

Minutes of July 1, 1963
Meeting of the 7th Board of Representatives
Stamford, Connecticut

3716

A regular meeting of the 7th Board of Representatives of the City of Stamford was held on Monday, July 1, 1963, 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:

In the absence of the Rev. Stanley F. Hemsley of St. John's Episcopal Church, the President requested the members to stand for a moment of silent prayer at this time.

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 38 members present and 2 absent at the calling of the roll. However, after the re-election of Mr. Gurliacci, a member from the 5th District, there were 39 members present and one absent. The absent member was Romaine A. Philpot, 15th District Representative.

CONCERNING QUESTION OF VACANCY IN 5TH DISTRICT (ARMANDO GURLIACCI)

THE PRESIDENT said that as everyone knows, there has arisen a question as to whether or not a vacancy exists on this Board and therefore, treating the matter as if there is a vacancy, as the remaining member from the 5th District, he would now yield the Chair to the Majority Leader of the Board, in order that he may offer a name in nomination.

THE PRESIDENT yielded the Chair to Mr. John Nolan, Majority Leader, at this time.

MR. NOLAN recognized Mr. Shapero.

Mr. Shapero offered the name of ARMANDO GURLIACCI, Democrat from the 5th District, in nomination. He said Mr. Gurliacci has been approved by the Democratic City Committee to fill this post and urged the support of Mr. Gurliacci by the members of this Board. Seconded by several members.

MR. SCARELLA said he wants to know if this Board is going on record that a vacancy exists and basing it on what?

THE ACTING CHAIRMAN asked Mr. Scarella on what point he is rising.

MR. SCARELLA replied he rose on a point of personal privilege.

MR. NOLAN asked him to state his point.

MR. SCARELLA said he wants this Board to go on record as to the reason why this vacancy exists - on what this vacancy is based. He said he has not heard anything read here that would indicate that a vacancy exists.

MR. NOLAN informed Mr. Scarella that Mr. Shapero has placed a name in nomination and the only thing in order at this time would be to place another name in nomination, or to second the nomination of Mr. Gurliacci.

MR. SCARELLA replied that he has not heard any explanation as to why the name of Mr. Gurliacci is being presented at this time. He said he wants to know if anything

has been sent to this Board - a Judge's decision of any kind, stating that there is a vacancy on this Board. He said he does not think this Board should be guided by what is read in the newspapers.

MR. NOLAN informed Mr. Scarella that he knows just as well as he does the reason why this is being done. He declared Mr. Scarella out of order.

MR. SCARELLA appealed the ruling of the Chair and said he is not out of order.

MR. NOLAN told Mr. Scarella that he is out of order. Mr. Scarella said he wishes to appeal the ruling of the Chair.

VOTE taken on Mr. Scarella's appeal from the ruling of the Chair. A voice vote was first taken and the Chairman ruled it was lost.

Several members objected at this point, so a second vote was taken by a rising vote. There were 19 in favor and 19 opposed. The Chairman announced the appeal from the ruling of the Chair was LOST. He announced that he had voted to uphold the ruling of the Chair, thus creating a tie.

MR. SCARELLA said the Chairman does not vote except to break a tie.

MR. NOLAN said this is not true - that the Chairman also can vote to make a tie.

MR. NOLAN called for any further nominations.

MR. BLOIS presented the name of MRS. MARIE STEWART, Democrat, to fill the vacancy in the 5th District. Seconded by Mr. Longo.

MR. SCHWARTZ called for a five minute recess at this time. This was granted.

The members resumed their seats, the recess being over at 8:40 P.M.

MR. NOLAN asked if there were any further names to be offered in nomination. There being none, he directed the Tellers to distribute the ballots among the members and for the members to write the name of the nominee of his choice on the ballot.

MR. KUCZO said he would like to suggest that this Board set up a different method of voting in which the members walk over to a table and deposit their ballots in the ballot box.

MR. NOLAN said the Chair has no objection and asked if any of the members objected to this procedure. There being none, the Clerk called the roll and each member deposited his ballot in the ballot box, after having previously been handed a ballot by the Tellers.

The Tellers counted the ballots and the CHAIR announced Mr. Gurliacci elected by the following VOTE:

21 Votes for ARMANDO GURLIACCI
16 Votes for MRS. MARIE STEWART
1 Abstention

THE PRESIDENT resumed the Chair at this time and administered the oath of office to Mr. Gurliacci.

MR. GURLIACCI took his seat as a member of the Board, changing the roll call to 39 now present and one absent.

MAYOR'S MESSAGE TO BOARD OF REPRESENTATIVES FOR FISCAL YEAR 1962-1963 (As per Sec. 303.1 of Charter)

Copies of the Mayor's Annual Message was presented to all members of the Board and also was broadcast over the radio at the start of the Board Meeting.

ACCEPTANCE OF MINUTES - Special Meeting of May 13, 1963 re 1963/1964 Budget
Regular Meeting of June 3, 1963

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

COMMITTEE REPORTS:

MR. SHAPERO presented the following report of the Steering Committee:

STEERING COMMITTEE REPORT
MEETING HELD MONDAY, JUNE 17, 1963

A meeting of the Steering Committee was held on Monday, June 17, 1963 in the Walter Dolan Jr. High School, Toms Road.

The Meeting was called to order at 8:45 P.M. The Chairman, Paul D. Shapero presided. Present were the following members: Paul Shapero, Eleanor Austin, Daniel Baker, Allen Shanen, William Murphy, James E. Mulreed, George Russell, Anthony D. Truglia, John V. Kane. Mr. Oppenheimer was also present as Chairman of the Urban Redevelopment Committee, a Special Committee.

The following members were absent: Ronald Schwartz, Hilda Clarke, John Nolan, Fred C. Blois and Alan H. Ketcham.

The following matters were discussed and acted upon:

- (1) Mayor's Appointments - REFERRED TO APPOINTMENTS COMMITTEE - Mayor's letter of June 14, 1963 re appointments to Urban Redevelopment Commission and those on list from the June 3rd Board meeting.
- (2) Additional Appropriations - The six additional appropriations, approved by the Board of Finance at their meeting held June 13, 1963, were REFERRED TO THE FISCAL COMMITTEE, with items in excess of \$2,000 referred to a secondary committee.
- (3) Application from the MAPLE AVENUE BIBLE PROTESTANT CHURCH, requesting an Ordinance for a building set-back on easterly side of Courtland Avenue. REFERRED TO LEGISLATIVE AND RULES COMMITTEE.
- (4) Request for observance of AMERICAN FLAG WEEK, from July 1st through July 7th - Letter dated May 21, 1963 from Leonor Tasheiko. REFERRED TO LEGISLATIVE AND RULES COMMITTEE.
- (5) Classified Employees Pension Amendment - UNDER OLD BUSINESS ON AGENDA.
- (6) LEASE - Between City of Stamford and State for CIRCUIT COURT HOUSE (Mayor's letter of March 8, 1963) - REFERRED TO LEGISLATIVE AND RULES COMMITTEE

- (7) WORKABLE PROGRAM FOR COMMUNITY IMPROVEMENT - Request in letter of 5/20/63 from Mayor for approval of above to the Federal Government - REFERRED TO LEGISLATIVE AND RULES COMMITTEE.

Correction:
See Page
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of 6/3/63, item #11

- (8) Concerning recommendation for consideration of increase in compensation paid to the Mayor, to become effective 12/1/63 (Requested in letter of 5/20/63 from James Mulreed, 7th District Representative) REFERRED TO EDUCATION, WELFARE & GOVERNMENT COMMITTEE

- (9) Resolution presented by Mr. Philpot, 15th District Representative at 6/3/63 Board Meeting, concerning Civil Service procedures (See page 3710, Minutes) REFERRED TO PERSONNEL COMMITTEE.

- (10) Concerning protest against closing down of lockers on West Beach - Complaint in letter from Mrs. Louis Chandler, 52 Lindale Street, dated 5/28/63, addressed to Ronald Schwartz, 16th District Representative - REFERRED TO PARKS & RECREATION COMMITTEE.

- (11) Lease renewal - Between U. S. Government and City of Stamford for Magee Avenue Naval Reserve Training Center (Mayor's letter of 6/6/63) REFERRED TO LEGISLATIVE AND RULES COMMITTEE.

- (12) Appointment of Fiscal Committee Chairman, pro tempore:

The Chairman announced the appointment of Mrs. Eleanor R. Austin as temporary Chairman of the Fiscal Committee.

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

PAUL D. SHAPERO, Chairman
Steering Committee

mvm

APPOINTMENTS COMMITTEE:

MRS. AUSTIN, Chairman, reported that the Appointments Committee would report on the appointments to the Heating and Air Conditioning Board and the Urban Redevelopment Commission at the next regular Board meeting. She said the name of Mr. Clifton N. Cooke to serve on the Board of Taxation, had been withdrawn at his request and said she had been so informed in a letter from the Mayor dated 6/26/63.

FISCAL COMMITTEE:

MRS. AUSTIN, Temporary Chairman, presented her committee report at this time and said a meeting was held on June 24th. Present were: Eleanor Austin, Richmond Mead, George Russell and John Kane, Jr.

- (1) \$130,000.00 - Proposed 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 (See Minutes 11/13/62, page 3521; Minutes of 12/3/62, page 3537; Minutes of 1/7/63, page 3551; and Minutes of 2/4/63, page 3577)

Mrs. Austin reported that the above matter has been held in committee because consideration was given to the Cooper property, recently turned down by the Board of Finance.

The above matter was kept in committee, awaiting further information which is not ready at the present time. She said the Committee hopes to report on this item at the next Board meeting.

- (2) \$6,000.00 - DEPARTMENT OF PUBLIC WORKS - Code 620.1501, Incinerator and Sewage Treatment Plant, Light, Heat and Power (Mayor's letter 6/7/63)
(1962-1963 fiscal year)

MRS. AUSTIN MOVED for approval of the above request.

MR. BLOIS, Chairman of the Public Works Committee, to whom this had also been referred, said he has no committee report on this.

THE PRESIDENT said there would have to be a motion to bring this out of committee, otherwise no action could be taken tonight.

MR. NOLAN MOVED this be removed from the Public Works Committee. Seconded and CARRIED.

