

Minutes of January 8, 1962
Meeting of the Board of Representatives
Stamford, Connecticut

3286

A regular meeting of the Board of Representatives of the City of Stamford, was held on Monday, January 8, 1962 in the Cafeteria of the Dolan Junior High School, Toms Road, Stamford, Connecticut.

The meeting was called to order by the President, Paul D. Shapero, at 8:05 P.M.

INVOCATION was given by Rev. Richard A. Johnson, St. Andrews 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 36 members present at the calling of the roll. Several members arrived soon after, changing the roll call to 39 present and 1 absent. The absent member was Raymond Mazza.

ACCEPTANCE OF MINUTES - Meeting of December 1, 1961
Meeting of December 11, 1961

The Minutes were accepted, with one correction - on Page 3269, Minutes of 12/1/61, 11th paragraph, starting with "Mr. Nolan moved", add "and Mr. Kuczo" after "Mr. Scarella".

COMMITTEE REPORTS:

STEERING COMMITTEE

The President read the Steering Committee report, which follows:

STEERING COMMITTEE REPORT
Meeting held December 26, 1961

The meeting of the Steering Committee was held on Tuesday, December 26, 1961 in the Mayor's Office, City Hall, at 8 P.M.

The Chairman, Paul D. Shapero, presided. The following members were present:

Eleanor Austin, David Johnson, Franklin Melzer, Daniel Baker,
Jack McLaughlin, George Russell, James Mulreed, Fred Blois,
Bernard Geronimo, Rose Farina, Robert Meyers and Paul Shapero.

Absent were: John Nolan, Allen Shanen and William Murphy.

The following matters were discussed and acted upon:

(1) Mayor's appointments to various City Boards and Commissions:
REFERRED TO APPOINTMENTS COMMITTEE

(2) Additional Appropriations:

All requests for additional appropriations, previously approved by the Board of Finance at their December 14, 1961 meeting were REFERRED TO THE FISCAL COMMITTEE. Items of \$2,000 and over, with the exception of pensions, were referred to a secondary committee.

- (3) Sale of City-owned property - Requested in Mayor's letter of Aug. 8, 1961 attaching list of property from Planning Board, dated Aug. 1, 1961 - partially approved by Board of Finance on 12/14/61
REFERRED TO LEGISLATIVE AND RULES COMMITTEE

- (4) Concerning method of releasing Workmanship Guarantee Bond (As contained in Ordinance No. 92 Supplemental) - Reply from Corporation Counsel, dated 12/8/61, answering letter of 12/6/61

MR. SHAPERO read the above letter. After some discussion it was decided to refer this to the PLANNING & ZONING COMMITTEE for further study. (See Minutes of 12/11/61, item #4 under report of Steering Committee, page 3275)

- (5) Fees for use of facilities, 1962 Season - Letter dated 12/4/61 from Edward Connell, Supt. Parks & Trees (In compliance with provisions of Ordinance No. 64 Supplemental, Section 2) REFERRED TO PARKS & RECREATION COMMITTEE
- (6) Wallace Street - Letter from Mayor dated 12/18/61, reporting in accordance with directive contained in Resolution No. 369 adopted at August 7, 1961 meeting - REFERRED TO PLANNING & ZONING COMMITTEE
- (7) Letter from Eleanor Austin, 8th District Representative (dated 12/26/61) concerning three matters:
- (a) Traffic light trip, corner Ely Place and Hamilton Avenue
REFERRED TO HEALTH & PROTECTION COMMITTEE
 - (b) Concerning annoyance to pedestrians in front of store at 256 Hope Street - REFERRED TO HEALTH & PROTECTION COMMITTEE
 - (c) Bad road condition on Hillendale Avenue near Wenzel Terrace
REFERRED TO PUBLIC WORKS COMMITTEE
- (8) Copy of report of Personnel Commission meeting held 11/20/61
REFERRED TO PERSONNEL COMMITTEE

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

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Paul D. Shapero, Chairman
Steering Committee

