

SPECIAL MEETING HELD THURSDAY, APRIL 22, 1965
TO ACT UPON THE FINAL REPORT OF THE 8TH CHARTER
REVISION COMMISSION ON MATTERS REFERRED BACK TO
THAT COMMISSION BY BOARD OF REPRESENTATIVES AT
MEETING HELD MARCH 9, 1965

4301

A Special Meeting of the 8th Board of Representatives of the City of Stamford was held THURSDAY, APRIL 22, 1965, at 8:30 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 8:30 P.M.
(Note: This meeting was not broadcast)

ROLL CALL was taken by the Clerk. There were 23 present and 17 absent at the calling of the roll. However, two members arrived at 9:50 P.M. changing the roll call to 25 present and 15 absent. (Mrs. Sutherland and Mr. John Morris)

The absent members were: Chester Walajtys, Robert Durso, Vincent Caporizzo, Patsy Arruzza, Dominick Vivona, Michael Zezima, Frank Veit, William Selsberg, Benjamin Nathanson, Daniel Remling, George Connors, John Kane, Stanley Kulowiec, Jennie Esposito, and George Russell.

THE PRESIDENT read the following "Call" of the meeting:

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

April 15, 1965

TO: ALL MEMBERS OF THE BOARD OF REPRESENTATIVES
FROM: ALAN H. KETCHAM, PRESIDENT
SUBJECT: SPECIAL MEETING TO ACT UPON FINAL REPORT OF 8TH CHARTER
REVISION COMMISSION TO BOARD OF REPRESENTATIVES

I, ALAN H. KETCHAM, President of the 8th Board of Representatives of the City of Stamford, do hereby call a SPECIAL MEETING of said Board, in accordance with the provisions of Section 202 of the Charter and Section 7-191 of the General Statutes of the State of Connecticut (1958 Rev.) to be held in the Board of Representatives' meeting room, Municipal Office Building, 429 Atlantic Street, at 8:00 o'clock P.M. on THURSDAY, APRIL 22, 1965, for the following purpose:

To consider and act upon the FINAL REPORT OF THE 8TH CHARTER REVISION COMMISSION and to act upon proposed Charter changes, to be submitted to referendum at the next general election.

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Enclosure: Charter Revision Commission
Report dated 4/9/65

ALAN H. KETCHAM, PRESIDENT
Board of Representatives

THE PRESIDENT declared a quorum to be present.

THE PRESIDENT explained what the procedure would be. He said the Board will now proceed to act upon the final report as submitted by the 8th Charter Revision Commission in accordance with the Home Rule Act, which requires an affirmative vote of a majority of the entire membership of the Board, or 21 votes, to place any referral from the Charter Revision Commission on the ballot for referendum at the next general election, to be held Tuesday, November 2, 1965.

He said in order to expedite the Board's action as much as possible, it will be necessary to work between the Board's recommendations which this Board took at its Special Meeting held, Tuesday, March 9, 1965 at which time the Board referred back to the 8th Charter Revision Commission, and the Report of the Charter Revision Commission. He said the Chair would attempt to clarify the Board's action and clarify the proposal and then ask for a motion. After debate, if any we will then proceed to take the vote. He said the vote would be an affirmative vote on the basis of a "Yes" vote to place the item in question on the ballot for referendum at the next general election, November 2, 1965.

The following action was taken:

CHAPTER 10

Sec. 102. Terms of office of elective officers. (Extending Mayor's term to 4 years)

The above section was re-submitted to the Board by the 8th Charter Revision Commission in its original form as submitted by them in their report dated February 1, 1965.

This recommendation was REJECTED.

CHAPTER 11

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

The above section was re-submitted to the Board by the 8th Charter Revision Commission as follows:

"Notwithstanding the provisions of Section 707.1 of this Charter, the Mayor shall be ex-officio a voting member of the Board of Finance."

The above recommendation was REJECTED.

CHAPTER 20

Sec. 223. President.