VOTE taken on the motion to approve the above requested appropriation. CARRIED unanimously.

- (3) \$594.41 - DEPARTMENT OF CIVIL SERVICE - Code 174.0101, Salaries (1963-1964 Operating Budget) Covering salary for Personnel Technician, to place it in the S-19 category - salary range \$6,393.00 to \$7,585.00, the request having been received too late for placement in the Budget. (Mayor's letter 6/6/63.)

MRS. AUSTIN MOVED for approval of the above request. Seconded by Mr. Arruzza and CARRIED.

- (4) \$250.00 - TAX ASSESSOR - Code 144.2201, New Equipment (Mayor's letter 6/6/63)
(1962-1963 fiscal year)

MRS. AUSTIN MOVED for approval of the above request. Seconded by Mr. Mulreed and CARRIED.

- (5) \$1,000.00 - CIVIL DEFENSE - Code 560.1801, Maintenance of Building (Mayor's letter 6/6/63 (1962-1963 fiscal year)

MRS. AUSTIN MOVED for approval of the above request. Seconded by Mr. Gurliacci and CARRIED.

- (6) \$3,500.00 - Resolution No. 420 - Amending 1962-1963 Operating Budget by transferring above sum from "Sundries" to Code 170.0000 "Pension Actuarial Services Account" in accordance with Sec. 656 of Charter (Mayor's letter of 6/6/63)

MRS. AUSTIN MOVED for approval of the following resolution on the above request. Mrs. Clarke, Chairman of the Education, Welfare and Government Committee, said her Committee concurred in approving this request and seconded the motion. CARRIED:

RESOLUTION NO. 420

AMENDING 1962-1963 OPERATING BUDGET BY TRANSFERRING
\$3,500.00 FROM "SUNDRIES" ACCOUNT TO CODE 170.0000
"PENSION ACTUARIAL SERVICES" ACCOUNT.

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford, in accordance with Section 656 of the Stamford Charter, to approve an amendment to the 1962-1963 Operating Budget by the transfer of funds in the amount of \$3,500.00 from the "Sundries" account to the "Pension Actuarial Services" account under Code 170.0000 as requested in the Mayor's letter of June 6, 1963.

- (7) \$89,000.00 - PUBLIC WORKS DEPARTMENT - Resolution No. 421 amending 1963-1964 Capital Projects Budget for "Storm Drains" in locations adjacent to new school construction at Riverbank and Turn-of-River Schools.
(Mayor's letter 6/10/63)

MRS. AUSTIN said the Fiscal Committee approved this request.

MR. BLOIS said the Public Works Committee is not ready to report on this matter.

MR. NOLAN MOVED this matter be removed from the Public Works Committee. Seconded by Mr. Shanen and CARRIED.

MRS. AUSTIN MOVED for approval of the following resolution. Seconded by Mr. Gurliacci:

RESOLUTION NO. 421

AMENDING 1963-1964 CAPITAL PROJECTS BUDGET TO
ADD THE SUM OF \$89,000.00 FOR ITEM TO BE KNOWN
AS "STORM DRAINS" - IN LOCATIONS ADJACENT TO
NEW SCHOOL CONSTRUCTION AT RIVERBANK AND TURN-
OF-RIVER SCHOOLS

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford, to amend the 1963-1964 Capital Projects Budget, in accordance with the provisions of Section 611.5 of the Stamford Charter, by adding an item thereto in the amount of \$89,000.00 for "Storm Drains" and the appropriation of that amount for the purpose of correcting existing drainage conditions in locations adjacent to new school construction at Riverbank and Turn-of-River Schools.

MR. CONNORS said he does not understand how this Board can vote on approving \$89,000 when "we have projects that have been held up until the 1968 and 1970 fiscal years in only amounts of \$10,000." He said one for example, is Home Court which has been waiting since 1954 and Waterbury Avenue which they have been waiting for, for the past ten years." He said he can't understand how anyone can come in and ask for \$89,000 for another area when you don't take care of these other people who have been patiently waiting for so long over a period of many years and this project is something new. He said he is not opposed to this appropriation, but fails to see why others in the community should be neglected when this new project is pushed ahead and wanted to know why this is more important than the other projects that have been held so long. He said: "These people pay taxes the same as everyone else - why isn't something done for them?"

MR. RUSSELL said he agrees with Mr. Connors as he felt somewhat the same way when this was brought up in the Fiscal Committee. He said the sad fact about this particular project is that a large part of the cost of this was due to shortcomings in the

original subdivision on Rolling Woods Road. He said some of the older members of the Board may remember when this was previously before the Board, that they had a problem in that area with serious water damage. He said at that time he had stated that a qualified engineering survey should be made of Stamford to try to alleviate this type of problem, but for some reason or other it did not go through.

He said because of the new Turn-of-River School, this must be drained. He pointed out that this will unfortunately have to cut through the main area of the school and is going to be an open trench. He said perhaps the Board of Education may come in for an appropriation for pipes to cover this, but that is something for the future and not under consideration now. He said we have no alternative at this moment because of the way the water is draining across Vine Road and something has to be done as it will affect the opening of the School. He urged approval of the appropriation.

MR. SHERMAN said the residents of Rolling Wood Drive, for a number of years have been attempting to have the drainage across their property taken care of and he hopes this appropriation will help accomplish the correction of that problem which is becoming increasingly worse as construction of the school progresses. He urged passage of the resolution.

MR. KELLY said he wants to know why the people in the 12th District cannot get any help for their drainage problems. He said one has been held up for 4 years and now it is pushed up to 1969 and another item has been pushed up to 1968. He said he is not speaking against this appropriation, but wishes something could be done to help the people in his District, too.

MR. BAKER said he understands that this project is necessary for the opening of the school and this has been a long standing drainage problem and something must be done. He urged approval of the resolution.

MR. MORRIS said it seems that every time they build schools in the City of Stamford they run into trouble and that it must be poor engineering. He said each time they build a school they come back and have to ask for more money for this or for that.

There being no further debate on the subject, a VOTE was taken on the motion to approve Resolution No. 421. CARRIED unanimously.

(8) \$113.00 - STAMFORD FIRE DEPARTMENT - Code 540.0101, Salaries, Reclassification for H. C. Gelfinger, Supr. Communications, from PF4-E at \$8,515.00 per year to S26-A at \$8,628.00 per year (Mayor's letter 3/28/63) (1963-1964 fiscal year)

MRS. AUSTIN MOVED for suspension of the rules to bring the above request on the floor, as it had been inadvertently omitted from the agenda. Seconded and CARRIED.

MRS. AUSTIN MOVED for approval of the above request. Seconded by Mr. Murphy and CARRIED.

LEGISLATIVE AND RULES COMMITTEE:

MR. BAKER presented his committee report at this time. He said all matters were approved.

(1) CIRCUIT COURT HOUSE LEASES - Between City of Stamford and State of Connecticut,

covering Circuit Court House on Hoyt Street (per Mayor's letter 3/8/63) (See Minutes of 4/1/63, page 3626; Minutes of 5/6/63, page 3638)

MR. BAKER said the approval of these leases has been before this body on prior occasions and referred back to committee, with the thought in mind that perhaps the Legislature might authorize the purchase of the Court House and thus relieve the City of the expense of its operation. However, he said no such legislation was enacted, but he was informed today that the Legislature has passed a Bill which authorizes a rental increase next year.

He said the leases are as follows: A one year lease from January 1, 1963 at a yearly rental of \$10,251.96 with monthly payments of \$854.33. The second lease is for the use of the State Adult Probation Commission for Rooms Nos. 24 and 26 in the basement of the Circuit Court Building and runs for a period of two years and calls for the use of 496 square feet at a rental of \$991.92 per year, or \$82.66 per month.

MR. BAKER said the Committee recommends the approval of the renewal of these leases for ONE YEAR ONLY as they have been informed there will be no objection to this procedure.

MR. BAKER MOVED for approval of the renewal of these leases for a term of one year only. Seconded by Mrs. Austin and Mr. Mulreed. CARRIED.

- (2) LEASE RENEWAL - Between U. S. Govt. Naval Reserve Training Center and City, for City-owned property on Magee Avenue for sum of \$1.00 - From July 1, 1963 to June 30, 1964 (Mayor's letter 6/6/63)

MR. BAKER MOVED for approval of the above lease. Seconded by Mr. Oppenheimer and CARRIED.

- (3) WORKABLE PROGRAM FOR COMMUNITY IMPROVEMENT - Concerning Submission to Federal Government, as outlined in Mayor's letters of 5/20/63, 5/24/63 and document entitled "A Program for Community Improvement" prepared by the Mayor's Coordinating Committee attached thereto.

MR. BAKER said all members have received copies of the above documents from the office of the Mayor. He read the message of the Mayor on the first page of the submitted document. He explained that the preparation and submission to the Federal Government of this document is a condition imposed by statute on communities who receive Federal financial assistance for Urban Renewal Projects, Community Renewal Projects, certain mortgage insurance issued by the FHA and public housing projects, including housing for the elderly. He said this program must be certified annually which is mandatory in order for the Housing and Home Finance Agency to issue additional commitments under the above mentioned programs.

He said the deadline date for Stamford to re-certify this program is July 1, 1963.

MR. BAKER MOVED for approval of the submission of the above recertification to the Federal Government. Seconded by Dr. Grove. CARRIED unanimously.

- (4) Proposed Ordinance concerning application for modification of building line on Easterly side of Courtland Avenue (Requested by law firm of Curtis, Brinckhoff & Barrett for The Maple Avenue Bible Protestant Church in letter of 6/13/63 attaching sketch)

MR. BAKER read the following proposed Ordinance and MOVED its adoption for publication. Seconded by Mr. Connors and CARRIED:

PROPOSED ORDINANCE CONCERNING THE REVOCATION OF THE BUILDING
LINE AND PORCH AND STOOP LINE ON THE EASTERLY SIDE OF COURT-
LAND AVENUE, STAMFORD, CONNECTICUT.

