

Minutes of March 2, 1964
Meeting of the Board of Representatives
Stamford, Connecticut

3924

The regular monthly meeting of the 8th Board of Representatives of the City of Stamford was held on Monday, March 2, 1964 in the Cafeteria of the Walter Dolan Jr. High School, Toms Road, Stamford, Connecticut.

The meeting was called to order by the President, Ronald M. Schwartz, at 8:20 P.M.

The INVOCATION was given by Rev. W. David Crockett, Emmanuel Episcopal Church

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

ROLL CALL was taken by the Clerk. There were 37 members present and 3 absent. The absent members were: Chester Walajtys, Vito Biscaglio, Jr. and Stanley Kulowiec.

ACCEPTANCE OF MINUTES - Meeting of February 3, 1964

The Minutes were accepted with the following correction:

Page 3911, 3rd line from top, after the words "that the" was changed to read:

"that the difference in costs....."

COMMITTEE REPORTS:

The President read the report of the Steering Committee at this time, which follows:

STEERING COMMITTEE REPORT
Meeting held Monday, February 17, 1964

A meeting of the Steering Committee was held on Monday, February 17, 1964 in the Board of Representatives' meeting room, Municipal Office Building, 429 Atlantic Street.

The meeting was called to order by the Chairman at 8:20 P.M. All members were present, with the exception of the following: Booth Hemingway, Lee Mogul, Frances Lilliendahl and Michael Zezima.

The following matters were discussed and acted upon:

- (1) Mayor's letter of 1/28/64 concerning appointments to Zoning Board, Park Commission and Public Welfare Commission - REFERRED TO APPOINTMENTS COMMITTEE
- (2) Mayor's letter of 1/31/64 concerning appointments to Health Commission and an Alternate to the Zoning Board - REFERRED TO APPOINTMENTS COMMITTEE
- (3) Additional appropriations approved by the Board of Finance at their meetings held 1/28/64 and 2/13/64 were REFERRED TO THE FISCAL COMMITTEE and other interested Committees.

- (4) A request for \$2,476.46 for the PUBLIC WORKS DEPARTMENT - Code 602.0101, for establishment of a new position of "Chief Operator", Salary Grade 9 (Mayor's letter of 1/3/64) - DEFERRED by Fiscal Committee on 2/3/64 - ORDERED PLACED ON AGENDA
- (5) Proposed resolution to amend CLASSIFIED EMPLOYEES' PENSION PLAN (Presented by Municipal Employees' Association in letter of 12/9/63 and DEFERRED 2/3/64) - REFERRED TO FISCAL COMMITTEE, PERSONNEL COMMITTEE (Also previously referred to the Legislative and Rules Committee)
- (6) Final adoption of Ordinance concerning Sale of ELM STREET SCHOOL Property for \$166,750.00 to Cambridge Company (Mayor's letter of 12/11/63) (Approved for publication 2/3/64) -- ORDERED ON AGENDA under LEGISLATIVE AND RULES COMMITTEE
- (7) Final adoption of Ordinance concerning the establishment of a Commission on Human Rights in Stamford (Approved for publication 2/3/64) - ORDERED ON AGENDA under LEGISLATIVE AND RULES COMMITTEE
- (8) Final adoption of Ordinance concerning change of name of BUBSEY LANE - ORDERED ON AGENDA under PLANNING AND ZONING COMMITTEE
- (9) Letter from Benson Associates Adjustment Service, dated 1/17/64, concerning a claim in amount of \$76.31 from Hugo's Restaurant

The Chairman of the Fiscal Committee, Mr. Rogers, to whom this had been referred, reported that he had been told a bill incurred in a previous fiscal year cannot be paid in the following fiscal year. Mr. Selsberg, Chairman of the Legislative and Rules Committee, agreed to write a letter to the Corporation Counsel to find out just what could be done in this matter.

(10) Concerning Cove Dam Gates

This matter was discussed briefly and it was decided that Mr. Schwartz would check into the status of this problem and inform the Committee.

(11) Concerning Opinions requested of Corporation Counsel

After considerable discussion as to the best way of handling this, so that the Corporation Counsel would not be overloaded with requests for opinions from various Board members, it was decided that all written opinions requested of the Corporation Counsel be first submitted to the President of the Board and by him be submitted to the Corporation Counsel.

- (12) Regarding increase in Standing Committee membership to 8 (As per letter from Board President to all members, dated February 11, 1964) - REFERRED TO THE LEGISLATIVE AND RULES COMMITTEE

- (13) Resolution concerning appointment of a 9th Charter Revision Commission to consider the establishment of new boundary lines for Stamford's 20 Voting Districts

Mr. Ketcham introduced the above resolution - REFERRED TO LEGISLATIVE AND RULES COMMITTEE and CHARTER REVISION COMMITTEE - ORDERED PLACED ON AGENDA.

CARRIED, with two "no" votes (Mr. Truglia and Mr. Kuczo).

(14) Parking Authority Balance Sheet and Financial Statement as of Dec. 31, 1963

This was given to Mr. Russell who said he would take care of having copies made for the members of the Board. REFERRED TO EDUCATION, WELFARE AND GOVERNMENT COMMITTEE

(15) Parking Authority letter dated 2/13/64 requesting approval for the acquisition of property on Bell Street from the James Company, formerly leased - Purchase price to be \$29,800.00 (Proposed contract and map enclosed) - REFERRED TO HEALTH & PROTECTION COMMITTEE

(16) Letter dated 2/8/64 from Riverbank School PTA, requesting immediate action to eliminate overcrowded conditions by establishing another school in the area -- REFERRED TO EDUCATION, WELFARE & GOVERNMENT COMMITTEE

(17) Concerning drop-out of industry from Stamford area

After some discussion, it was pointed out that the Mayor has already appointed a Committee to study this problem and it was decided to have two members of the Board, a Democrat and a Republican, meet with the Mayor to discuss the matter to see what could be done. Mr. Russell and Mr. Shanen were named as representatives from the Board.