The above section, having been referred back to the 8th Charter Revision Commission for a language change (underlined below) and approved by them, was approved. Mrs. Lilliendahl MOVED that the following be placed on the ballot at the next general election. Seconded by Mr. Bitetto and CARRIED unanimously:

"On the 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.

The above section, having been referred back to the 8th Charter Revision Commission for a language change, was re-submitted to the Board in the form originally set forth in the Commission's report of February 1, 1965, with the exception that the last sentence thereof was amended as follows:

"He shall be appointed by the Mayor with the advice of the Health Commission and the approval of the Board of Representatives for a term of five years."

The above recommendation was REJECTED.

Sec. 422. Assistant Director of Health.

The above section was re-submitted to the Board by the 8th Charter Revision Commission in its original form as submitted by them in their report dated February 1, 1965. The Board had referred this back to the Commission with a suggested language change, which they rejected.

MR. SULLIVAN MOVED to amend that this Board accept certain parts of this proposal, in accordance with Sec. 7-191 of the Home Rule Act. He did not finish his amendment at this time, as a recess was called in order for the President to confer with the Majority and Minority Leaders.

After the recess, the President informed the members that this Board can delete but cannot add anything to the proposal from the Charter Revision Commission.

MR. SULLIVAN MOVED to amend as follows; seconded by Mr. Truglia:

"The Director of Health may appoint, with the approval of the Health Commission

to DELETE the following words:

(an Assistant Director for health affairs and)

MR. SULLIVAN said he would also amend by deleting the next two sentences and leave in the last sentence.

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VOTE taken on Mr. Sullivan's amendment to delete. LOST.

VOTE taken on the proposal as re-submitted to the Board by the Charter Revision Commission. LOST.

Sec. 425. Duties of the Health Commission.

The above section, having been referred back to the Charter Revision Commission for a language change, and approved by them, as outlined below:

"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 the above.)

MR. BITETTO MOVED that the above proposal be placed on the ballot at the next general election. Seconded by Mr. Keggi and others.

MR. KEGGI MOVED for a ROLL CALL VOTE. This FAILED to pass, with two voting in favor and 21 opposed.

A VOTE was then taken on Mr. Bitetto's motion that this be placed on the ballot at the next general election. CARRIED unanimously.

CHAPTER 43. POLICE DEPARTMENT.

Sec. 434. Police Work Week.

The above section, having been referred back to the 8th Charter Revision Commission and REJECTED by the Board at their meeting of March 9, 1965, was also concurred in by the Commission. There being no further action needed, it remains as it now is in the present Charter, having been approved by referendum on April 2, 1951.

CHAPTER 44. FIRE DEPARTMENT.

Sec. 444. Firemen's Work Week.

The Board having previously REJECTED this proposal, which was also concurred in by the 8th Charter Revision Commission, no further action was necessary. It therefore remains as it now is in the present Charter, having been approved by referendum on November 5, 1957.

CHAPTER 50. GENERAL PROVISIONS.

Sec. 500. Appointive Boards.

The above section, having been referred back to the 8th Charter Revision Commission for a language change, and approved by them, 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."

THE PRESIDENT asked that the Board reaffirm previous action taken at the March 9, 1965 meeting and place this on the ballot for the November 2, 1965 referendum.

MR. BITETTO MOVED that the above proposal be placed on the ballot at the next general election. Seconded and CARRIED unanimously.

Sec. 502.3 Appointment of Patriotic and Special Events Commission.

The 8th Charter Revision Commission recommended deletion of the sentence reading:

"Each appointment to the Patriotic and Special Events Commission shall be for five years."

for the reason that retention of this sentence would be inconsistent with the enactment of their recommendations contained under Chapter 10.

Inasmuch as the Board has already acted under Chapter 10 (Sec. 102. Terms of office, etc.) this was REJECTED.

MRS. SUTHERLAND and MR. JOHN MORRIS arrived at this time (9:50 P.M.) changing the members now present to 25 and those absent to 15.

Sec. 503. Appointment and Removal of Board Members.