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Pursuant to the powers contained in Chapter 4, Section 40 (24) of the Charter of the City of Stamford re the establishment of building lines, that the building line established by the Town Planning Commission of the City of Stamford on March 17, 1931 on the easterly side of Courtland Avenue, extending from the northerly line of Hamilton Avenue to the southerly side of Lenox Avenue, parallel to the easterly street line of Courtland Avenue in length and 49.5 feet distant therefrom, be and it is hereby abolished; and

BE IT FURTHER ORDAINED that the stoop and porch line established by the Town Planning Commission of the City of Stamford on March 17, 1931 on the easterly side of Courtland Avenue, extending from the northerly line of Hamilton Avenue to the southerly side of Lenox Avenue, parallel to the easterly street line of Courtland Avenue in length and 40 feet distant therefrom, be and it is hereby abolished.

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

- (5) Proposed Resolution proclaiming AMERICAN FLAG WEEK (Submitted in letter of 5/21/63 from Leonar Tasheiko)

MR. BAKER MOVED for approval of the following resolution. Seconded by several members and CARRIED unanimously:

RESOLUTION NO. 422

DECLARING THE OBSERVANCE OF AMERICAN FLAG WEEK
ANNUALLY FROM JULY 1st THROUGH JULY 7th

WHEREAS, the United States of America has been established as the greatest nation in the history of the world through the efforts of its patriotic citizens; and

WHEREAS, the perpetuation of the United States as a free and independent nation is dependent upon the continued devotion of patriotic citizens; and

WHEREAS, one of the prime evidences of patriotism is the display of the flag of the United States of America; and

WHEREAS, the youth of the nation is impressed by a forthright display of patriotism by their elders; and

WHEREAS, an organized protracted display of the flag of the United States of America over a given period of time would be more effective than the usual one day observance;

NOW, THEREFORE BE IT RESOLVED that the City of Stamford hereby designates the period of July 1st through July 7th of each year as American Flag Week and calls upon all citizens to display the flag of the United States on

those days, in accordance with the provisions of the joint resolution of June 22, 1946, as amended (pertaining to the display and use of the flag of the United States).

PARKS & RECREATION COMMITTEE:

Protest concerning closing down of lockers on West Beach (See Minutes of 6/3/63, page 3709) (Complaint in letter from Mrs. Louis Chandler of 52 Lindale Street)

MR. SHANEN reported that apparently the Park Commission reconsidered their notice of May 10, 1963 and decided to keep open a minimum amount of lockers - in the neighborhood of about 40 and around 14 of these are being occupied by the residents in the area. He said there will be further investigation into whether or not these will be removed next season.

EDUCATION, WELFARE & GOVERNMENT COMMITTEE:

Concerning recommendation for increased compensation for Mayor, to become effective 12/1/63 and request to ask Mayor to review salaries of city officials, covered in Sec. 402 of Charter and to initiate emergency appropriations, if needed - also to become effective on 12/1/63 (Requested in letter of 4/20/63 from James E. Mulreed, 7th District Representative) (See Minutes of 6/3/63, page 3708)

MRS. CLARKE presented a committee report on the above request. She said the Committee obtained information on similar salaries in surrounding areas, as follows:

GREENWICH: Full time Administrative Officer, recently raised from \$16,000 to \$17,000.

DARIEN: First Selectman, Administrative - \$9,500 and \$500 car allowance.

NEW CANAAN: Full time First Selectman - \$12,000.

NORWALK: Mayor's present salary: \$11,500. Favorable action is expected on raising this to \$14,000 by September.

WESTPORT: Part-time First Selectman - \$15,000.

MRS. CLARKE said the committee was unanimous in favor of an increase in the salary for the Mayor of Stamford, with the following suggestions: that it range from \$15,000 to not over \$20,000 to take effect on December 1, 1963, as suggested in Mr. Mulreed's letter and to be a full time office.

MR. BAER MOVED that a copy of the report be sent to the Mayor and that the salary of the Mayor be increased to \$17,500 as of December 1, 1963, in accordance with the provisions of Section 402 of the Charter. Seconded by Mrs. Clarke.

MR. CONNORS asked if this salary increase also included the City officials as specified under Section 402 of the Charter.

THE PRESIDENT said this only covered the increase in salary for the Mayor and not other City officials.

MR. NOLAN said under Section 402 of the Charter the Mayor is charged with giving

raises to other city officials, such as members of his Cabinet, but it is a rather dire situation for the Mayor to recommend that his own salary be increased and by doing it this way, it is done by bi-partisan effort. He said if the Mayor sees fit, he can recommend raises for the other city officials specified under Section 402.

MRS. CLARKE said although the letter from Mr. Mulreed requested the Board to ask the Mayor to review the salaries of other city officials, the Committee did not act on that suggestion, but merely acted on the raise for the Mayor alone.

MR. SCARELLA asked what the figure of \$17,500 was based upon and was it an adequate figure?

MR. BAER said the committee discussed the salaries of other Mayors in neighboring smaller cities and towns in which the Mayor's salary is higher than the present salary of the Mayor of Stamford.

MR. SCARELLA said that considering the salaries for Mayors in other cities smaller than Stamford are considerably higher than that paid to the Mayor of Stamford, he would like to recommend that this be raised to \$20,000.00.

MR. SCARELLA MOVED TO AMEND Mr. Baer's motion by changing the Mayor's salary to \$20,000.00. Seconded by Mr. Kuczo.

MR. BAER said he thought the \$5,000 raise was adequate, considering the present salary is \$12,500 and that a raise to \$17,500 would be quite adequate.

MR. BAKER said he thought Mr. Scarella's proposal was quite in order and can be well supported by logic. He said this is a city of about 100,000 people and from the experience of the members of this Board they know how difficult it is to obtain competent candidates for the office of Mayor and requires a big sacrifice for a well qualified person to accept the position. He said it is only in cases where people have independent incomes which will enable them to run for the office of Mayor that no sacrifice is entailed.

MR. SHERMAN said he also favors the salary be increased to \$20,000.00 as being a more realistic figure and which will attract competent and qualified people.

After some further debate, Mr. Baer said he would accept the amendment to change the recommended salary of the Mayor to \$20,000.00.

VOTE taken on the motion to recommend that the Mayor's salary be increased from \$12,500 to \$20,000 a year, starting December 1, 1963. CARRIED unanimously.

CHARTER REVISION COMMITTEE:

MR. KANE presented the committee report and said the committee has received the report of the Charter Revision Commission on June 1, 1963 and held a public hearing on the subject of their report on June 18, 1963 at Dolan Junior High School. He said at that time eleven individuals spoke twenty-two times on the fourteen items presented at the public hearing.

He said those members of the Board of Representatives on the Charter Revision Committee that were present at the public hearing were: Mrs. Eleanor Austin and Messrs. Samuel Cushing and John Kane.

Mr. Kane reported that following the hearing, the Committee met in executive

session on June 25, 1963 at 8:30 P.M. in the Conference Room at City Hall. Those present were: Mrs. Eleanor Austin and Messrs. Samuel Cushing, Ronald Schwartz and John Kane. He said the members present at this meeting accepted the report of the 6th Charter Revision Commission by a vote of 3 in favor with one abstention.

MR. KANE said that the three proposals approved by the 6th Charter Revision Commission were approved by the Committee with one abstention, three in favor.

PROPOSAL NO. 1

Concerning mandatory review of Charter every twelve years. (A new section)

MR. KANE MOVED the above proposal be placed on the ballot at the next general election to be held on Tuesday, November 5, 1963. Seconded by Mrs. Austin.

MR. SCHWARTZ spoke in opposition to the proposal. He said he was the person at the executive session of the Charter Revision Committee who abstained. He said there is a provision in the Home Rule Act for the appointment of a Charter Revision Commission which has been meeting for five or six years now annually, and annually we have been making changes in the Charter. He said he served as a member of the 5th Charter Revision Commission when a proposal was submitted asking for a mandatory review of the Charter every ten years and it seems to be a surplus and waste to even place it on the ballot to do something that is repetitious. He said he has been unable to determine the reason for wanting this even when he served on the Commission itself - that it makes no sense to be looking into the possibilities of amending the Charter when we have been doing it for the past six years.

A VOTE was taken on the motion made by Mr. Kane to approve Proposal No. 1 for mandatory review of the Charter every twelve years. The following Charter amendment was APPROVED by a vote of 21 in favor; by a show of hands:

This will be a new section of the Charter to read as follows:

Section 54. Mandatory Review of Charter Every Twelve Years.

A general review of all the provisions of and amendments to this charter shall be undertaken at twelve year intervals by a Charter Revision Commission to be appointed in accordance with the provisions of the Home Rule Act.

The first such review shall be conducted by a Charter Revision Commission to be appointed not later than February 1, 1964. Such Commission shall be required to report within one year in accordance with the Home Rule Act.

The provisions of this section shall in no way impinge upon the appointment of interim Charter Revision Commissions when, in the discretion of the Board of Representatives, such appointment shall be deemed advisable.

PROPOSAL NO. 2

Concerning method of election of Chairman of Board of Finance following biennial election.

MR. KANE MOVED the above proposal be placed on the ballot at the next general election to be held on Tuesday, November 5, 1963. Seconded by Mr. Mulreed.

MR. SCHWARTZ spoke in opposition to the motion. He said this board is a strictly

elective office and there would be no point in taking, or modifying the purport and intent behind the electing of a Board of Finance. He said its power would be nullified by the creating of a special power in the Mayor to break a tie vote of the Board of Finance and then, by its effect, have the Mayor put in the Chairman of that Board. He said it would defeat the whole purpose of electing a Board of Finance - that you may just as well have an appointive Board of Finance.

He said this also goes against the intent of the Charter, as Stamford has what is commonly called a "weak Mayor" Charter. He said he thinks this is an attempt through the back door, to give the Mayor one facet of a strong Mayor's power and is in an area that could have future repercussions - that although it might be expeditious today, tomorrow it could have the opposite effect, and could turn out to be a double edged sword.

MR. SCARELLA said he agrees with Mr. Schwartz and thinks the Board of Finance is a very important body in the City of Stamford and should be left alone.

MR. MULREED explained the amendment only provides that the Mayor preside at the organization meeting of the Board of Finance and only votes in the case of a tie to break a tie vote.

MR. BAKER said he is not sure he understands the intent. He said as he understands it, it authorizes the Mayor only to vote at the first election in regard to the election of a Chairman and after the election of a Chairman, he is no longer a member of the Board of Finance.