(18) Letter from Stamford Fire Fighters Local 786 (dated 2/1/64) requesting the Board of Representatives to adopt the provisions of Public Act 495 of the 1963 Legislature, extending the right to collective bargaining to municipal employees (Note: Read into the Minutes of 2/3/64 under "Communications") - REFERRED TO PERSONNEL COMMITTEE (Not ordered on agenda)

(19) Letter from State, County and Municipal Employees' local Union No. 1083 for Board of Education Employees, (dated 2/8/64) requesting the Board of Representatives to adopt the provisions of Public Act 495 of the 1963 Legislature, extending the right to collective bargaining to municipal employees - Also REFERRED TO PERSONNEL COMMITTEE (Not ordered on agenda)

(20) Letter dated 1/21/64 to Mr. Kelly, Chairman of Parks & Recreation Committee, from the HUBBARD HEIGHTS MUNICIPAL GOLF CLUB BOARD, requesting the Charter be amended to change their name to the "STAMFORD GOLF COMMISSION" - REFERRED TO CHARTER REVISION COMMITTEE and PARKS & RECREATION COMMITTEE (Not on agenda)

(21) Letter dated 1/21/64 from Mr. Nathanson, 7th District Representative, concerning adoption of the SEWER CODE, pending before the Board since the adoption of the Building Code in 1959, reference therein being made in Section 4 that the Sewer Code is to become part of the Building Code - REFERRED TO PUBLIC WORKS COMMITTEE, HEALTH & PROTECTION COMMITTEE, PLANNING AND ZONING COMMITTEE and LEGISLATIVE AND RULES COMMITTEE (Ordered on agenda under Public Works Committee)

(22) Letter (dated 2/4/64 from Mr. Edward Connell, Supt. of Parks & Trees, presenting fees for 1964 Season for Tennis, Park-beach parking permit stickers, and lawn bowling - REFERRED TO PARKS & RECREATION COMMITTEE (Ordered on Agenda)

- (23) Letter (received 1/23/64) from the Stamford High School Council, requesting parking lot be paved at Stamford High School - REFERRED TO PUBLIC WORKS COMMITTEE
- (24) Letter (dated 2/3/64) from Corporation Counsel, giving an opinion as to whether or not the Board of Representatives may take action concerning fluoridation of the City water supply, in view of the findings of Judge Covello, Superior Court, dated 7/29/63 on this matter - ORDERED ON AGENDA UNDER "COMMUNICATIONS"
- (25) Concerning Board of Representatives assuming jurisdiction over the Board's meeting room

The above matter was discussed and it was decided that inasmuch as the Board's offices have now been moved into the new City Hall, that control of the use of the meeting room can now be taken over by the Board, and for the sake of convenience, all Committee Chairmen are advised to contact Mrs. Farrell, who will schedule use of the facilities.

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

RONALD M. SCHWARTZ, Chairman
Steering Committee

vf

APPOINTMENTS COMMITTEE:

MR. NATHANSON, Chairman, presented his Committee report at this time. He said a meeting was held on Tuesday, February 25, 1964 in the Mayor's Conference Room, City Hall. Present were Mr. Nathanson, Joseph Bitetto, Edwin Lindstrom, Jr. and Paul Kuczo, Jr. He said all persons whose appointments were requested by the Mayor in his letters of 1/28/64 and 1/31/64 were interviewed, with the exception of Dr. Frank H. D'Andrea, who was unable to attend the meeting.

The Tellers distributed the ballots on the following appointments. The resulting vote on each appointment is recorded below:

Term Expiring:

- (1) PARK COMMISSION - ROBERT BUNDOCK (R) Dec. 1, 1968 (5 yr. term)
100 Woodside Village
(Replacing Mr. Petersen, whose
term expired 12/1/63)

VOTE: 29 yes
8 no

- (2) PUBLIC WELFARE COMMISSION - JOSEPH W. SILADI (R) Dec. 1, 1966 (3 yr. term)
8 Henry Street
(Replacing Mrs. Fitzpatrick,
whose term expired 12/1/63)

VOTE: 35 yes
2 no

Term Expiring:

- (3) ZONING BOARD - JOSEPH DEJEWSKI (R) Dec. 1, 1968 (5 yr. term)
Twin Brook Drive
(Presently an Alternate - replacing
Mr. Cameron)

VOTE: 29 yes
8 no

- (4) ZONING BOARD - DOMINICK A FLORENZA (R) Dec. 1, 1964 (3 yr. term)
(Alternate) 25 Gaymoor Circle, Springdale
(Replacing Mr. Dejewski, upon his
appointment to Zoning Board)

VOTE: 34 yes
3 no

FISCAL COMMITTEE:

MR. ROGERS, Chairman, said a meeting was held Thursday, February 27, 1964 in the Board of Representatives' meeting room in the Helco Building. Present were Mr. Connors, Mr. Russell, Mrs. Lilliendahl, Mr. Rybnick and the Chairman. He said a second meeting was held this evening at 7:00 o'clock in Dolan Jr. High School.

- (1) \$2,476.46 - PUBLIC WORKS DEPARTMENT - Code 602.0101, Administration, Salaries -
Concerning establishment of new position of "Chief Operator",
Salary Grade 9 (Mayor's letter of 1/3/64) (Deferred 2/3/64)

MR. ROGERS said the above request was unanimously DENIED by the Committee.

- (2) \$3,585,000.00 - Resolution No. 434 authorizing the issuance of \$3,585,000.00
General Obligation Bonds of the City of Stamford, Connecticut,
to finance the Capital Projects in the Capital Budget for the
fiscal year 1963-1964 to be financed with funds raised by
borrowing (Requested in letter from Gibbs Lyons, Commissioner
of Finance, dated 2/7/64) (Mayor's letter of 2/3/64) (Note: A
similar resolution adopted by Board of Finance on 2/13/64)

MR. ROGERS MOVED for approval of the following resolution as outlined above.
Seconded by Mr. Mogul and CARRIED unanimously:

RESOLUTION NO. 434

AUTHORIZING THE ISSUANCE OF THREE MILLION FIVE
HUNDRED EIGHTY-FIVE THOUSAND DOLLARS (\$3,585,000.00)
GENERAL OBLIGATION BONDS OF THE CITY OF STAMFORD
CONNECTICUT, TO FINANCE THE CAPITAL PROJECTS IN THE
CAPITAL BUDGET FOR THE FISCAL YEAR 1963-1964 TO BE
FINANCED WITH FUNDS RAISED BY BORROWING.

