

SPECIAL MEETING OF BOARD OF
REPRESENTATIVES CONCERNING
CHARTER REVISIONS, AS RECOM-
MENDED BY THE 8TH CHARTER
REVISION COMMISSION -
MARCH 9, 1965

4265

A Special Meeting of the Board of Representatives of the City of Stamford was held TUESDAY, MARCH 9, 1965, at 8:00 P.M. in the Board's meeting room, Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut.

The meeting was called to order by the President, Alan H. Ketcham, at 8:40 P.M. (Note: This meeting was not broadcast).

ROLL CALL was taken by the Clerk. There were 30 present and 10 absent at the calling of the roll. However, several members arrived later in the meeting, changing the roll call to 32 present and 8 absent. The absent members were: Chester Walajtys, Patsy Arruzza, Dominick Vivona, Michael Zezima, Stanley Kulowicz, Jennie Esposito, William Hearing and J. Keggi.

The President read the following "Call" of the meeting:

BOARD OF REPRESENTATIVES
Municipal Office Building
429 Atlantic Street
Stamford, Connecticut

March 3, 1965

TO: ALL MEMBERS OF BOARD OF REPRESENTATIVES

SUBJECT: SPECIAL BOARD MEETING

I, ALAN H. KETCHAM, President of the Board of Representatives of the City of Stamford, pursuant to Section 202 of the Stamford Charter, hereby call a SPECIAL MEETING of said Board of Representatives, for

TUESDAY, MARCH 9, 1965

In the Board of Representatives meeting room

MUNICIPAL OFFICE BUILDING

at 8:00 P.M.

for the following purpose:

Special Meeting held Tuesday, March 9, 1965

To consider and act upon the REPORT OF THE CHARTER REVISION COMMITTEE and to act upon proposed Charter changes, to be submitted to referendum.

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ALAN H. KETCHAM, President
Board of Representatives

THE PRESIDENT said this Board is now operating under the provisions of the Home Rule Act (P. A. 465, 1957 Session, as amended to date). He quoted from the Act as follows:

"The Charter Revision Commission shall hold at least one public hearing and may hold such other public hearings as it may deem necessary. It shall submit its report, including proposed Charter amendment or amendments to the appointing authority. Within thirty (30) days thereafter, the appointing authority shall hold at least one public hearing on such report and shall within fifteen (15) days after such hearing, make recommendations to the Commission for such changes as it deems desirable; provided if no such recommendations are made within such fifteen (15) days, the report of the Commission shall be deemed final."

THE PRESIDENT said we are now in the stage where this Board is making recommendations back to the Charter Revision Commission. He said: "Therefore, our action shall be governed by our rules, wherein a majority of those present will pass or refer back to the Charter Revision Commission any business which we wish to refer to them."

He then called for the report of the Charter Revision Committee. Mr. George V. Connors, Chairman, said he would first read his report and then bring up each Section individually and make a motion for either referral back to the Charter Revision Commission, or approval, or rejection, as the case may be. He started to present his report of the action taken by his Committee, as follows:

REPORT OF THE CHARTER REVISION COMMITTEE OF THE
8TH BOARD OF REPRESENTATIVES, STAMFORD, CONNECTICUT

The Charter Revision Committee of the 8th Board of Representatives of the City of Stamford, held a meeting Tuesday, March 2, 1965, at 7:00 P.M. in City Hall. Present were: George V. Connors, John J. Morris, Jr., John V. Kane, Jr., Frances C. Lilliendahl, Edwin D. Iacovo, Sr., and Peter A. Martin.

Another meeting was held March 3, 1965 at 8:00 P.M. Present were George V. Connors, John J. Morris, Jr., Frances Lilliendahl, Edwin D. Iacovo and William P. Caporizzo.

On Saturday, March 6, 1965, a meeting was held in City Hall at 10:00 A.M. Present were: George V. Connors, John J. Morris, Jr., John Kane, Jr., Frances C. Lilliendahl, Edwin D. Iacovo, Peter A. Martin and William P. Caporizzo.

To accept or to resubmit the report of the 8th Charter Revision Commission, as presented to the Board of Representatives on February 1, 1965:

MR. JOHN MORRIS suggested at this time that it would expedite matters considerably if Mr. Connors would dispense with the entire reading of his Committee report and take up matters as they appeared in the report from the 8th Charter Revision Commission and make the Committee recommendations as they went along. It was agreed by the members that this would be the best way to handle it.

All matters that appear in the report of the 8th Charter Revision Commission were APPROVED, with the exception of the following:

CHAPTER 10

Sec. 102. Terms of office of elective officers.

REFERRED BACK to Commission, with the recommendation that this stay "as is" until a ruling is received from the Attorney General. The Board was not opposed, but questioned that this is the right time to make this change.

CHAPTER 11

Sec. 111. Election of Board of Finance. (The Mayor shall be an ex-officio voting member of the Board of Finance)

This recommendation was REJECTED, for the reason that the Mayor would, in effect, be serving two City Boards. The legality was also questioned, as being in conflict with Sec. 9-167A of the General Statutes, and also with Sec. 619. of the Charter.