Mr. Baker was informed that his understanding is correct.

THE PRESIDENT called for a vote on the motion as made by Mr. Kane to approve Proposal No. 2. The following Charter amendment was APPROVED by a vote of 24 in favor, by a show of hands; and the revised section will then read as follows:

Section 652. Chairman.

Following a biennial election, the Board shall, at its first meeting held in December, elect from its members a chairman to hold office until the first meeting held in December following the next biennial election. The Mayor of the City shall preside for the purpose of election of the Chairman of this meeting and shall cast a ballot only to break a tie vote should a tie vote develop in such election. Thereafter, the Chairman shall preside at Board meetings and he shall be entitled to vote as a Board member.

PROPOSAL NO. 3

Concerning revision of pension plans for (1) Police and Fire Pension funds;
(2) Classified Employees Retirement Fund; and (3) Custodians' and Mechanics'
Pension Plan.

MR. KANE MOVED the above proposal be placed on the ballot at the next general election to be held on Tuesday, November 5, 1963. Seconded by Mr. Nolan.

MR. SCHWARTZ MOVED that this be referred back to the Charter Revision Commission.

THE PRESIDENT informed Mr. Schwartz that in order for matters to be referred back to the Commission that there has to be a specific amendment to the item as reported

out by the Commission.

MR. SCHWARTZ said he would make a specific amendment. HE MOVED TO AMEND item #3 for resubmission to the Charter Revision Commission, that the provision be amended to read that the Trustees of the Pension Fund are to be qualified pension experts and are not to be members of the administration, or the Police or Fire Departments. Seconded by Mr. Sherman.

MR. NOLAN said if this amendment is approved it would automatically send the whole matter back to the Charter Revision Commission.

MR. CONNORS said he wished to ask a question. He said the last item of business on the agenda tonight, under "Old Business" appears an item entitled "Final adoption of proposed amendments to the Stamford Charter Classified Employees Retirement Fund". He wanted to know if this is a separate proposal.

THE PRESIDENT said this is a separate proposal.

MR. SCARELLA asked if this is returned to the Commission for revision, would there still be time enough to act.

THE PRESIDENT said there would still be time to act upon it for submission to the voters.

MR. BAKER said he would like to know who the present Trustees of the Pension Fund are.

THE PRESIDENT referred Mr. Baker to Section 746 of the Charter, which states that the Trustees shall be the Mayor, who shall be Chairman, the Chairman of the Board of Finance, the President of the Board of Representatives, and two representatives of the Classified Employees' Association, elected biennially.

MR. BAKER said he would like to know whether or not there has been any criticism made of the administration by these Trustees.

MR. SCHWARTZ said the motion was not a reflection upon any individual, but that when you are dealing with a multi-million dollar project that you need people who are experts in this field and is not meant as a derogation of the President or anyone else. He said it is a highly specialized field and to be dealt with effectively, should have experts administering it.

There ensued considerable debate at this point.

VOTE taken on Mr. Schwartz' amendment. LOST by a vote of 15 in favor and 21 opposed.

THE PRESIDENT called for a vote on Mr. Kane's motion to approve Proposal No. 3, as previously stated.

The following Charter amendment was APPROVED by a vote of 21 in favor, by a show of hands and the revisions to the Charter will read as follows:

THE PROPOSED AMENDMENTS TO THE STAMFORD CHARTER

POLICE AND FIRE PENSION FUNDS

SEC. 711. Creation of Police and Fire Pension Funds.

There shall be in Stamford a fund known as the "police pension fund" and a fund known as the "firemen's pension fund". All accumulations of the police and fire pension funds, existing under and by virtue of the laws of this state or

otherwise, and all property heretofore devised or given for the benefit of disabled policemen and firemen or of said funds, and all property heretofore given to or vested in said departments or said funds on account of services rendered, are ratified and confirmed and transferred to and vested in the trustees of said police or firemen's benefit fund herein provided for, to be held, managed and disposed of as hereinafter provided. There shall further be deposited in such funds, respectively, moneys derived as follows: (1) All devises, bequests or gifts for the benefit of disabled policemen or firemen and all gifts to the police department or fire department on account of service rendered; (2) all lost, abandoned, unclaimed or stolen money in charge of the police department or fire department, and all moneys arising from the sale of lost, abandoned, unclaimed or stolen property in the charge of such departments, now or at any time hereafter made available for the purpose by the laws of this state; (3) all rewards, fees, gifts, testimonials and emoluments that may be presented to the police department or fire department, or to any member thereof on account of special services, except such as shall be allowed by the chief to be retained by a member; (4) the income from all property and money belonging to the respective funds; (5) all moneys collected from the members of the police department or fire department by fines or forfeitures of pay, and all money deducted or withheld from the pay of members of the police force or fire department on account of lost time or for breach of the rules of the police department or fire department; (6) sums appropriated from time to time to the fund of his department upon the recommendation of the chief, each appropriation to be charged against the department for which it is made; (7) monthly assessments at the rate of five per cent on the salaries of members of respective departments in the employ of such departments as of June 30, 1964 who are hereby designated as Group 1 members, and six per cent on the salaries of members of the respective departments who enter the employ of such departments on or after July 1, 1964 who are hereby designated as Group 2 members, provided, however, that the monthly assessment on the salaries of Group 1 members shall be at the rate of: two per cent for all periods up to June 30, 1964; three per cent for the period from July 1, 1964 through June 30, 1965; four per cent for the period from July 1, 1965 through June 30, 1966; and five per cent thereafter, and further provided that the salaries of both Groups 1 and 2 members shall be permanently increased for each of the annual periods above; July 1, 1964, July 1, 1965 and July 1, 1966; by an amount equal to the increased annual assessment, such salary increases to be over and above any other wage adjustments.

SEC. 712.3. Size of Funds.

Stamford shall annually appropriate to the police pension fund and to the fire pension fund such sums as determined by the Board of Finance and approved by the Board of Representatives on the basis of an actuarial valuation made by a qualified actuary at the direction of the Board of Finance not more than five years prior to the date of the appropriation, sufficient to:

- (a) provide for the pension credits and other benefits being accrued currently by the members, after taking into account contributions made and being made by the members, and contributions already made for this purpose by the City, and
- (b) provide for the payment of the unfunded accrued liability on behalf of Group 1 members in annual payments over a period of fifty years, commencing July 1, 1964, in amounts equivalent to the level annual payment certified by the actuary to be sufficient to amortize said unfunded accrued liability over said period of fifty years, provided, however, that commencing July 1, 1964, the City's annual appropriation

for each fund shall increase by fifty thousand dollars each year, until such appropriation shall attain the level specified under paragraphs (a) and (b) of this section, but in no event shall the City's annual appropriation be less than the amount sufficient to keep each fund from falling below the amount thereof on April 15, 1949. These appropriations shall be raised in the same manner as are other appropriations for the police and fire departments.

SEC. 713. Retirement for Disability.

The Board of Trustees of the police pension fund or the Board of Trustees of the firemen's pension fund may, by a majority vote of its members, upon the request of the respective chiefs of the fire and police departments, as a reward for conspicuously meritorious service, retire from duty any member of the regular police or fire force, or of the veteran reserve, after ten years of service in his department whether continuous or not, exclusive of time served as a supernumerary or special policeman, or as a call volunteer or supernumerary fireman, upon certificate of such medical examiner as the Board of Trustees may designate, showing that such member is permanently disabled, physically or mentally, so as to be unfit for any police or fire duty. The Board of Trustees, by a majority vote, may retire any member of the regular or supernumerary police force or member of the regular or supernumerary fire department, who, in the actual performance of his duty and without fault or misconduct on his part, shall have become permanently disabled, so as to be incapacitated in the performance of his duty. In the case of Group 1 members, a member so retired shall be entitled to receive from the proper fund, during his life, unless removed from the retired list after notice and hearing by a majority vote of the Board of Trustees, an annual sum, payable monthly, as follows:

- (a) for permanent disability, which is not the result of the actual performance of duty, thirty per cent of his average annual compensation in the three years immediately preceding retirement, plus one-sixtieth of such average annual compensation for each full year of service above eighteen, provided, however, if such member has twenty years of continuous service at the time of retirement, exclusive of time served as a supernumerary or special policeman, or as a call volunteer or supernumerary fireman, the annual sum shall be equal to one-half of his compensation during his last year of service;
- (b) for permanent disability incurred in the actual performance of his duty, two-thirds of his annual compensation on the date he incurred such disability and, in addition, shall have returned to him all contributions which he shall have made to the pension fund with three per cent interest.

In the case of a Group 1 member of the supernumerary police force or fire force, the benefits so payable shall be based on the initial compensation of a patrolman on the regular police force. In the case of Group 2 members, a member retired for permanent disability which is not the result of the actual performance of his duty shall be entitled to receive, under the same conditions as apply to Group 1 members, an annual sum, payable monthly, equal to thirty per cent of his average annual compensation in the three years immediately preceding retirement, plus one-sixtieth of such average annual compensation for each full year of service above eighteen. In the case of Group 2 members, a member retired for permanent disability incurred in the actual performance of his duty, shall be entitled to receive, under the same conditions as apply to

Group 1 members, an annual sum, payable monthly, equal to two-thirds of his annual compensation on the date he incurred such disability, and, in addition, shall have returned to him all contributions which he shall have made to the pension fund with three per cent interest. The benefits payable under this section to Group 2 members shall also apply to supernumerary policemen and supernumerary firemen appointed on or after July 1, 1964, except that the compensation upon which benefits are based shall be the initial compensation of a patrolman on the regular police force. Whenever either Board of Trustees shall remove a former member of the police or fire department from the retired list, the Board shall make and keep on file, a written statement of the reasons for such removal.

SEC. 714. Retirement on Pension after Twenty-five Years Service.

In the case of Group 1 members, either Board of Trustees may, of its own volition, by a majority vote, and shall, at the request of any officer of the police or fire department, or of any member of the regular police or fire force, or the veteran reserve, who shall have served in the police or fire department continuously for a period of twenty-five years or more, or call volunteer or supernumerary fireman, retire such officer or member to the retired list. Thereafter, such retired officer or member shall be entitled to receive, from the fund, during his life, an annual sum, payable monthly, equal to the total of (a) one-half of his annual pay for his last year of service, plus (b) an additional two per cent of his annual pay at the time of his retirement for each year over and above said twenty-five years of continuous service; provided, in no event shall any person's pension hereunder exceed sixty-six and two-thirds per cent of his salary at the time of retirement.