This recommendation was also REJECTED for the reason that it would be inconsistent with previous action taken by the Board under Chapter 10, Sec. 102.

Sec. 503.2 (A new section inserted by the 8th Charter Revision Commission, following Sec. 503.1 to be entitled: "Boards having terms concurrent with Mayor's term")

This recommendation was also REJECTED for the reason that it would be inconsistent with previous action taken by the Board under Chapter 10, Sec. 102.

CHAPTER 52. PLANNING BOARD.

Sec. 529.1 Vote Required by Board of Representatives.

The 8th Charter Revision Commission concurred with the Board's recommendations as referred back to them at their March 9, 1965 special meeting, which reads as follows:

"Except as provided in Section 523 hereof, 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."

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The Charter Revision Commission, however, added the following phrase to the above section, to read as follows:

"However, in the event that the said decision of the Planning Board shall have been unanimous, a vote of two-thirds of the entire membership of said Board shall be required to reverse said decision."

MR. SULLIVAN MOVED to delete the above sentence, beginning with the word "However," and ending with the word "decision". Seconded by Mr. Kuczo.

THE PRESIDENT clarified the vote to be taken. He said a vote will first be taken on the amendment as offered by the Charter Revision Commission and then a vote will be taken on the original proposal, as approved by this Board on March 9, 1965.

VOTE taken on Mr. Sullivan's motion to delete. CARRIED with one negative vote (Mr. Keggl).

THE PRESIDENT said the vote will now be taken on the original proposal as approved by this Board on March 9, 1965, which reads as follows:

"Except as provided in Section 523 hereof, 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."

MR. SULLIVAN MOVED that the above proposal be placed on the ballot for referendum at the November 2, 1965 election. Seconded by Mr. Kuczo and CARRIED unanimously.

(NOTE: No action was taken on any other portion of Chapter 52, because of opinion received from the Corporation Counsel, dated March 8, 1965, addressed to Mr. James Bingham, Chairman of the Planning Board, which was concurred in by the 8th Charter Revision Commission.)

CHAPTER 54. BOARD OF RECREATION.

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

The above section was re-submitted to the Board by the 8th Charter Revision Commission in its original form as submitted by them in their report dated February 1, 1965.

The Board again REJECTED this proposal.

Sec. 541. Superintendent of Recreation.

The above section was re-submitted to the Board by the 8th Charter Revision Commission in its original form as submitted by them in their report dated February 1, 1965.

The Board again REJECTED this proposal.

Sec. 544. Appointment and Term of Members of Hubbard Heights Golf Club Board.

This section was referred back to the 8th Charter Revision Commission by the Board at their March 9, 1965 meeting with recommendations as to how this should be worded.

However, they rejected this and re-submitted their original recommendation, which was that this section be deleted.

The Board REJECTED their proposal to delete this section. It therefore, remains as it now is in the present Charter.

CHAPTER 55. ZONING BOARD.

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

This section was referred back to the 8th Charter Revision Commission by the Board at their March 9, 1965 meeting with the recommendation that this remain as it now is in the present Charter.

RECESS:

There was some confusion at this point as to the meaning of the report of the 8th Charter Revision Commission on page 3 (dated April 9, 1965). It was decided to take a recess in order to clear up the confusion in regard to the proposal.

THE PRESIDENT called the meeting to order. He said they have received an interpretation of this particular matter. He said the Commission has eliminated all their suggested deletions in their first proposal (dated February 1, 1965).

He said they have decided to allow the original Charter provisions to stand. He said they have now eliminated their previous references to Chapter 55., Sec. 550., 551., 552., 552.1 until they get down to Sec. 553., which they have re-numbered Sec. 555.1 and they therefore recommend that the following Section be added to replace present Sec. 555.1, Chapter 55., to read as follows:

Sec. 555.1 Publication of Decisions. (Replacing existing Sec. 555.1)

Official notice of decisions made by the Zoning Board with respect to proposed amendments to the Zoning Regulations and map, which are adopted, shall be given by publishing each such decision or summary thereof, together with, in the case of a Zoning Map amendment, a clear and accurate map showing the bounds of the area or areas affected thereby, in an official paper for at least one day within five days after such decision has been made. Official notice of decisions made by the Zoning Board with respect to proposed amendments to the Zoning Regulations and Map, which are denied, shall be given by publishing each such decision or summary thereof in an official paper for at least one day within five days after such decision. Official publication of each decision shall be deemed to have been made upon the date of the appearance of such official notice in an official paper.

