEW

November 27, 1962

Members of the Board of Representatives
City Hall
Stamford, Connecticut

Gentlemen:

In accordance with Section 530, Chapter 53 of the Stamford Charter, we are hereby notifying you that the Board of Tax Review will meet on the following dates, on the second floor of 303 Main Street, Stamford, for the purpose of receiving applications for revision of assessments on the List of September 1, 1962:

On January 5, 1963 - Saturday----- 9:00 a.m. to 3:00 p.m.
On January 7, 1963 - Monday----- 2:00 p.m. to 5:00 p.m.
On January 9, 1963 - Wednesday----- 7:00 p.m. to 9:00 p.m.
On January 11, 1963 - Friday----- 7:00 p.m. to 9:00 p.m.

Appeal Forms may be obtained in the Assessor's office in January 1963 Monday through Friday, from 8:30 a.m. to 4:00 p.m.

The reason for not scheduling Board meetings beyond January 11th, 1963 is to allow for executive sessions and the Assessor to make any and all changes on the Grand List, which must be completed by January 31, 1963. This has been the usual procedure of previous Boards.

Very truly yours,

(signed) Robert C. Kemp, Clerk,
Board of Tax Review

MR. NOLAN MOVED that the dates submitted in the above letter from the Board of Tax Review be approved by this Board. Seconded by Mr. Meyers.

MR. JOHNSON asked why it was necessary to act on this now.

MR. NOLAN said for some reason we always get these requests too late to be placed on the agenda - that the Steering Committee met on November 19th and the letter was not written until November 27th - and "we have to approve these dates under the provisions of the Charter".

VOTE taken on above request and CARRIED unanimously.

(2) Vote on purchase of TELLER PROPERTY (See item #1 under Fiscal Committee):

MR. SHERMAN said that in clarifying the vote taken on the above matter, the Chairman had referred to Section 619. He said he believed that the appropriate one is Section 611.5 of the Charter which refers back to the quorum of the Board which requires only a majority of those present and voting.

THE PRESIDENT said he would be glad to look into the matter, but he thinks it is covered under Section 619 of the Charter.

ADJOURNMENT:

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

vf

Velma Farrell
Velma Farrell
Administrative Assistant
(Recording Secretary)

APPROVED:

Paul D. Shapero
Paul D. Shapero, President
Board of Representatives

Minutes of December 3, 1962

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

VF