SEC. 714.2. Retirement on Pension at Sixty-five Years of Age.

In the case of Group 1 members, any regular member or officer of the police or fire department upon reaching the age of sixty-five years shall be placed on the retired list of that department and the Board of Trustees of the proper pension fund shall direct that, during his life time, a pension be paid to him monthly, equal to one-half of the salary received by him immediately prior to retirement.

SEC. 714.3. Service Retirement for Group 2 Members.

Any Group 2 regular member or officer of the police or fire department, upon attaining the age of fifty-five years, having twenty-five years of service in either or both the police or fire department, exclusive of time served as a supernumerary or special policeman or a call volunteer or supernumerary fireman, shall, upon his application, be retired for service. Any Group 2 member who has attained the age of sixty-five years shall be retired forthwith. Upon such retirement the member shall receive an annual sum, payable monthly, equal to one-sixtieth of his average annual compensation in the three years immediately preceding retirement, multiplied by the number of years of his service. Such payments shall be made through the life of the retired member and shall be continued to his designated beneficiary for a period of five years from the date of retirement, in the event the member dies within such five year period.

If a Group 2 member shall die after retirement, the member's spouse, if the spouse is the member's designated beneficiary under this Section, or Section 714.4 may elect to receive, in lieu of receiving any benefits under this Section or Section 714.4 a pension, payable monthly, which, when added to the amount of any survivor's benefits which said spouse would be eligible to receive on his

or her behalf alone, under Federal Old Age, Survivors and Disability Insurance shall produce a total of \$2,000.00 per annum.

SEC. 714.4. Retirement Options for Group 2 Members.

At the time of retirement, any Group 2 member may elect to receive his benefits in a pension payable throughout life, or he may, on retirement, elect to convert the benefits, otherwise payable to him into a pension of the equivalent actuarial value computed on the basis of such mortality tables and interest rates as shall be adopted by the Board of Trustees, in accordance with one of the optional forms following:

- Option 1: A reduced pension, payable during the retired member's life, with the provision that after his death it will continue during the life of and be paid to his designated beneficiary, if such person survives him.
- Option 2: A reduced pension, payable during the retired member's life, with the provision that after his death, an allowance at one-half of the rate of his reduced pension will be continued during the life of and be paid to his designated beneficiary, if such person survives him.
- Option 3: A reduced pension, payable during the retired member's life, with some other benefit payable after his death, provided the benefit is approved by the Board of Trustees.

No optional selection shall be effective in case a Group 2 member dies within thirty days after retirement and such a member shall be considered an active member at the time of death until the first payment on account of any benefit becomes normally due, and shall be entitled to the benefits hereinafter provided in Section 715.1.

SEC. 714.5. Return of Contributions Upon Termination of Employment.

Whenever any member shall terminate his employment or whenever his employment shall be terminated, for reasons other than retirement, all payments made by such member to the fund shall be returned to the member, together with interest at the rate of three per cent.

SEC. 715. Death Pension After Fifteen Years Service for Group 1 Members.

When any Group 1 member of the police department or the fire department shall die, after having served in either of such departments continuously for a period of fifteen years or more, exclusive of time served as a supernumerary or special policeman, or call volunteer or supernumerary fireman, or when any Group 1 member of the police department or the fire department shall die or be permanently injured in the actual performance of his duty, the Board of Trustees shall direct an allowance out of this fund, equal to one-half of the salary of such deceased policeman or fireman, to be paid to the widow or the dependent children, mother or sister of the deceased policeman or fireman, as the case may be. The allowance shall be paid to the widow until her death or remarriage and thereafter such part of the allowance as the Trustees shall find reasonable, to the children of such policeman or fireman who are under the age of sixteen years, or, if such policeman or fireman shall die, leaving no widow or children, then such sum shall be paid to the mother or sister, provided such mother or sister, prior to his death, depended on him, in whole or in part, for her support, such sum to

be paid so long as the Board of Trustees shall deem it necessary for her support. The aggregate payments in any year shall be no greater than one-half of such salary. In the case of any Group 1 policeman or fireman who shall have died while retired or a member of the veteran reserve, the allowance shall be equal to one-half the pay which the deceased policeman or fireman was receiving immediately prior to being retired or placed upon the veteran reserve. Upon the death of a Group 1 member in active service as a result of an accident in the performance of his duties as such employee and not as the result of his willful negligence, the Board of Trustees shall grant, in addition to the pension payable, the payment of his contributions, with three per cent interest, to his designated beneficiary.

SEC. 715.1. Non-Service Connected Death Benefits.

When any Group 1 member shall die, having not served in either the police or fire department continuously for a period of fifteen years, whose death is not the result of an injury in the actual performance of duty, or when any Group 2 member shall die, whose death is not the result of an injury in the actual performance of duty, or upon the death of a Group 2 member who has been retired for disability not incurred in the actual performance of duty, but who has not yet attained the age of 55 years, there shall be paid to such person, if living, as he shall have nominated by written designation, duly executed and filed with the Board of Trustees, otherwise to the executor or administrator of the member's estate an amount equal to one and one-half times the compensation received by the member in the last year of creditable service, and in addition, the contributions made by such member, with three per cent interest. Such member may also file, and alter from time to time, during his lifetime, as desired, a request with the Board of Trustees directing payment of said benefit in one sum or in equal installments, over a period of years, or as a life annuity. Upon the death of such a member, a beneficiary to whom a benefit is payable in one sum may elect to receive the amount payable in equal annual installments over a period of years or as a life annuity.

If a Group 2 member had fifteen years of service credit prior to his death, the member's spouse, if the spouse is beneficiary for the benefits payable under the preceding sentence, may elect to receive in lieu of all said benefits a pension payable monthly, which, when added to the amount of any survivor's benefits which said spouse would be eligible to receive on his or her behalf alone, under Federal Old Age, Survivors and Disability Insurance shall produce a total of \$2,000.00 per annum.

SEC. 715.2. Service Connected Death Benefits for Group 2 Members.

Upon the death of a Group 2 member in active service as a result of an accident in the performance of his duties as such employee and not as the result of his willful negligence, or upon the death of a Group 2 member who has been retired for a disability incurred in the performance of his duties and not as the result of his willful negligence, a service connected death benefit shall be payable. In the case of the death of a Group 2 member in service, evidence must be submitted to the Board of Trustees proving that the natural and proximate cause of death was an accident arising out of and in the course of employment in some definite time and place. Upon application by or on behalf of the dependents of such deceased member, the Board of Trustees in addition to the payment of his contributions, with three per cent interest, shall grant a pension of one-half of the annual salary received by him during the year immediately preceding his death, or his retirement in the case of a member retired for service connected disability, as a pension to his widow, to continue during her widowhood; or

if no widow, or in the case the widow dies or remarries, before the youngest child of such deceased member attains age eighteen, then to the child or children of such member under age eighteen, divided in such manner as the Board, in its discretion, shall determine to continue until the youngest surviving child dies or attains age eighteen.

THE PROPOSED AMENDMENTS TO THE STAMFORD CHARTER

CLASSIFIED EMPLOYEES RETIREMENT FUND

SEC. 745. Composition of Fund.

The fund shall consist of all monies received from the following sources: (a) all appropriations, gifts or bequests made to the fund from public or private sources, and all net income resulting from the investment of the fund; (b) a contribution by each classified employee of the City of Stamford who is a member, until he shall have completed thirty-three years of service, of three per cent of his salary which contribution shall be collected as deductions from pay and transmitted by the Controller, at the end of each month, to the fund; (c) all compensations for services that remain unclaimed by any classified employee for a period of one year after the same shall have become due, but the fund shall return any such amount to the City if the claim to it shall be established by the employee or his legal representative; (d) an annual appropriation by the City of Stamford, as determined by the Board of Finance and approved by the Board of Representatives on the basis of an actuarial survey made at the direction of the Board of Finance not more than five years prior to the date of the appropriation, to be at least equal in amount to the sum of the contribution made by members under (b) for the preceding calendar year; (e) such additional appropriation by the City of Stamford, if any is necessary, sufficient with the balance of the fund at the end of any calendar year, to make the fund at least equal to the sum of the contributions previously made by all the then existing members who are not then in receipt of benefits from the fund, plus interest at the rate of two per cent per annum, compounded annually on such contributions; (f) any sum which the Board of Finance, within its discretion, causes to be paid in lieu of the contribution of any classified employee who shall have entered the armed forces of the United States.

SEC. 748. Retirement.

- (a) The Trustees may retire, upon recommendation of the Personnel Commission, any member who shall have completed ten years or more of service and who shall have reached the age of seventy, such retirement to be effective at the end of the fiscal year of the City, within which the Trustees shall have taken such action.
- (b) The Trustees shall retire any member upon his written request, who shall have completed fifteen years or more of service and who shall have attained the age of sixty-five, such retirement to be effective one month after receipt of such written request for retirement.
- (c) The Trustees shall retire any member upon his written request, who shall have completed twenty-five years or more of service, and who shall have attained age sixty.
- (d) The Trustees shall retire any member who shall have completed fifteen or

more years of service if he or the Personnel Commission shall submit evidence satisfactory to the Trustees that he has become totally and presumably permanently disabled from performing any work for the City before becoming eligible for a pension under (a), (b), or (c), except that such fifteen years of service requirement shall be waived in the case of a member who has not attained age 70 and who shall become incapacitated, either mentally or physically, as a result of personal injuries sustained in an accident occurring in the performance of his employment. Total disability shall not be presumed to be permanent until it has existed for six months, unless caused by an injury the nature of which is such as to cause a disability which the Trustees consider to be obviously permanent. It shall be the duty of the Trustees to review each such case at least once a year to determine continuance of total disability.

SEC. 749. Pensions.