CHAPTER 20

Sec. 203. President.

This was REFERRED BACK to the Charter Revision Commission for a language change to read as follows:

"On first Monday in December, following each biennial election, the Mayor shall convene the Board of Representatives for the purpose of organization. He shall preside at such meeting until a temporary Chairman shall have been appointed by the Board. The Board shall thereupon elect from among its members its President, to hold office for the term for which the Board was elected. He shall preside at all meetings of the Board. In the event of his absence, the members present may, by majority vote, elect a Chairman of the meeting. The President or other Chairman of the meeting shall have the same right to vote as any member of the Board."

CHAPTER 42

Sec. 421. Qualifications of the Director of Health.

This was REFERRED BACK to the Charter Revision Commission for a language change, to read as follows:

"Qualifications of the Director of Health. The Director of Health shall be a physician licensed in Connecticut, or in some other state, having equal standards, and shall have either one year's practical experience in public health work, or experience as specified by the Stamford Medical Society. He shall be appointed

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by the Mayor, with the approval of the Board of Representatives, for a term of five years."

(Note: "Commissioner" should read "Director" (1962 referendum, Proposal #1). Deleted in 3rd line of report the words: "with a degree in public health". Also deleted in 6th line of report the words: "the health commission and".)

Sec. 422. Assistant Director of Health.

This was REFERRED BACK to the Charter Revision Commission for a language change, to read as follows:

"The Director of Health may appoint an Assistant Director for Health Affairs for Environmental Health, who shall perform the duties that are delegated to him by the Director. The Director for Health Affairs shall possess all the powers and perform all the duties of the Director during the absence or disability of the Director of Health, or in the event of a vacancy in that office. He shall be a physician eligible to practice medicine in Connecticut. The Assistant Director for Environmental Health shall be a qualified sanitary engineer with training or practical experience in public health work."

Sec. 425. Duties of the Health Commission.

This was REFERRED BACK to the Charter Revision Commission for a language change, to read as follows:

"The Health Commission shall act in an advisory capacity to the Director of Health in the direction and control of the Department of Health. Said Commission shall determine within applicable State Statutes and/or special acts, the health policies for the City of Stamford, except as may otherwise be determined by the Board of Representatives, and make recommendations to the Director of Health and/or the Mayor, for the implementation of those policies and for dissemination of information to the public."

(Note: Final sentence was eliminated in above.)

Sec. 434. Police Work Week.

The Board REJECTED this recommendation, because it was passed by referendum on April 2, 1951.

CHAPTER 44. FIRE DEPARTMENT.

Sec. 444. Firemen's Work Week.

This recommendation was REJECTED, because it was passed by referendum on November 5, 1957.

CHAPTER 50. GENERAL PROVISIONS.

Sec. 500. Appointive Boards.

This was REFERRED BACK to the Charter Revision Commission for a language change, to read as follows:

"The appointive Boards shall be: The Planning Board, the Board of Tax Review, the Board of Recreation, the Zoning Board, the Board of Zoning Appeals, the Board of Public Safety, the Health Commission, the Park Commission, the Personnel Commission, the Public Welfare Commission, the Patriotic and Special Events Commission, the Human Rights Commission, the Hubbard Heights Golf Commission, the Sewer Commission, and the Flood and Erosion Control Board."

Sec. 503. Appointment and Removal of Board members.

This was REFERRED BACK to the Charter Revision Commission, for reasons stated previously under Chapter 10, Sec. 102.

Sec. 503.2 (A new Section)

This was REFERRED BACK to Charter Revision Commission, for reasons stated previously under Chapter 10, Sec. 102.

CHAPTER 52. PLANNING BOARD.

This was REFERRED BACK to the Charter Revision Commission (the entire Chapter) for further action, because of an opinion received from the Corporation Counsel, dated March 8, 1965, addressed to Mr. James Bingham, Chairman of the Planning Board.

Sec. 529.1. Vote Required by Board of Representatives.

MR. RUSSELL MOVED that the Charter Revision Commission clarify this Section. Seconded and CARRIED. (See page 7 of 8th Charter Revision Commission report, entitled "New Section 523., which will be the same as the present Section 529.1 with an addition".)

MR. RUSSELL'S AMENDMENT, which was seconded and CARRIED, follows:

"Vote Required by Board of Representatives. In deciding all matters referred to the Board of Representatives pursuant to this chapter, a majority vote of the entire membership of said Board shall be required to reverse a Planning Board's decision and approve any proposed amendment appeal."

CHAPTER 54. BOARD OF RECREATION.

Sec. 540. Powers and duties of the Board of Recreation.

This recommendation was REJECTED, because of the objection of many civic organizations.

Sec. 541. Superintendent of Recreation.

This recommendation was REJECTED for the same reasons as outlined above under Sec. 540.

Sec. 544. Same - Appointment and term of members.