APPOINTMENTS COMMITTEE:

THE PRESIDENT informed the members that he had discussed the matter with the Majority and Minority Leaders and if there was no objection to the procedure, the ballots would be given in sets of 24 each in separate envelopes to each Board member. He said the purpose was to avoid having the Tellers make 48 trips and would expedite the procedure of voting on the nominees. He explained that each

ballot contained the name of the nominee and the office for which he was being proposed. Each member is to mark his own ballot for the particular nominee and replace it in the envelope, and when all ballots are marked, they will then be picked up by the Tellers and counted at the same time, with the four Tellers being excused from the meeting in order to count the ballots.

MR. KUCZO objected, and MOVED that the balloting be done in the usual way, by distributing the ballots individually and having them counted individually. Seconded by Mr. Scarella.

A VOTE was taken on the motion presented by Mr. Kuczo, and LOST by a vote of 13 in favor and 24 opposed.

The Tellers distributed the envelopes containing the names of the 24 nominees to all members.

Mr. Macri and Mr. Mayers arrived as the Tellers were distributing the ballots, changing the roll call to 39 members now present.

MRS. AUSTIN, Chairman of the Appointments Committee, presented the Committee report at this time. She said the Committee held two meetings and interviewed all appointees. The first meeting was held on January 5, 1962 and the second one on January 8, 1962, with all members present.

MRS. AUSTIN presented the names of the following appointees and MOVED for approval of the appointments:

BOARD OF TAX REVIEW:

WILLIAM W. OGLE (Democrat)
23 James Street (Reappointment)

Length of Term

5 years

Term Expiring

12/1/66

VOTE: 32 yes
7 no

PATRICK SILBO (Democrat)
121 Toms Road

4 years

12/1/65

VOTE 28 yes
11 no

PARK COMMISSION:

JOHN A. SCALZI (Independent)
21 Ralsey Road (Reappointment)

5 years

12/1/66

VOTE: 27 yes
12 no

PLANNING BOARD:

DAVID BABSON (Democrat)
170 Woodbury Ave., Springdale

5 years

12/1/66

VOTE: 30 yes
9 no

URBAN REDEVELOPMENT COMMISSION:

JAMES E. CARRY, JR. (Democrat)
16 Cowing Place, Glenbrook

5 years

Aug. 7, 1966

VOTE: 30 yes
9 no

FLOOD & EROSION CONTROL BOARD:

MILTON ELLERIN (Democrat)
46 Chesterfield Road

Length of Term

4 years

Term Expiring

12/1/65

VOTE: 30 yes
9 no

BOARD OF TAXATION:

LEO FALK (Democrat)
57 Bungalow Park

5 years

12/1/66

VOTE 31 yes
8 no

BOARD OF RECREATION:

REV. CHARLES SARGENT (Democrat)
38 Adams Avenue

5 years

12/1/66

VOTE 31 yes
8 no

SEWER COMMISSION:

SANDY J. GUINTA, JR. (Democrat)
60 Woodbury Ave., Springdale

5 years

12/1/66

VOTE: 30 yes
8 no
1 abstention

PUBLIC WELFARE COMMISSION:

PAUL DU BOIS (Democrat)
18 Janes Lane (Reappointment)

3 years

12/1/64

VOTE 27 yes
12 no

HEALTH COMMISSION: (First one - authorized at the Nov. 7, 1961 referendum)

DR. JOHN M. WEIR (Republican)
6 Hubbard Court

5 years

12/1/66

VOTE: 28 yes
11 no

DANIEL M. REBACK (Democrat)
516 Pepper Ridge Road

4 years

12/1/65

VOTE 20 yes
19 no

ROBERT M. DURSO (Democrat)
93 Virgil Street

3 years

12/1/64

VOTE: 21 yes
17 no
1 abstention

DR. FRANK H. D'ANDREA (Republican)
West Lane, Revonah Woods

2 years

12/1/63

VOTE: 30 yes
8 no
1 abstention

HEALTH COMMISSION: (Cont'd)