MR. SULLIVAN MOVED the above section be placed on the ballot at the next general election. Seconded by Mr. Bitetto and CARRIED unanimously.

Sec. 556.1 Vote Required by Board of Representatives.

The 8th Charter Revision Commission concurred with the Board's recommendations as referred back to them at the March 9, 1965 special meeting, which reads as follows:

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"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."

The Charter Revision Commission, however, added the following phrase to the above section, to read as follows:

"However, in the event that the decision of the Zoning Board shall have been unanimous, a vote of two-thirds of the entire membership of said Board shall be required to reverse said decision."

MR. SULLIVAN MOVED to delete the above sentence, beginning with the word "However," and ending with the word "decision". Seconded by Mr. Kuczo and CARRIED unanimously.

THE PRESIDENT said the vote will now be on the original proposal as approved by this Board on March 9, 1965, which reads as follows:

"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."

MR. SULLIVAN MOVED that the above proposal be placed on the ballot for referendum at the November 2, 1965 election. Seconded by several members and CARRIED unanimously.

CHAPTER 56. ZONING APPEALS BOARD.

This entire Chapter was referred back to the 8th Charter Revision Commission by the Board at their March 9, 1965 meeting, 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 Charter Revision Commission, however, in their report of April 9, 1965, re-submitted the proposals set forth in their report of February 1, 1965.

The Board REJECTED the proposal of the Charter Revision Commission.

CHAPTER 59. PARK COMMISSION.

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

The above section was re-submitted to the Board by the 8th Charter Revision Commission in its original form, as submitted by them in their report dated February 1, 1965.

The Board again REJECTED this proposal.

CHAPTER 62. TAXATION.

Sec. 620.1. City Tax District.

The above section was re-submitted to the Board by the 8th Charter Revision Commission in its original form, as submitted by them in their report dated February 1, 1965.

The Board again REJECTED this proposal.

CHAPTER 65. BOARD OF FINANCE.

Sec. 650. Membership. (Note: See Chapter 11., Sec. 111)

The above section was re-submitted to the Board by the 8th Charter Revision Commission in its original form, as submitted by them in their report dated February 1, 1965.

The Board again REJECTED this proposal, pursuant to their rejection under Chapter 11, Sec. 111.

Sec. 652. Chairman.

The above section was re-submitted to the Board by the 8th Charter Revision Commission in its original form, as submitted by them in their report dated February 1, 1965.

The Board REJECTED this proposal, pursuant to their rejection under Chapter 11, Sec. 111.

CHAPTER 70. PERSONNEL PROVISIONS.

Sec. 705. Prohibition of Political Activity.

This was referred back to the 8th Charter Revision Commission by the Board at their March 9, 1965 meeting with a suggested change. The Commission, however, did not accept the suggestion of the Board, but re-submitted the same proposal as set forth in their report of February 1, 1965.

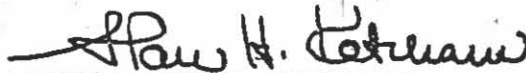
The Board REJECTED this proposal.

ADJOURNMENT:

There being no further business to come before the Board, on motion, duly seconded and CARRIED, the meeting adjourned at 11:25 P.M.

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APPROVED:



Alan H. Ketcham, President
Board of Representatives



Velma Farrell,
Administrative Assistant
(Recording Secretary)

Note: The above meeting was not broadcast.

VF

Note: Because of the lateness of the hour, the Board adjourned without copying the figures as submitted by the Board of Finance on the 1965-1966 Capital and Operating Budgets, as had been planned.

VF