This was REFERRED BACK to the Commission with the recommendation that it read as follows:

"Notwithstanding any other provisions of this Charter, there shall be in Stamford, a Hubbard Heights Golf Commission. Subject to the

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approval of the Board of Representatives, such Board shall annually establish the fees to be charged, and the rules and regulations for the use and conduct of the Hubbard Heights Golf Club and all of its facilities. It may employ a Manager to administer its policies and affairs and such Manager may employ necessary assistants within the appropriation therefor."

A RECESS was declared at 11:15 P.M. The recess being over, the members resumed their seats at 11:20 P.M.

CHAPTER 55. ZONING BOARD.

This was REFERRED BACK to the Commission (the entire Chapter, except for Sec. 553. and 556.1) for further action, because of a letter received from a member of the 8th Charter Revision Commission, (Franklin Melzer) to the President of the Board of Representatives, which questions its legality. The letter follows:

February 15, 1965 .

Mr. Alan Ketcham
Board of Representatives
Municipal Office Building
429 Atlantic Street
Stamford, Connecticut

Dear Mr. Ketcham:

As you know, I presently serve on the Charter Revision Commission and in such capacity, I, along with the other members of the Commission, prepared a report which was sent to your Board on February 1, 1965. Since that time, I read a Connecticut case entitled "Poulos Vs. Caparrelli, Building Inspector of Plainville, 25 Conn. Sup. 370" which case was reported in the December 15, 1964 edition of the Connecticut Law Journal. This case deals with the powers of Towns under the Home Rule Act interfering with powers of Zoning Commissions. Since our Commission in some ways has created new provisions with respect to the Zoning Commission and since this case points out there is a prohibition in the Home Rule Act from interfering with the powers of the Zoning Commission, I would suggest that you bring this matter to the attention of the Charter Revision Committee for their consideration.

I do not wish to imply that our action should be considered interference with the powers of the Zoning Commission, but I do feel that other opinions should be sought on this matter.

Very truly yours,

Franklin Melzer

Sec. 553. Amendments to zoning regulations, (other than the zoning map), after the effective date of the master plan.

REFERRED back to Commission, with the recommendation that Sec. 553. of Chapter 55 remain "as is".

Sec. 556.1 Vote required by Board of Representatives.

MR. RUSSELL MOVED that the Charter Revision Commission clarify this action (as previously requested under 529.1 - new Sec. 523.). Seconded and CARRIED.

MR. RUSSELL'S amendment, seconded and CARRIED, follows:

"Vote Required by Board of Representatives. In deciding all matters referred to the Board of Representatives pursuant to this chapter, a majority vote of the entire membership of said Board shall be required to reverse a Zoning Board's decision and approve any proposed amendment appeal."

It was noted that this change will eliminate confusion when Board members must vote on appeal referrals to the Board of Representatives.

CHAPTER 56. ZONING APPEALS BOARD.

This was REFERRED BACK to the Charter Revision Commission (the entire Chapter) for the same reason as given under Chapter 55.

CHAPTER 59. PARK COMMISSION.

Sec. 595. Powers and duties of the Park Commission.

This recommendation was REJECTED.

CHAPTER 62. TAXATION.

Sec. 620.1 Tax Districts Generally.

This recommendation was REJECTED.

CHAPTER 65. BOARD OF FINANCE. (See Chapter 11, Sec. 111.)

Sec. 650. Membership.

This recommendation was REJECTED, pursuant to previous rejection under Chapter 11, Sec. 111.

Sec. 652. Chairman.

This recommendation was REJECTED, pursuant to above reasons.

CHAPTER 70. PERSONNEL PROVISIONS.

Sec. 705. Prohibition of political activity.

This was REFERRED BACK to the Charter Revision Commission, with the following suggested change:

"No officer or member of the Fire Department or Police Department may be a member of or delegate to any political convention. He

cannot hold any appointed or public office in the City of Stamford."

MR. CONNORS thanked the members of his Charter Revision Committee for the long hours they put in preparing their report to the Board.

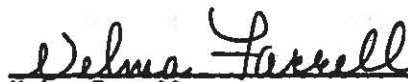
MR. TRUGLIA said he also wanted to thank the members of the Committee, and to say that he thought they worked extra hard and that Mr. Connors should be singled out as having done an excellent job.

THE PRESIDENT said he also wished to add his thanks to the Committee for a job well done and that they have devoted a lot of their time and the Board owes them a vote of thanks for having done an outstanding job in very little time.

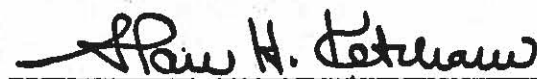
ADJOURNMENT:

There being no further business to come before the Board, on motion, duly seconded and CARRIED, the meeting adjourned at 12:10 A. M.

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Velma Farrell,
Administrative Assistant
(Recording Secretary)

APPROVED:


Alan H. Ketcham, President
Board of Representatives

Note: The above meeting was not
broadcast.

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