WHEREAS, pursuant to Section 630 of the Charter of the City of Stamford, as amended, the Board of Representatives of the City of Stamford has received a letter from the Mayor, dated February 3, 1964, requesting it to authorize the issuance of bonds to finance all of the Capital Projects contained in These

Capital Budget for the fiscal year 1963-1964, as amended, as are to be financed with funds raised by borrowing; and

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

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

1. That there be and hereby is authorized, under and pursuant to the Charter of the City of Stamford and any other general or special statutes thereto enabling, the issuance and sale from time to time of general obligation, coupon, serial bonds of the City of Stamford, Connecticut, in the aggregate principal amount of Three Million Five Hundred Eighty-Five Thousand Dollars (\$3,585,000.00) for the purpose of paying for Capital Projects consisting of the several public improvements or other municipal works of a permanent character or for land taken for the purposes of such improvements or municipal works, all as hereinafter more fully described. Each of said Capital Projects is included in The Capital Budget for the fiscal year 1963-1964, as amended, duly adopted, and reference is hereby made to the said The Capital Budget, as amended, for a more complete description of the particular Capital Projects hereinafter designated. The said Capital Projects and the extent to which they are to be financed with the proceeds of the bonds herein authorized are as follows:

DEPARTMENT OF PUBLIC WORKS

Sanitary Sewer Construction:

Extension of Sanitary Sewers South of Parkway	\$1,250,000
--	-------------

Storm Drain Construction:

City-Wide Storm Drains	\$ 15,000
Westover School-Alvord Lane	170,000
Brook Run Lane	12,000
Southfield Avenue	83,000
Westover-Bartina Lane	<u>15,000</u>
	295,000

Flood Control Construction:

Hurricane Protection	<u>280,000</u>
	\$1,825,000

BOARD OF EDUCATION

Board of Education Construction:

Turn-of River Jr. High School Vine Road - Equipment	\$ 250,000
--	------------

BOARD OF EDUCATION (Continued)

Board of Education Construction:

Rogers School Rehabilitation and Addition - Equipment	\$ 60,000
Roxbury School-Eight Classroom Addition	360,000
Elementary School-North of Parkway, East Site	75,000
Stamford High School Site Improvement	10,000
Stamford High School Rehabilitation	<u>5,000</u>

760,000

URBAN REDEVELOPMENT COMMISSION

Urban Redevelopment Construction:

Southeast Quadrant	<u>\$1,000,000</u>
	<u>\$3,585,000</u>

2. That said bonds shall be issued in the name of and upon the full faith and credit of the City of Stamford, and shall be issued as four separate bond issues, and subject to the Charter of the City of Stamford and other applicable provisions of law, in the manner and in the principal amounts that the Board of Finance may determine from time to time, including, but without limitation, the determination of the form, date, dates of payment of principal and interest and all other particulars; and said Board of Finance, or, if authorized by the Board of Finance, the Commissioner of Finance, may determine the rate or rates of interest which the said bonds are to bear.

3. That each of the Capital Projects herein above described and contained in The Capital Budget for the fiscal year 1963-1964, as amended, is hereby confirmed as a duly authorized Capital Project..

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

5. That this resolution shall take effect immediately, and all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed.

- (3) \$240,000.00 - TRANSFER OF SALARY ADJUSTMENT FUNDS, 1963-1964 fiscal year
(Mayor's letter of 2/7/64)

MR. ROGERS MOVED for approval of the above request. Seconded by numerous members and CARRIED unanimously.

- (4) \$50,000.00 - PUBLIC WORKS DEPARTMENT - Code 606.0609, Storm Emergency and Snow Removal (Mayor's letter of 1/27/64) (REDUCED from \$65,000.00 by Board of Finance on 1/28/64)

MR. ROGERS MOVED for approval of the above request. Seconded by Mr. Morris, Chairman of the Public Works Committee, who reported that his committee concurred in approval. CARRIED unanimously.

- (5) \$1,225.00 - FIRE DEPARTMENT - Code 540.1201, Maintenance of Equipment (Repairs to ambulance \$625.00 and repairs to Deputy Chief's Station Wagon, \$600.00)

MR. ROGERS MOVED for approval of the above request. Seconded by Mr. Longo and CARRIED unanimously.

- (6) Resolution No. 435 amending CLASSIFIED EMPLOYEES' PENSION PLAN - (Presented by Municipal Employees' Association in letter of 12/9/63)-- (DEFERRED 2/3/64)
(Note: Also referred to Personnel Committee and Legislative & Rules Committee)

MR. ROGERS said at a second committee meeting held this evening, the Fiscal Committee by a vote of 6 yes and 2 no, moved to report out the following resolution, amending the Classified Employees' Retirement Fund, which is contained in Section 745 through Section 750, pages 3735 through 3739, inclusive, of the Minutes of July 1, 1963.

MR. ROGERS MOVED for the adoption of this resolution, as printed in the Minutes of July 1, 1963, outlined above. Seconded by Mr. Russell.

MR. KANE rose on a point of information. He asked if this proposed resolution was the same as the one which appeared on the ballot as Proposal No. 3 in the November 5, 1963 referendum, or was it the one which was proposed by the Municipal Employees' Association in their letter of December 9, 1963.

MR. ROGERS replied that the resolution is identical to the one which was on the ballot as part of Proposal No. 3 in the November 1963 referendum.

THE PRESIDENT explained that this requires a two-thirds vote to carry or 27 votes in the affirmative.

MR. TRUGLIA asked if the Commissioner of Finance has given his approval of the proposed resolution.

MR. ROGERS explained that during the past month the committee has had two meetings with the Mayor and the Commissioner of Finance and other interested parties and said he is quite certain that the Commissioner of Finance heartily concurs in the adoption of this resolution.

MR. TRUGLIA MOVED for a recess at this time (9:05 P.M.). The request was granted.

The recess was declared over at 9:30 P.M. and the members resumed their seats.

MR. TRUGLIA said he is questioning the legality of the motion. He asked if it is properly before the Board, as he does not think it is the same one which appears on the agenda for this meeting.