- (a) Service Retirement. Any member who is retired under the provisions of Section 748 (a) or (b) of this act shall receive annually from said fund, for the remainder of his natural life, a sum equal to one-seventieth of the first forty-eight hundred dollars of his average final salary, multiplied by the number of years of his service, plus one-fiftieth of his average final salary in excess of forty-eight hundred dollars, multiplied by the number of years of his service, provided however, that no more than thirty-three years of such service shall be so multiplied. If a member has had twenty-five years of service, in no event shall such pension payment be less than one thousand dollars annually. In the case of a member who is retired under the provisions of Sec. 748 (c) of this act the pension payment shall be computed as though he had attained the age of sixty-five years, less fifty-five one hundredths of one per cent for each month by which his age is less than sixty-five years at the date of retirement.
- (b) Disability Retirement. Any member who shall be retired on account of disability under Section 748 (d) shall receive a pension commencing when such disability is presumed to be permanent and payable during continuance of such disability, equal to one-half his average final salary, but, except in the case of a member who is retired as a result of personal injuries sustained in an accident occurring in the performance of his employment, in no event shall such pension be more than the amount he would have received if he had remained in service until age sixty-five, or subject to the foregoing limit less than one thousand dollars annually.
- (c) Service Caused Death. When any member will receive an injury, arising out of and in the course of his employment which results in death within six months of the injury, a pension equal to one-half of his annual salary, and in no event less than one thousand dollars annually, shall be paid to the surviving spouse if said spouse is determined by the Trustees to be substantially dependent upon the deceased employee, until his or her death or remarriage, and thereafter such part of the pension as the Trustees shall find reasonable shall be paid to the children of such deceased employee who are under the age of eighteen years. Said pension shall be reduced by the amount of any payment received by said dependents under the provisions of the workmen's compensation laws, or as the result of legal liability of the City on account of said injury.
- (d) Other Deaths. When a member shall die before retirement, a refund of con-

tributions paid to the fund by such employee with interest at the rate applicable under Section 750 shall be made to his estate, or to those persons determined by the Trustees to be his dependents. If such a member had fifteen years of service credit prior to his death, but had not attained eligibility for service retirement, the member's spouse, if the spouse is beneficiary for the member's accumulated contributions, may elect to receive, in lieu of receiving the member's accumulated contributions, a pension, payable monthly, which when added to the amount of any Survivor's benefits which said spouse would be eligible on his or her behalf alone, to receive under Federal Old Age Survivors and Disability Insurance, shall produce a total of \$2,000 per annum. If a member, who is eligible to retire for service in accordance with the provisions of this Section, dies without having actually retired, the member's spouse, if the spouse is beneficiary for the member's accumulated contributions, may elect to receive either the above benefit or benefits as a joint annuitant under Option 2, calculated as if the member retired on the date of death, in lieu of receiving the member's accumulated contributions. If such a member shall die on or after July 1, 1962 having, because of his length of service, made no contributions, such joint annuitant benefits shall be paid to his spouse as if he had retired on June 30, 1964 or his date of death, whichever is later. If a member shall die after retirement, and if the total of all payments received by him and his designated beneficiary under this Section shall not be equal to his contributions with interest at the rate applicable under Section 750 to the date of retirement, the excess shall be paid to his estate or those persons determined by the Trustees to be his dependents. If a member shall die after retirement, the member's spouse, if the spouse is the member's designated beneficiary under subsection (c) of this section, may elect to receive, in lieu of receiving any benefits under said subsection (c) a pension, payable monthly, which when added to the amount of any survivor's benefits which said spouse would be eligible to receive on his or her behalf alone, under Federal Old Age, Survivors and Disability Insurance, shall produce a total of \$2,000 per annum.

- (e) All pensions payable hereunder shall be paid in monthly installments, shall be made through the life of the retired member and shall be continued to his designated beneficiary for a period of five years from the date of retirement in the event the member dies within such five year period, and shall cease with the payment preceding the death of the person entitled to receive the payment. At the time of retirement, any member may elect to receive his benefits in a pension payable throughout life, or he may, on retirement, elect to convert the benefits, otherwise payable to him, into a pension of the equivalent actuarial value, computed on the basis of such mortality tables and interest rates as shall be adopted by the Board of Trustees, in accordance with one of the optional forms following:

Option 1.

A reduced pension, payable during the retired member's life, with the provision that after his death it will continue during the life of and be paid to his designated beneficiary, if such person survives him.

Option 2.

A reduced pension, payable during the retired member's life, with the provision that after his death, an allowance at one-half of the

rate of his reduced pension will be continued during the life of and be paid to his designated beneficiary, if such person survives him.

Option 3.

A reduced pension, payable during the retired member's life, with some other benefit payable after his death, provided the benefit is approved by the Board of Trustees.

Option 4.

An increased pension, payable from the date of retirement until the month of attainment of the age of sixty-two years or sixty-five years and a reduced pension thereafter, in the case of a member who retires prior to the attainment of such age.

Such optional selection shall be irrevocable when made.

No optional selection shall be effective in case a member dies within thirty days after retirement and such a member shall be considered an active member at the time of death until the first payment on account of any benefit becomes normally due.

- (f) If any person entitled to a pension hereunder is entitled to receive a pension, or other benefit or payment arising from City contributions or taxes paid to another pension plan, or as a result of workman's compensation, the amount of any pension due hereunder shall be reduced accordingly. If any person entitled to a pension hereunder takes office, position or employment with the City of Stamford, the amount of any pension benefits due hereunder within a calendar year shall be reduced by an amount equal to the compensation in excess of fifteen hundred dollars received by him in such calendar year in such office, position or employment.

SEC. 750. Refund of Contributions upon Termination of Service; Reinstatement.

- (a) When a member who has less than twenty years of service shall leave the service other than by retirement, or his service is terminated for any cause, he shall receive a refund of the contributions paid by him with interest. Such interest shall be at the rate of two per cent per annum through June 30, 1959 and three per cent per annum through June 30, 1964, compounded annually. The Board of Trustees shall determine from year to year thereafter the interest rate allowed on contributions, which rate shall bear a reasonable relationship to the interest earnings on the assets of the Fund.
- (b) If such a member has twenty or more years of service, he may elect to receive his contributions with interest as provided above, or he may elect a vested benefit in lieu thereof. The amount of the vested benefit shall be determined as provided in Section 749 (a) and pension payments shall commence on the first day of the month coinciding with or following his sixty-fifth birthday. Upon the commencement of pension payments, such member shall be treated in all respects as a retired member. In the event a member who has elected a vested benefit shall die, his contributions, with interest, as provided above, shall be paid to his designated beneficiary, if living; otherwise to his estate.
- (c) In the event an employee who has terminated his employment seeks to be reinstated after re-employment by the City before he shall be eligible to receive

the benefits of the pension plan herein established for service prior to said reinstatement, he shall repay all sums refunded to him on his prior termination of employment, together with interest at the rate of three per cent per annum. No such reinstated employee shall be eligible for any benefit hereunder until he shall have completed two years of service since his last reinstatement, except the right to a refund of his contributions, with interest, as set forth in this section.

THE PROPOSED AMENDMENTS TO THE STAMFORD CHARTER

CUSTODIANS AND MECHANICS PENSION PLAN

SEC. 755. Custodians' Retirement Fund - created; source.

There shall be a fund to be known as the "Custodians' Retirement Fund" for the benefit of all full-time custodians and employees of the Maintenance Department of the public day schools of the City of Stamford, employed in such position before July 1, 1964, hereby designated as "members", which fund shall consist of moneys received from the following sources:

- (1) All appropriations, gifts or bequests made to the fund from public or private sources, for the purpose for which said retirement fund is established, and all net income resulting from the investment of the fund;
- (2) All assessments paid by members, each to pay for the purpose of this fund one hundred dollars in each year up to June 30, 1964, three per cent of his annual salary in the year from July 1, 1964 to June 30, 1965, four per cent of his annual salary in the year from July 1, 1965 to June 30, 1966, and five per cent of his annual salary thereafter, the proportional of such amount to be retained from each salary payment and paid into said fund, provided that the salaries of members shall be permanently increased for the three annual periods shown above; July 1, 1964, July 1, 1965 and July 1, 1966; in an amount equal to the increased amount retained for this purpose, such salary increases to be over and above any other wage adjustments.
- (3) All compensation for services that may be unclaimed by members for a period of six months after the same shall have become due, and
- (4) Any sums which the City Board of Education may, within its discretion, cause to be paid on behalf of any custodian or employee who shall have entered the armed forces of the United States during the period when this country is at war.

Stamford shall annually appropriate to the Custodians' Retirement Fund such funds as determined by the Board of Finance and approved by the Board of Representatives on the basis of an actuarial valuation made by a qualified actuary at the direction of the Board of Finance not more than five years prior to the date of the appropriation, sufficient to:

- (a) provide for the pension credits and other benefits being accrued currently by the members, after taking into account contributions made and being made by the members and contributions already made for this purpose by the City, and

- (b) provide for the payment of the unfunded accrued liability on behalf of members in annual payments over a period of fifty years, commencing July 1, 1964, in amounts equivalent to the level annual payment certified by the actuary to be sufficient to amortize said unfunded accrued liability over said period of fifty years.

Provided, however, that commencing July 1, 1964, the City's annual appropriation for such fund shall increase by twenty thousand dollars each year, until such appropriation shall attain the level specified under paragraphs (a) and (b) of this section, but in no event shall the City's annual appropriation be less than the amount needed, together with assessments paid by covered employees to meet benefit payments. These appropriations shall be raised in the same manner as are other appropriations for public schools.

All full time custodians and employees of the Maintenance Department of the public day schools of the City of Stamford employed in such position on or after July 1, 1964, shall be members of the Stamford Classified Employees' Retirement Fund.

SEC. 756. Same Trustees Generally; Municipal Appropriation to be part of Mayor's Budget.