DR. BERT BALLIN (Democrat)
188 Four Brooks Road

Length of Term

1 year

Term Expiring

12/1/62

VOTE: 21 yes
17 no
1 abstention

ZONING BOARD:

ELMER W. LOWDEN (Democrat)
60 Fairview Avenue

5 years

12/1/66

VOTE: 19 yes
20 no (NOT CONFIRMED - Requires a
majority vote)

ZONING BOARD OF APPEALS:

MICHAEL D'AGOSTINO (Democrat)
72 Klondike Avenue

5 years

12/1/66

VOTE: 27 yes
11 no
1 abstention

HUBBARD HEIGHTS GOLF COMMISSION:

JOHN J. BALLO (Democrat)
93 Knickerbocker Ave., Springdale

5 years

12/1/66

VOTE: 34 yes
4 no
1 abstention

ALTERNATES - ZONING BOARD OF APPEALS:

(As authorized by Nov. 7, 1961 referendum)

CHESTER L. LEWANDOWSKI (Democrat)
79 White Birch Lane

5 years

12/1/66

VOTE: 35 yes
4 no

JOHN WALSH, JR. (Democrat)
35 Grant Avenue

4 years

12/1/65

VOTE: 33 yes
6 no

JACK PINSKY (Republican)
128 Woodside Village

3 years

12/1/64

VOTE: 33 yes
5 no
1 abstention

ALTERNATES - PLANNING BOARD: (As authorized by Nov. 7, 1961 referendum)

PAUL J. KLINKOWSKI (Democrat)
83 Wire Mill Road

5 years

12/1/66

VOTE: 34 yes
4 no
1 abstention

ALTERNATES - PLANNING BOARD: (Cont'd)Length of TermTerm Expiring

RAYMOND D. SANBORNE (Democrat)
20 East Avenue

4 years

12/1/65

VOTE: 30 yes
8 no
1 abstention

SAUL KWARTIN (Republican)
96 Harvest Hill Lane

3 years

12/1/64

VOTE: 33 yes
5 no
1 abstention

FISCAL COMMITTEE:

MR. MEYERS, Chairman, presented his committee report. He said a meeting was held on January 3, 1962, with the following members present: Bernard Geronimo, Rose Farina, George Connors, Richmond Mead, Jr., Jack McLaughlin, George Russell and Robert Meyers.

- (1) \$4,629.00 - HUBBARD HEIGHTS MUNICIPAL GOLF COURSE - Resolution amending 1961-1962 Capital Projects Budget for renovation of office and ladies' room and appropriation of additional sum to complete project
(As per Mayor's letter of 12/4/61)

MR. MEYERS MOVED for approval of the following resolution. Mr. Shanen reported that this had also been referred to the Parks and Recreation Committee and been approved by that Committee.

Mr. Kelly seconded the motion. CARRIED unanimously:

RESOLUTION NO. 379

AMENDING 1961-1962 CAPITAL PROJECTS BUDGET
BY ADDING THE SUM OF \$4,629.00 FOR PROJECT
KNOWN AS "RENOVATION OF OFFICES AND LADIES'
ROOM", HUBBARD HEIGHTS MUNICIPAL GOLF COURSE

BE AND IT HEREBY IS RESOLVED, by the Board of Representatives of the City of Stamford, pursuant to Section 611.5 of the Stamford Charter, to approve an amendment to the Capital Projects Budget for the year 1961-1962 by including therein an item in the amount of \$4,629.00 to be known as HUBBARD HEIGHTS MUNICIPAL GOLF COURSE - RENOVATION OF OFFICE AND LADIES' ROOM for the purpose of renovating and improving the facilities of the Hubbard Heights Golf Course; and

BE IT FURTHER RESOLVED, to approve the appropriation of \$4,629.00 for said project, and

BE IT FURTHER RESOLVED, that said sum be raised by direct taxation.