THE PRESIDENT explained that this matter was referred to committee for further study, and the committee has made a motion and it was not tabled.

MR. TRUGLIA requested that the proposed resolution be read.

MR. KANE said he believes that there have been additional amendments made to the resolution which appears in the Minutes of July 1, 1963 under the title of "Proposal No. 3". He wanted to know if this is the same proposal which was read before the previous Board (7th Board) and which was subsequently placed on the ballot in November 1963.

MR. ROGERS said it is identical to what appears in the Minutes of July 1, 1963 on pages 3735 through 3739 inclusive, with absolutely no changes.

MR. TRUGLIA repeated his request that the resolution be read.

MR. KETCHAM MOVED that the reading of the proposed resolution as moved by Mr. Rogers and seconded by Mr. Russell, be waived. Mr. Mogul seconded the motion.

MR. KANE spoke in opposition to the motion for the reason that some of the new Board members do not have copies of the July 1, 1963 minutes of the previous Board.

He said he was Chairman of the Committee that brought this matter out for the consideration of the voters last November and he happened to have a copy of the Minutes which contained the particular version of the Pension Plan now under discussion. For this reason he said he thought it necessary to read the entire resolution for the edification of the new members. He said he would even assist in reading the resolution if it proved to be too long.

MR. TRUGLIA asked how the members could vote for something they had not seen.

THE PRESIDENT ruled Mr. Truglia out of order as this is strictly a motion to waive the reading of the resolution.

MR. RICH said he was one of the new Board members and he has a copy of the resolution under discussion and has given it to every member of the Republican caucus who asked for it.

There being no further discussion on Mr. Ketcham's motion to waive the reading of the resolution, a VOTE was taken by a show of hands. CARRIED by a vote of 25 in favor and 12 opposed.

After considerable discussion on the motion as previously made by Mr. Rogers, seconded by Mr. Russell, to approve Resolution No. 435, a roll call vote was taken on the resolution, with all members voting in favor of its adoption. As there were no dissenting votes, the roll call vote will not be printed in the Minutes.

For the sake of future clarity, the resolution adopted by the above unanimous vote follows:

Minutes of March 2, 1964

3933

RESOLUTION NO. 435

AMENDMENTS TO CITY OF STAMFORD CLASSIFIED EMPLOYEES'
RETIREMENT FUND (Authorized by Special Act No. 463,
1951 General Assembly; previously amended by Board of
Representatives by Resolutions No. 140 and 141, 6/16/52;
Resolution No. 186, 10/4/54; Resolution No. 288, 12/8/58;
Resolution No. 293, 3/2/59; and Resolution No. 361, 6/5/61)

BE AND IT IS HEREBY RESOLVED, that the Classified Employees' Retirement Plan be amended as follows:

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 Section 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 contributions 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 \$2,000.00 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 \$2,000.00 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 workmen'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.

LEGISLATIVE AND RULES COMMITTEE:

MR. SELSBERG, Chairman, presented his Committee report at this time. He said a meeting was held on Tuesday, February 25, 1964 in the Municipal Office Building, 429 Atlantic Street, with all members present. He reported no action was taken on item #1 on the agenda under his committee, as it had been referred from his committee to the Fiscal and Personnel Committees. (Note: This was the amendment to the Classified Employees' Pension Plan, previously acted upon, being item #6 on the agenda under Fiscal Committee)

- (2) Final adoption of Ordinance No. 109 concerning Sale of ELM STREET SCHOOL Property for \$166,750.00 to Cambridge Company (Mayor's letter of 12/11/63)
(Approved for publication on 2/3/64)

MR. SELSBERG MOVED for approval of the following Ordinance for final adoption. Seconded by several members and CARRIED unanimously:

ORDINANCE NO. 109 SUPPLEMENTAL

CONCERNING SALE OF CITY-OWNED PROPERTY TO THE CAMBRIDGE COMPANY

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

In conformity with Section 488 of the Stamford Charter, and notwithstanding any provisions of Chapter 2, Section 2-24 to 2-27, inclusive, of the Code of General Ordinances of the City of Stamford, the sale to THE CAMBRIDGE COMPANY, a corporation organized and existing under the laws of the State of Connecticut and having its principal place of business in the City of Bridgeport, County of Fairfield and State of Connecticut, of the following described property:

All that certain piece, parcel or tract of land, together with the buildings and improvements thereon, situated in the City of Stamford, County of Fairfield and State of Connecticut, bounded and described as follows:

Beginning at a point on the easterly side of Elm Street, which point is 269.76 feet from the northeasterly intersection of said Elm Street with Hawthorne Street as shown on a certain map entitled: "City of Stamford Map Showing Parcels 'A' and 'B' of Land Exchanged by the City of Stamford and Knights of Columbus Building Association of Stamford, Connecticut, Incorporated", which map is on file in the office of the Town and City Clerk of the said City of Stamford as the map numbered 6884, reference thereto being hereby had, and running thence from said point in an easterly direction along land now or formerly of Knights of Columbus Building Association of Stamford, Connecticut, Incorporated, on a course whose bearing is North $89^{\circ}23'00''$ East a distance of 194.76 feet, thence along land now or formerly of said Knights of Columbus Building Association of Stamford, Connecticut, Incorporated, in a southerly direction on a course whose bearing is South $41^{\circ}46'44''$, East a distance of 59.13 feet, thence in a southwesterly direction on a course whose bearing is South $35^{\circ}33'30''$, West to a point on Elm Street as it now exists, thence along the easterly street line of Elm Street as it now exists, in a northwesterly direction to the point or place of beginning.

Except for the last mentioned boundary description, along the easterly side of Elm Street, said premises are shown and delineated on the aforementioned map to which reference is hereby made for a more particular description of said premises.

For the price of not less than ONE HUNDRED SIXTY SIX THOUSAND SEVEN HUNDRED FIFTY AND NO/100 DOLLARS (\$166,750.00) is hereby approved, approval thereof by the Mayor, the Planning Board and the Board of Finance of the City of Stamford having been previously granted.

The Mayor is hereby authorized and empowered to act for the City and to execute and deliver all documents necessary to transfer title to the hereinabove described premises.