The Trustees of said fund shall be the Mayor, the Commissioner of Finance, the Superintendent of Schools, three representatives of the Custodians' and Mechanics' Association and one representative of the Board of Education of the municipality of Stamford. No action shall be taken by said Trustees, except upon a majority vote of all of said Trustees. They shall serve without compensation, shall have charge of the general direction and management of said fund, and shall select one or more trust companies or banks authorized to do a trust business in this state, to invest the funds, for which service they shall be authorized to pay the usual fee. Any portion of the said fund may be invested in bonds of Stamford or in any securities authorized by the laws of the state as investments for trust funds or may be deposited in any savings banks or trust companies or state or national banks in this state, or used to purchase life insurance or endowment policies or annuity contracts issued by a life insurance company authorized to transact business in this state. Full discretion in investing the funds in accordance with the foregoing provisions shall be with the trust company or bank selected by the Trustees for the purpose of investing the funds. The City shall furnish such clerical, legal, actuarial or medical assistance as the Trustees shall consider necessary to carry out the purposes of this act, subject to such appropriations as shall be made in the manner provided for other City appropriations and subject to the provisions of Chapter 73 of the Stamford Charter.

SEC. 759. Retirement Generally.

Any member who shall have been continuously in the service of the Board of Education for a period of twenty-five years may retire. Also, any member whose service to the City of Stamford and the Board of Education, combined for a total of twenty-five years or more may retire. Any member who shall have reached the age of seventy shall be retired at the end of the school year within which his seventieth birthday shall occur. The Board of Education may likewise retire, at any time during the school year, any member who, in the judgment of a qualified physician, shall have become, while in the discharge of the duties of his employment, mentally or physically incapacitated for further service.

SEC. 760. Amount of Compensation of Persons Retiring After Twenty-five Years of Service.

Whenever any member shall have retired or shall have been retired, in accordance with the provisions of Section 759 of this act, after service of twenty-five years or more, he shall receive annually from said retirement fund for the remainder of his life, a sum of money to be computed at the rate of two per cent per year of his average annual salary for each year of service. Said average annual salary is to be based on his best five years of earnings with the Board of Education. Said sum shall not be less than one thousand dollars annually, and no pension shall exceed sixty-six and two-thirds per cent of his average annual salary.

SEC. 761. Retirement of Persons with Less than Twenty-five years of Service who have Reached Age Sixty.

Any member who shall have rendered less than twenty-five years of service in the public schools of Stamford and who shall have reached his sixtieth birthday may retire upon a pension pro-rated in accordance with the number of years of service.

SEC. 762. Retirement of Persons who have Reached Age Seventy and Persons Mentally or Physically Unfit with less than Twenty-five Years of Service.

Any member who shall have rendered less than twenty-five years of service in the public schools of Stamford and who shall have reached his seventieth birthday shall retire upon a pension pro-rated in accordance with the number of years of service, and any member who shall have been retired under Section 759 because of mental or physical illness, shall receive a pension equal to one-half of his average contract annual salary for the five years immediately preceding his retirement, but not less than one thousand dollars annually, but said pension shall be paid only during the incapacity of such member.

SEC. 763. Payment of Benefits or Refund for Persons who die Before Retirement or Become Permanently Injured in Performance of Duties.

In case of death before fifteen years of continuous service, a refund shall be made to dependents of any member to the amount of the assessments paid, together with interest, as paid by the State Teachers' Retirement Association. The word "dependent" as used herein, shall mean any person related by blood or marriage to the member who shall have been furnished his support by such member. When any full time member shall die after having served continuously for a period of fifteen years or more, or when any member shall die or be permanently injured in the actual performance of his duties, the Board of Trustees shall direct that a pension be paid, equal to one-half of the salary of such deceased member, to his widow or dependent children. The pension shall be paid to the widow until her death or remarriage, and thereafter such part of the pension, as the Trustees shall find reasonable, to the children of such member who are under the age of sixteen years.

SEC. 764. Payment of Pension to Widow or Dependent Children Upon Death of Retired Member.

When any retired member shall die, having served actively as a member of the custodian or mechanics' staff for fifteen years or more, the Board of Trustees shall direct that the pension paid to said deceased member at the time of his decease shall be continued to be paid to his widow or dependent children. The pension shall

be paid to the widow until her death or remarriage, and thereafter such part of the pension as the Trustees shall find reasonable to the children of such custodian or mechanic who are under the age of sixteen years.

SEC. 764.1. Death of Member After Fifteen Years Service.

When any member shall die, having not served continuously for a period of fifteen years, whose death is not the result of an injury in the actual performance of duty, there shall be paid to such person, if living, as he shall have nominated by written designation, duly executed and filed with the Board of Trustees, otherwise to the executor or administrator of the member's estate an amount equal to one and one-half times the compensation received by the member in the last year of creditable service. Such member may also file, and alter from time to time during his lifetime, as desired, a request with the Board of Trustees directing payment of said benefit in one sum or in equal installments over a period of years, or as a life annuity. Upon the death of such member, a beneficiary to whom a benefit is payable in one sum, may elect to receive the amount payable in equal annual installments over a period of years or as a life annuity.

SEC. 765. Refund to Persons who Terminate Service Prior to Retirement.

When a member shall leave the service, except by retirement, or when his service shall be terminated for any cause, the total amount paid in assessments, together with the accrued interest, as above stated, shall be refunded to him.

Concerning Proposal No. 10 - Police and Fire Departments Proposal to Increase Salaries (Rejected in report to the Board of Representatives from the 6th Charter Revision Commission, dated 6/1/63 - See page 5 of report)

MR. SCHWARTZ said there were several items, rejected by the Charter Revision Commission, which he would like to discuss tonight. He spoke on the above proposal and said he would like to refer this back to the Commission, with a request for the revising of it.

MR. SCHWARTZ MOVED that this be amended that it be referred back for consideration by the Commission. Seconded.

THE PRESIDENT said a motion has been made and seconded that item #10 on page #5 of the Charter Revision Commission report be referred back to the Commission. He asked if there was any discussion on the motion.

MR. KUCZO said he was very sad to see that the Commission saw fit to reject this proposal. He said that 3 years ago a similar proposal was submitted and accepted by the Commission and fails to see how their attitude can have changed so much in the last few years. He said the proposal from the police and firemen is not a political one. He said that when a Committee was appointed by the Board of Representatives to study this problem some time ago, everyone on the committee was familiar with the problems of the police and firemen and realized that something must immediately be done to improve their lot by increasing their salaries in order to attract men to this field of work.

MR. KETCHAM said about four or five years ago he stood on the floor of this Board and opposed any increase of the police and fire department salaries by referendum or through the Charter. He said tonight he is reversing his stand of four years ago

because he sees that the members of the police and fire departments have not received justice as they see it. He said in view of the fact that these people have not been able to receive the increments they believe should have been put into existence through the normal channels - through the administration - that this now be placed on referendum and go back to the Commission.

THE PRESIDENT: "You have heard Mr. Schwartz' motion that this be referred back to the Commission for further study. All those in favor of the motion will please raise their hands."

VOTE taken by a show of hands on Mr. Schwartz' motion. CARRIED by a vote of 22 in favor. (applause)

Concerning Proposal No. 11 - To remove Restrictions on political activity of members of the Police and Fire Departments.
(Rejected in report to the Board of Representatives from the 6th Charter Revision Commission, dated 6/1/63 - See page 6 of report)

MR. SCHWARTZ MOVED that the above matter be sent back to the Charter Revision Commission for further study.

MR. SCHWARTZ said he feels that at the present time, members of the teaching profession in Stamford are not inhibited or prevented from participating in political activities and can see no reason why members of the police and fire departments, who have a vital interest in the City of Stamford, who are a part of the community and have obligations not only in their official capacity, but obligations in the way of civic responsibility of a personal nature and pay taxes in this city. He said he does not see why these people should be disenfranchised and thinks the Commission should give this further consideration and put these people in the same category as the members of the teaching profession.

Mr. Schwartz' motion was seconded by Mr. Connors.

MR. MULREED spoke against the motion. He said the Commission had taken this under consideration and could find nowhere where members of police and fire departments participate in political activity. Also, he said the Commission felt that it would work against the police and fire departments under certain circumstances and it would not be to their best interests to approve this request.

MR. OPPENHEIMER also spoke against the motion.

MR. BAKER said he could see no basis for discrimination in all employees of the city, and that if political activity was to be allowed to one group, then it should be given to all groups.

MR. SCHWARTZ said he also believed the same way - that there should be no discrimination to anyone in the City of Stamford and he was agreeable to all employees be given the right to participate in political activity.

MR. BAKER said he opposes the motion.

VOTE taken on Mr. Schwartz' motion. LOST, with 6 voting in favor of the motion.

Concerning Proposal No. 2 - To amend Section 401.2 of Charter re "Appointment in the Event of Vacancy" (Rejected in report of Charter Revision Commission, dated 6/1/63 - See page 2 of report) (Note: This concerns vacancies in the office of Police or Fire Chief)

MR. SCHWARTZ said he thought this, as originally proposed, referred to ten years of service within the department. He said he would like to have this referred back to the Commission with this amendment - to widen the scope to anyone who has sufficient experience either within, or without the police department and SO MOVED.

MR. SCHWARTZ explained his motion a little further. He said the scope should be widened so that it (the job) would be open to anyone with the qualifications and experience, whether or not they come from this particular area. He said this would enable the city to obtain a man with considerable experience in police work of at least ten years.

Mr. Ketcham and Mr. Kuczo seconded the motion.

MR. SCARELLA asked a question. He wanted to know if this Board has the right to set up the qualifications for the Police and Fire Chiefs. He wanted to know just how this amendment would work.

THE PRESIDENT explained that, if approved, it would go back to the Charter Revision Commission, who would, in turn, confer with us.

MR. SCARELLA said by doing this by referendum, this Board would be shirking their duties.

VOTE taken by a show of hands on Mr. Schwartz' motion. LOST.

Concerning Proposal No. 8 - To require a referendum before expenditure of public funds on Urban Renewal Projects. (Rejected in report of Charter Revision Commission, dated 6/1/63 - See page 4 of report)

MR. KUCZO MOVED that this be referred back to the Charter Revision Commission. He said it was his belief that the taxpayers have the right to decide whether or not large expenditures of this sort should be made. He read a statement at this time. Seconded.

MR. BAKER rose on a point of order. He said he would like to clarify this. He asked if this means that in order for a matter to be sent back to the Charter Revision Commission there has to be a special amendment?

THE PRESIDENT replied that this is correct. He asked Mr. Kuczo if he has an amendment to this item.

MR. KUCZO said he does not.

THE PRESIDENT informed him that it cannot be sent back to the Charter Revision Commission unless there is a specific amendment to the original proposal. He declared Mr. Kuczo out of order.