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

- (3) Final adoption of Ordinance No. 110 concerning the establishment of a Commission on Human Rights in Stamford (Approved for publication on 2/3/64)

MR. SELSBERG said the Committee took no further action on this item, except to point out two errors in the published copy of the Ordinance, published in the Stamford Advocate under Legal Notices on February 8, 1964.

MR. SELSBERG MOVED for final adoption of the following Ordinance. Seconded by Mr. Maffucci.

ORDINANCE NO. 110 SUPPLEMENTAL

AN ORDINANCE ESTABLISHING A COMMISSION ON HUMAN RIGHTS
FOR THE CITY OF STAMFORD

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

The Code of General Ordinances of Stamford, Connecticut, be amended by adding thereto the following new chapter, to read as follows:

COMMISSION ON HUMAN RIGHTS1. PURPOSE

A city agency is hereby created through which the City of Stamford officially may encourage and bring about mutual understanding and respect among all groups in the city, eliminate prejudice, intolerance, bigotry, discrimination and disorder occasioned thereby and give effect to the guarantee of equal rights for all assured by the constitution and the laws of the State of Connecticut and of the United States of America.

2. DEFINITIONS

(a) "Discrimination" shall mean any unlawful difference in treatment based on race, creed, color, national origin or ancestry, and shall include segregation, except that it shall not be discrimination for any religious or denominational institution to devote its facilities exclusively or primarily to or for members of its own religion or denomination or to give preference to such members or to make such selection as is calculated by such institution to promote the religious principles for which it is established or maintained.

(b) "Religious or denominational Institution" shall mean any institution which is operated for religious purposes or is operated, supervised or controlled by a religious or denominational organization.

3. COMMISSION ON HUMAN RIGHTS

There is hereby created a Commission on Human Rights. It shall consist of nine members, serving without compensation, to be appointed by the Mayor. All members shall be resident electors of the municipality and not more than a bare majority of the members of the Commission shall be registered members of the same political party. The Mayor shall submit to the Board of Representatives, not later than June 1, 1964, his nominations of nine members of the Commission on Human Rights. Of the nine persons thus nominated, three shall be nominated as members to serve for three years, three shall be nominated to serve as members for two years, and three shall be nominated to serve as members for one year; thereafter all appointments shall be for a term of three years. In the event of the death, resignation or removal of any member, his successor shall be appointed by the Mayor to serve for the unexpired period of the term for which such member had been appointed. No nomination to the Commission on Human Rights shall become effective until approved by the Board of Representatives. The Board of Representatives shall defer final action on all nominations until its next regular meeting. The Mayor may remove a member for cause after a public hearing.

Written charges and notices of hearing shall be served upon such member at least seven days before the hearing, either personally or by leaving the same at his place of residence. Such member shall have the right to be represented by counsel at the hearing. Each year, following approval by the Board of Representatives of the new members, the Commission on Human Rights shall select from among its members its chairman. All of the other provisions of Chapter 50 of the City Charter shall apply to this Commission.

4. FUNCTIONS

The functions of the Commission shall be:

(a) To foster mutual understanding and respect among all racial, religious and ethnic groups in the City of Stamford.

(b) To encourage equality of treatment for, and discourage discrimination against any racial, religious or ethnic group or its members.

(c) To cooperate with business, civic, governmental and non-governmental agencies and organizations in furtherance of the purposes of this Ordinance.

(d) To make, in accordance with the powers and duties hereafter set forth, such investigations and studies in the field of human relations as, in the judgment of the Commission, will aid in effectuating its general purposes.

5. POWERS AND DUTIES

The powers and duties of the Commission shall be:

(a) To work together with Federal, State and City agencies in developing courses of instruction, for presentation to city employees and in public and private schools, public libraries, museum and other suitable places, in techniques for achieving harmonious intergroup relations within the City of Stamford.

(b) To enlist the cooperation of the various racial, religious and ethnic groups, community organizations, labor organizations, commercial and business organizations, fraternal and benevolent associations, and other groups in Stamford, in programs and campaigns devoted to eliminating group prejudices, intolerance, bigotry and discrimination.

(c) To study the problems of prejudice, intolerance, bigotry, discrimination and disorder occasioned thereby in all or any fields of human relationship.

(d) To receive and investigate complaints and to initiate its own investigations of: (1) racial, religious and ethnic group tensions, prejudice, intolerance, bigotry and disorder occasioned thereby; (2) unlawful discrimination against any person, group of persons, organization or corporation, whether practiced by private persons, associations, corporations or by city officials or city agencies, except, that all instances of such discrimination involving the occupancy of housing accommodations, within the jurisdiction of any State Commission or Agency, shall be referred to that Commission or Agency.

(e) To hold hearings, administer oaths, and take the testimony of any person under oath. No public hearing shall be held pursuant to this title without the approval of the Commission by two-thirds affirmative vote. The Commission, after the completion of any hearing and/or investigation, shall make a report to the Mayor in writing, setting forth the facts found by it and its recommendations. Until such time as said written report shall have been made to the Mayor, no statement shall be issued by the Commission or any of its members, and upon the completion of such written report any and all statements of the Commission shall be issued through and by its Chairman only. At any hearing before the Commission, a witness shall have the right to be confronted by the complainant.

(f) To issue publications and reports of studies and research designed to promote good will and to minimize or eliminate prejudice, intolerance, bigotry, discrimination and disorder occasioned thereby.

(g) To appoint an Executive Secretary, subject to approval of such appointment by the Board of Representatives, at an annual salary not to exceed \$10,000.00 per year; all other authorized administrative personnel of the Commission shall be selected in full and complete accordance with established Civil Service procedures.

(h) To make recommendations to the Mayor and to the Board of Representatives to aid in carrying out the purpose of this title.

(i) To submit an annual report to the Mayor and the Board of Representatives.

6. RELATIONS WITH CITY DEPARTMENTS AND AGENCIES

So far as is practicable and subject to the written approval of the Mayor in each instance, the services of all City Departments and Agencies shall be made available to the Commission for the purpose of carrying out the functions, powers, and duties herein set forth, and the heads of such Departments or Agencies shall furnish to the Commission such information in the possession of such Departments or Agencies as the Commission, by written communication, may require.

7. ASSIGNMENT OF COUNSEL

Subject to the written approval of the Mayor, the Corporation Counsel may assign counsel from his office to the Commission in the conduct of its investigations or hearings.

8. INVALID APPLICATIONS

If any provision of this Ordinance or the application of such provision to any person or circumstances shall be held invalid, the remainder of such Ordinance or the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

9. EFFECTIVE DATE

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

MR. KUCZO MOVED TO TABLE the above Ordinance.

THE PRESIDENT informed Mr. Kuczo the motion is not debatable. He asked if there was a seconder to Mr. Kuczo's motion. No one seconded the motion and Mr. Kuczo withdrew his motion, for the reason that he could not speak upon the motion.

MR. KELLY asked if the Ordinance did not have to be advertised again, inasmuch as there was an error in its publication in the newspaper.

THE PRESIDENT said it would not be necessary as it was merely a typographical error..

MR. CAPORIZZO said he wanted to know what the \$10,000.00 salary for an Executive Secretary was for. MR. SELSBERG said this was for a full time employee to administer the Commission, who would either be a trained social worker or someone who would have a comparable educational background, probably a Master's in the social sciences or equivalent.

MR. MARTIN said he has seen no qualifications for the \$10,000.00 salary for the Executive Secretary, and MOVED that the paragraph regarding the salary be dropped. Seconded by Mrs. Lilliendahl.

THE PRESIDENT asked if there was any discussion on the amendment as offered by Mr. Martin.

MR. PHILPOT spoke in opposition to Mr. Martin's amendment.

MR. SHERMAN spoke against the amendment.

After some further discussion, Mr. Martin withdrew his amendment and asked that the question of qualifications for the position of Executive Secretary be referred to the Steering Committee.

THE PRESIDENT asked if there was any discussion on the main motion to approve the Ordinance.

There was considerable debate at this point. Several members objected to a salary of \$10,000.00 being too high and others said they believed it should be higher in order to attract a person with the proper educational background and ability.

MR. SELSBERG said he had checked with the City of Hartford in the matter of salary, and reported they had not as yet set a figure, but were thinking in the bracket of from \$10,000.00 to \$13,000.00.

MR. KETCHAM objected to debate on the proper salary as being out of place here, as the qualifications would be set up by the Personnel Commission and when it again comes before the Board to approve the appropriation, it would be the proper time for such debate to occur.

MR. SHANEN MOVED to amend that the salary be left open and that no limit be placed.

THE PRESIDENT ruled that Mr. Shanen's motion is the same as the one previously offered by Mr. Martin, which was later withdrawn, and is out of order.

MR. ROGERS MOVED THE QUESTION. Seconded by Mr. Philpot and CARRIED with several "No" votes.

MR. KETCHAM MOVED for a roll call vote. Seconded and CARRIED.

Ordinance No. 110 was CARRIED by the following roll call vote of 29 in favor, 3 opposed, 5 abstentions, with 3 members being absent:

THOSE VOTING IN FAVOR

Patsy Arruzza (D)
Joseph Bitetto (R)
George Connors (D)
Edward Dombroski (D)
Jennie Esposito (D)
Booth Hemingway (R)
John Kane (D)
Stephen Kelly (D)
Alan Ketcham (R)

THOSE OPPOSED

Paul Kuczo (D)
Frances Lilliendahl (R)
Peter Martin (R)

ABSTENTIONS

Vincent Caporizzo (D)
Robert Durso (D)
William Hearing (R)

THOSE VOTING IN FAVOR

Carmine Longo (D)
 John Maffucci (R)
 Lee Mogul (R)
 John Morris (D)
 Thomas Morris (R)
 William Murphy (D)
 Benjamin Nathanson (R)
 Romaine Philpot (R)
 Paul Rand (R)
 Daniel Remling (R)
 John Rich (R)
 Randolph Rogers (R)
 Gerald Rybnick (D)
 Ronald Schwartz (R)
 William Selsberg (R)
 Allen Shanen (D)
 Michael Sherman (R)
 Anthony Truglia (D)
 Dominick Vivona (D)
 Michael Zerima (R)

ABSTENTIONS

Edwin Lindstrom (R)
 George Russell (R)

- (4) Regarding increase in Standing Committee membership to 8 (As per letter from President to all members, dated February 11, 1964)

MR. SELSBERG said it was the opinion of his Committee that the above matter could not be brought before the Board at this meeting for two reasons. First, the rules of order specify "These rules shall not be amended, except by the vote of at least two-thirds of the members present at a meeting in which the notice of said meeting includes the text of the amendment". He said because the notice of this meeting does not contain the text of the amendment, it is the opinion of the committee that the Board cannot properly take action on it. Second, an amendment has not been presented to the Legislative & Rules Committee, but only the INTENT of a proposed amendment to the Rules of Order which will be presented at the March 2, 1964 Board meeting. As an amendment was not actually presented, the opinion of the Committee was that no action could be taken at this time.

- (5) Resolution concerning appointment of a 9th Charter Revision Commission to consider the establishment of new boundary lines for Stamford's 20 Voting Districts (See item #13 of Steering Committee report)

MR. SELSBERG reported that before the Committee could make any recommendation regarding the above matter, the opinion of the Corporation Counsel should be obtained to determine the correct procedure.

PUBLIC WORKS COMMITTEE:

MR. MORRIS, Chairman, said a meeting was held Friday, February 21, 1964 in the office of the Commissioner of Public Works. Present were: Thomas Morris, Daniel Remling, Carmine Longo, Joseph Bitetto, Edwin Lindstrom and Edward Dombroski.

- (1) Concerning adoption of a SEWER CODE, as per Section 4 of Ordinance No. 80 (Being the balance of the Building Code adopted July 1, 1959) (Requested in letter of 1/21/64 from Mr. Nathanson, 7th District Representative)

The above matter was not reported out by the Committee.

- (2) Request from Stamford High School Council to pave parking lot at Stamford High School (Received 1/23/64)

MR. MORRIS said the above matter was deferred by the Committee for the reason that in order to remove water from this swamp area, it would be necessary to build a storm drain which would entail an expenditure in the neighborhood of approximately \$81,000.00.