PICNIC COMMITTEE:

MR. RUSSELL reported that a meeting of this committee would be held Friday night.

OLD BUSINESS:

Final adoption of proposed amendments to the STAMFORD CHARTER CLASSIFIED EMPLOYEES RETIREMENT FUND. (Adopted for publication at June 3, 1963 Board meeting; published on June 12, 1963 - See pages 3694-3703 of Minutes)

MR. SCHWARTZ MOVED for final adoption of the above proposed Ordinance. Seconded by Mr. Ketcham.

THE PRESIDENT called the members attention to the fact that a vote on the above will require a two-thirds vote to pass, as specified under Section 754 of the Charter.

MR. SCHWARTZ said he would take issue with the President's statement for the reasons that the Charter can be amended by Ordinance and the passage of an Ordinance requires a simple majority vote. He said this particular amendment is in the form of an Ordinance and was approved by the Board for publication as such at the June Board meeting.

THE PRESIDENT said it is his understanding, as a member of the Board of Trustees of the Classified Employees Pension Plan that any amendment to the Plan requires a two-thirds vote of this Board in order to pass. He said he cannot see how anyone can get around the provisions of Section 754 of the Charter.

THE PRESIDENT RULED that in accordance with Section 754, it will take a two-thirds vote of the members. He said this is a legal question and an appeal from the ruling of the Chair cannot change that fact. However, he said a ruling can be obtained from the Corporation Counsel.

MR. SCHWARTZ appealed from the ruling of the Chair.

THE PRESIDENT explained that Mr. Schwartz is appealing from his ruling that an amendment to the Classified Employees Retirement Plan requires a two-thirds vote of this body to pass. He read Section 754 of the Charter at this time, which pertains to the question before the Board.

MR. SCHWARTZ said the Charter also provides where there is an Ordinance, it is adopted by a simple majority vote.

MR. BAKER rose on a point of information. He said he would like to ask the President a question - where in the statutes does it state that there is a specific provision where this may have some application?

MR. SCHWARTZ explained further. He said that when this was originally proposed and brought before this Board, it was presented as an Ordinance and the Charter is very clear that an Ordinance is always passed by a simple majority vote.

MR. NOLAN said as long as the provision in the Charter as spelled out under Section 754 provides for amendments to the Classified Employees Retirement Plan to be approved by this Board by a two-thirds vote, why should anyone interpret it any other way?

THE PRESIDENT called for a VOTE on Mr. Schwartz' appeal from the ruling of the Chair. LOST.

THE PRESIDENT asked if there was any discussion on the Ordinance.

MR. SCHWARTZ said there has been some talk that the MEA proposal would cost the City some \$11,000,000.00 and the Commissioner of Finance has so indicated. However, he said the Commissioner of Finance has also indicated that this is based upon a period of fifty years for this to happen. He said, taking that figure as a basis, the cost to the City would be \$220,000.00 per year for fifty years. However, he said further in this report, it was indicated that this one proposal - not all of them together,

which constituted the \$11,000,000.00 figure, and would only cost the city \$3,250,000.00 for fifty years, or \$65,500.00 per year.

He said, according to the Siegel Report (actuarial study) which was presented at a considerable expense to the City, it was stated that the Plan would cost the City approximately \$50,000.00 and by Mr. Gluss' own figures, it is \$15,500.00 more.

MR. SCHWARTZ said this Board has just initiated the increase to the Mayor's salary to \$20,000.00 a year by action taken tonight. He said the Municipal Employees are entitled to be given some consideration on their survivorship benefits.

He said this amendment was presented at the last Board meeting, so that it could be printed in the newspaper to give everyone a chance to study it - that it was presented in the form of an Ordinance, so as not to act hastily. He said he does not think this is precipitous action, but in fact was a slowing down of the entire momentum, and said he does not think it is fair to lump all of the pension plans into one package deal and use scare tactics in order to get this Board to do or not to do any particular action.

MR. SCHWARTZ spoke at considerable length and urged approval of this request.

MR. NOLAN said he was a Trustee of the Pension Plan during the time he was President of the Board and feels that this should be a separate plan and not tied in with Social Security. He said they are in favor of the Classified Employees getting larger benefits and that is why this was put back in Committee last time and that they are in favor of their pension plan being brought up to snuff. However, he said it is wrong tonight to pass this Ordinance.

He said this Board, according to the Charter, can change this particular Pension Plan at any time - but that the one which goes on the ballot to be voted upon by referendum, gives them a better pension plan. He said it is wrong to adopt this Ordinance tonight, when "we don't know what this entails - we have experts who tell us one thing, and we have so-called 'experts' who say another thing. We're not sure just how much this is going to cost and I have talked to a lot of people in the Classified Employees - this isn't what they are worried about - these specific survivorship benefits that will cost the city so much - where an uncle, a girl friend, a cousin, who will get these survivorship benefits. We're not talking about poor widows - we're talking about a good proposal. I thought this proposal was acceptable to their attorney - I thought it was a good proposal." (referring to the Charter proposal No. 3 adopted earlier)

MR. NOLAN said if the Proposal #3 goes to referendum and is not adopted, this Board can always remedy the situation - "they can vote to change the Classified Employees' Pension Act at any given time." He urged defeat of the Ordinance, and said if the voters fail to approve a better pension plan for the Classified Employees, then there will still be time enough for the Board of Representatives to act and change the Pension Plan.

MR. CONNORS said he wanted to ask Mr. Nolan a question. He said: "Are you under the impression under the survivorship clause that a widow can remarry and still receive a pension?"

MR. NOLAN replied "That's my understanding."

MR. CONNORS said he thinks he is mistaken - that there are very few pension plans that way - that they do take care of children up to the age of 18 and the widows, if they re-marry, lose their pension.

MR. NOLAN said he is very confused about this - that he can see no reason why this has to be passed - that it was the wrong thing to do to take it out of Committee and fails to see that Mr. Schwartz has done anything except to attack the Commissioner of Finance' report. He said why not wait until we find out what this is going to cost, and fails to see why one or two months is going to make this much difference.

MR. MORRIS said that after hearing the discussion on what it would cost the taxpayers to increase the Mayor's salary, he cannot see that it would cost very much to give the Classified Employees a better pension plan.

MR. KETCHAM said tonight this Board, within fifteen minutes, spent \$97,844.41 under the Fiscal Committee report, none of which had been an anticipated expenditure in the budget for the new fiscal year and came up under emergency appropriations. He said, as far as he can discover, the "experts" are not experts when they are dealing with this particular proposition before this Board, and excluding the extraneous items.

He said the members of this Board must all realize that the municipal employees do not receive tremendous salaries and also that the City of Stamford is one of the highest cost of living areas in the country. He said everyone worries about what will happen to those who survive them, and this Board should undertake to do what they can to help these employees and perhaps strive to make savings in other areas where human needs are not so evident.

MR. SCARELLA spoke in favor of the Ordinance. He said experts can always throw monkey wrenches into the works year in and year out and it is about time this Board faced up to its responsibilities to the City employees. He said as he looks over this plan he notes that after 20 years they have vested rights, but in other pension plans they have vested rights after ten or fifteen years. He said this is not the kind of plan that is going to bankrupt the City and it is not asking too much for a person who works for this city to ask that his survivors be taken care of. He said the prophets of doom are making too big an issue out of this and if they don't know what it's all about by this time, they never will.

MR. OPPENHEIMER said after listening to all the discussion about the pension plan, many people, lawyers among them, after having read it, still do not understand it. He urged more time to study the plan with perhaps referral back to committee.

THE PRESIDENT informed the members it would take a vote of 26 to carry.

MR. SCARELLA said if anyone is against this Plan to please stand up and state in just what area they disagree.

THE PRESIDENT ruled Mr. Scarella out of order.

A ROLL CALL VOTE was requested by several members. The President said this would have to be requested by at least 8 members. More than 8 members signified they wanted a roll call vote to be taken.

THE CLERK called the roll. The motion was LOST by a vote of 20 in favor and 19 opposed as follows:

THOSE VOTING IN FAVOR:

Fred Blois
Vincent Caporizzo
Hilda Clarke
George Connors

THOSE VOTING IN OPPOSITION:

Patsy Arruzza
Eleanor Austin
Jack Baer
Daniel Baker

THOSE VOTING IN FAVOR:

Edward Dombroski
Anthony Esposito
William Hearing
Stephen Kelly
Alan Ketcham
Paul Kuczo
Frances Lilliendahl
Carmine Longo
Thomas Morris
Richard O'Neill
Randolph Rogers
Gerald Rybnick
Patrick Scarella
Ronald Schwartz
Michael Sherman
Anthony Truglia

THOSE VOTING IN OPPOSITION:

Samuel Cushing
Melvin Grove
Armando Gurliacci
John Kane
Stanley Kulowiec
Richmond Mead
Charles Rodin
James Mulreed
William Murphy
John Nolan
David Oppenheimer
George Russell
Allen Shanen
Paul Shapero
Chester Walajtys

NEW BUSINESS:Police Protection at Cummings Park Near Rest Rooms:

MR. KELLY asked that the Secretary be instructed to communicate with Mr. Edward Connell, Superintendent of Parks, requesting that a police officer be stationed within a 250 foot radius of the Ladies and Mens' Rest Rooms near the tennis courts at Cummings Park during the 4th of July.

Concerning Secret Ballots:

MR. SCHWARTZ said he does not wish to embarrass any Board member, but in view of the recent statement by Judge Comley regarding the serious and flagrant violations of the secrecy of "secret ballots" he would like to make it a permanent part of the minutes of this Board the memorandum of decision issued by Judge Comley.

Several members objected to the reading of this because of the lateness of the hour.

Concerning a place for members of the City Fire Department to practice with Fire Hoses

MR. CUSHING brought up the above matter and said this was a serious matter, as the members of the Fire Department have no place in which to practice fire fighting with fire hoses and urged that something be done about it.

The above matter was referred to the Steering Committee.


ADJOURNMENT:

There being no further business to come before the Board, on motion duly seconded and CARRIED, the meeting was adjourned at 11:35 P.M.

vf

APPROVED:


Paul D. Shapero, President


Velma Farrell, Administrative
Assistant