HEALTH & PROTECTION COMMITTEE:

- (1) Parking Authority request for approval of acquisition of property on Bell Street from the Jemez Co., formerly leased - Purchase price to be \$29,800.00
(Requested in their letter of 2/13/64), enclosing proposed contract and map)

The above matter was DEFERRED for further study.

- (2) Concerning request for traffic light on SEASIDE AVENUE (Previously requested in letter of Oct 15, 1963 to former Mayor William Hickey by 10th District Representatives - Reactivated - See item #5 in Steering Committee report, Minutes of 2/3/64, page 3892)

MR. HEARING, Chairman, read a letter dated March 2, 1964 from Hawley C. Oefinger, Supt. of Communications, Police Department, on the above matter. The letter said a traffic count was taken on Oct. 14, 1963 and the State Highway Department is now in the process of making a survey of Main Street and Seaside Avenue, which will determine if a traffic system will be installed at this location.

PLANNING & ZONING COMMITTEE:

Concerning final adoption of Ordinance No. 111 changing name of BUBSEY LANE

MR. RUSSELL MOVED for adoption of the following Ordinance. Seconded by Mr. Philpot and CARRIED unanimously:

ORDINANCE NO. 111 SUPPLEMENTAL

CHANGING THE NAME OF BUBSEY LANE TO CLUB CIRCLE

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Bubsey Lane, which runs westerly from Club Road to a dead end be changed to CLUB CIRCLE.

This Ordinance shall take effect upon its enactment.

PARKS & RECREATION COMMITTEE:

MR. KELLY, Chairman, presented his committee report. He said a meeting had not been held because of other committee meetings which interfered, but they had been furnished with a report of the Park Commission's meeting held Feb. 25, 1964. He reported that the committee did meet with the Board of Recreation on Feb. 11th

with the following members attending: Joseph Bitetto, Michael Zazima, Edward Dombroski and Stephen Kelly. He outlined the projects contemplated by the Board of Recreation for the coming season.

Concerning 1964 Season Fees for Tennis, Park-beach parking permit stickers and lawn bowling (Requested in letter of 2/4/64 from Mr. Edward Connell, Supt. Parks and Trees, per provisions outlined in Ordinance No. 64)

MR. KELLY MOVED for approval of the following fees as outlined in Mr. Connell's letter. Seconded. The fees are outlined below:

Tennis (daytime) 40 cents per hour per court (same as 1963)

Tennis (floodlight) - \$2.00 per hour per court (new fee)

Park-beach parking permit stickers..... \$1.00 annual

Lawn Bowling..... 2.00 annual

Several members objected to the prices and after considerable debate, the above matter was re-committed to committee by motion of Mr. Shanen, seconded by Mr. Kane and CARRIED by a vote of 20 in favor, 17 opposed. (show of hands)

PERSONNEL COMMITTEE:

MR. PHILPOT, Chairman, reported out on the matters previously taken up under the report of the Fiscal Committee - namely items #1 and #6.

EDUCATION, WELFARE & GOVERNMENT COMMITTEE:

MR. KUCZO, Chairman, presented his committee report. He said a meeting which had been scheduled for Wednesday, February 25th had to be cancelled because of last minute cancellation of a place to meet, as the furniture had been moved out of the room in which they had intended to hold their meeting.

URBAN REDEVELOPMENT COMMITTEE:

MR. RICH, Chairman, gave his committee report. He said a meeting had been held on February 26, 1964 in the new Municipal Office Building in the Board of Representatives' meeting room, with the following members present: Mrs. Esposito, and Messrs. Hearing, Longo, Murphy and Rich. Also present were Mr. Greenbaum and Mr. Carey as well as Miss Pinchot and Mr. Toth from the Urban Redevelopment Commission and office. He reported on a trip taken to New Haven by interested persons to see how that city is handling urban renewal. He explained the progress being made in Stamford and what is being done to expedite urban renewal here.

CITY HALL "TASK FORCE" COMMITTEE:

MR. KETCHAM, Chairman, said his committee met on Thursday, Feb. 27, 1964 with Mr. Kelly, Mr. Truglia, Mr. Lindstrom and the Chairman present. He said after receiving a report from Fire Chief Thomas Richardson, the Committee voted to send a letter to Commissioner of Public Works, Arthur Mitchell, requesting him to proceed forthwith to rearrange the last necessary partitions and also getting the meeting rooms in shape for future meetings. He said advice has also been received by the Committee as to the approximate cost of necessary furniture and will shortly submit this to go through the proper channels for appropriation.

THE PRESIDENT asked Mr. Ketcham if he had any data as to when the Board could start holding their meetings in the new quarters.

MR. KETCHAM replied he would be unable to estimate accurately at this time until the appropriation has been approved and gone through the necessary channels.

SPECIAL INVESTIGATING COMMITTEE:

MR. LINDSTROM, Chairman, gave his committee report of meetings held on Feb. 5th and 20th, 1964. He said all members were present at the first meeting, with Mr. Rogers being ill and unable to attend the second. He said Mr. Gerald Kolinsky, counsel for the Committee was also present at these meetings as well as Mr. Ketcham, Majority Leader.

Mr. Lindstrom said a general discussion was held at both meetings, with a few legal questions arising as to the powers of the Committee and the legality of those in attendance, which have been submitted to the Corporation Counsel for a ruling.

COMMUNICATIONS FROM MAYOR:

Letter dated March 2, 1964 concerning Mayor's appointments to be confirmed by Board of Representatives

The above letter was referred to the Steering Committee for referral to the Appointments Committee.

COMMUNICATIONS FROM OTHER BOARDS AND INDIVIDUALS:

Concerning Corporation Counsel's opinion (letter dated 2/3/64) as to whether or not the Board of Representatives may take action on fluoridation of the City water supply, in view of the findings of Judge Covello, Superior Court (dated 7/29/63) on this matter.

THE PRESIDENT read the above letter into the record at this time. The letter follows:

"You have inquired of me on behalf of the Steering Committee of the Board of Representatives as to whether or not the Board of Representatives may take action concerning the requirement of fluoridation by the Water Company serving the City of Stamford.

"The City of Stamford has by section 40 of the Charter specifically the right to legislate concerning health and the appropriate sub-section 42 states that the City has the right 'To provide for and to do the things necessary or desirable to secure and promote the public health.' It is the power expressly conferred upon the City by the Legislature and would enable the City to enact ordinances thereunder.

"The situation is not similar to the rent ordinance declared void by our Supreme Court in the case of Old Colony Gardens, Inc. vs Stamford, 147 Conn. 60.

"Nevertheless the State of Connecticut has given to the State Health Department matters which deal with the purity of water which the water companies furnish to the public and further, the General Assembly has provided that

the State Department of Health shall have jurisdiction over the matters concerning the purity of any source of water used by any municipality or water company. General Statutes, 25-32 et seq.

"It clearly appears, therefore, that the Legislature has charged the State Department of Health with the responsibility of supervising the purity of the water which the Stamford Water Company supplies to the public. The fluoridation of water supplied would necessarily be included in this responsibility.

"It has long been held that wherever the state legislation has covered the field in which a city may legislate that the exercise of the state jurisdiction will prevent the local community from enacting legislation. Here the state has covered the field with respect to the quality of water which the Stamford Water Company is required to furnish to the inhabitants of Stamford and has thus preempted the field.

"The State's Attorney General has ruled on November 15, 1963, that the Public Health Council can order state-wide fluoridation without further action by the State Legislature and this question is presently before the Commissioner of Health and the Council.

"In a recent decision of the Superior Court dated July 29, 1963, in the cases of New Haven Water Company vs Town of Hamden, docket number 100854, and New Haven Water Company vs. The City of New Haven, docket number 101294, Honorable Judge Covelio stated that 'the evidence presented clearly establishes that in this state the introduction of fluoride into drinking water *** will cause no harmful effects to the human body, but will substantially and materially reduce caries in the teeth of children under the age of sixteen, and will benefit adults***'.

"Nevertheless, despite this finding by the Superior Court, the Judge ruled that the ordinances promulgated by the two cities were void because the state having legislated in the field dominates the field to the exclusion of the municipalities.

"Until the Supreme Court of Connecticut has overruled or amended Judge Covelio's decision, or there are judges of equal authority who will have decided cases on the same issue, the City of Stamford is bound by the extant decision referred to."

SCK:A

(Signed) Sydney C. Kweskin
Corporation Counsel

OLD BUSINESS:

**Concerning possibility of installation of a traffic light at the corner of
SELLECK STREET and FAIRFIELD AVENUE**

MR. TRUGLIA said a serious condition exists at the above location, and requested this be referred to the Steering Committee for referral to the proper committee.

MR. ROGERS said he agreed with Mr. Truglia that this is a dangerous intersection and that something should be done.

NEW BUSINESS:Concerning increased benefits for pensioners now on pension under the
CLASSIFIED EMPLOYEES PENSION PLAN

MR. KETCHAM spoke on the above matter. He said in the hurry of trying to adopt increased benefits for the Classified Employees Pension Plan, certain evident situations were brought to the attention of the committees engaged in considering the matter. He said one of the more serious, which was not included either in the plan submitted by the Municipal Employees Association or the plan adopted earlier this evening, was the plight of those now on pension. He said, according to the Commissioner of Finance, Mr. Gibbs Lyons, 24 persons, former Classified Employees of the City, supposedly on pension, but actually almost wholly dependent upon Social Security in most cases and some in very straightened circumstances. He urged the Board to take recognition of the plight of these people and act immediately to set the proper machinery in motion to take care of the situation and see that these former employees are properly protected.

MR. KETCHAM requested that this problem be referred to the Steering Committee so that it may be referred to the proper committee for immediate and thorough consideration in order that this situation can be taken care of, and SO MOVED.

MR. KANE said he agreed with Mr. Ketcham and seconded the motion. The matter was therefore REFERRED TO THE STEERING COMMITTEE for referral to the proper committee.

Concerning parking problem at new Municipal Office Building, 429 Atlantic St.

MR. LINDSTROM brought up the above matter and asked that something be done to provide parking facilities for Board members when they have to attend meetings in the new City Hall; and asked that a letter be sent to the Chief of Police.

THE PRESIDENT said he would see that an appropriate letter is sent to the Police Department.

MR. SHANEN said a decision was made by the previous Board that no debate would take place on matters brought up under "New Business" and that these matters should be presented in written form, so that the communication could be properly referred to the Steering Committee. He objected to the members bringing various matters up verbally, as there was nothing in writing to refer to the proper committee and created confusion as to just what the problem was.

Concerning use of Group Insurance in conjunction with Retirement Plan

MR. PHILPOT brought up the above matter at this time.

MR. TRUGLIA rose to a point of order. He said this has already been decided.

THE PRESIDENT said it would appear that Mr. Philpot has an item which properly belongs under "New Business".

MR. PHILPOT spoke regarding the suggested use of a group insurance plan in connection with the Retirement Plan. He said he had looked into the matter and would like to pursue the investigation further.

The above matter was REFERRED TO THE PERSONNEL COMMITTEE to continue whatever investigation may be necessary.

MR. TRUGLIA objected and asked why this was not brought out when the Pension Plan amendment was before the Board earlier in the meeting.

MR. MARTIN informed Mr. Truglia that he had tried to bring this up earlier and was told to present it under "New Business". He was not referring to group insurance, but rather to the fact that the employees who make the smallest salaries appear to contribute the most to the Pension Plan. He said he believed it should be more evenly distributed. REFERRED TO THE STEERING COMMITTEE.

Honor Roll in Atlantic Square Park in need of repairs

MR. SHERMAN said the Honor Roll, honoring deceased members of the armed forces, is in a bad state and should either be repaired or removed. He asked that this be referred to the Steering Committee for referral to the Parks and Recreation Committee so that some solution can be arrived at. REFERRED TO STEERING COMMITTEE

ADJOURNMENT:

Upon motion, duly seconded and CARRIED, the meeting was adjourned at 11:15 P.M.

vf

APPROVED:

Ronald M. Schwartz
Ronald M. Schwartz, President
Board of Representatives

Velma Farrell

Velma Farrell
Administrative Assistant
(Recording Secretary)

Note: The above meeting was broadcast
over Radio Station WSTC until
11:00 P.M.

VF