- (2) \$10,650.00 - Rent, 303 Main Street, from January 1 to June 30, 1962
(Mayor's letter of 12/11/61)

Code 102.0201 - Rent, Registrars of Voters -----	\$ 898.62
Code 144.0201 - Rent, Assessor's Office -----	3,228.24
Code 146.0201 - Rent, Tax Collector's Office -----	6,523.14
	<u>\$10,650.00</u>

MR. MEYERS MOVED for approval of the above request. Mr. Melzer, Chairman of the Education, Welfare & Government Committee, to whom this had also been referred, said his committee concurred in the approval. He seconded the motion. CARRIED unanimously.

LEGISLATIVE & RULES COMMITTEE:

MR. BAKER presented his committee report. He said a meeting was held on December 30, 1961, and all matters referred to his committee were discussed. Present were: Daniel Baker, Franklin Melzer, Robert Meyers and Ronald Schwartz. ^{MICHAEL SHERRARD}

- (1) Sale of City-owned property - Requested in Mayor's letter of Aug. 8, 1961 attaching list of property from Planning Board, dated Aug. 1, 1961 (Partially approved by Board of Finance on 12/14/61)

MR. BAKER reported that the Committee wishes to defer this matter for further study.

- (2) Amendment to Building Code "Heating & Air Conditioning, Section II", concerning Licenses and Fees (Requested in letter of Aug. 23, 1961 from Wm. Hickey, Jr. - Deferred on December 11, 1961)

MR. BAKER reported that because the Committee is not familiar with all the ramifications of the proposed amendment, this also will be kept in Committee for further study.

- (3) Request from Planning Board, dated Dec. 4, 1961, for Board of Representatives to adopt a resolution approving the filing of an application with the Federal Government for a \$200,000 grant for a COMMUNITY RENEWAL PROGRAM (Referred by Steering Committee on 12/4/61 - See Minutes of 12/11/61, item #5, page 3276)

MR. BAKER explained that the committee had met with Mr. White of the Planning Board, who informed the members in detail as to the basis of the request for the resolution and that it had no relationship to the current Urban Redevelopment program by virtue of the 1949 Federal Housing Act, which Act makes available to cities, on a matching basis, funds for over all planning of city development. He said that such planning might encompass parks and other recreational areas, sewerage, parking and all types of land use, from residential to heavy industry.

He said the application for the Grant would not involve any expenditure by the city and that the matching funds which the city would be required to furnish would not exceed \$10,000 and this amount would be allocated out of the funds already appropriated to salaries - that the designation of such appropriated funds would meet the Federal Government matching funds requirement.

He explained that the funds to be secured from the Federal Government would be expended by the Planning Board for salaries of additional personnel, required in the over all planning program. He said Mr. White told them that this money would be very timely, since the Planning Board now are undermanned and require the services of additional personnel and is without funds to meet this need.

MR. BAKER said the Committee was unanimous in approving the request and MOVED for approval of the following resolution. Seconded by Mr. Meyers and Mr. Russell. After considerable debate the following resolution was APPROVED by unanimous vote:

RESOLUTION NO. 380

APPROVAL OF THE PREPARATION OF A COMMUNITY RENEWAL
PROGRAM FOR THE CITY OF STAMFORD, CONNECTICUT, AND
THE FILING OF AN APPLICATION FOR A \$200,000.00
FEDERAL GRANT TO ASSIST IN FINANCING THE PREPARATION

WHEREAS, under Title 1 of the Housing Act of 1949, as amended, the Housing and Home Finance Administrator is authorized to make grants for the preparation or completion of Community Renewal Programs; and

WHEREAS, it is desirable and in the public interest that the City of Stamford prepare a Community Renewal Program for the City of Stamford, situated in the County of Fairfield, and State of Connecticut; and

WHEREAS, it is recognized that the Federal contract for a grant to assist in the preparation of Community Renewal Program will require, among other things, that: (1) the City of Stamford shall prepare the Community Renewal Program with all practicable dispatch; (2) the Community Renewal Program shall conform to the general plan of the Locality as a whole; (3) the provision of the Locality's share of the cost of preparation of the Community Renewal Program; and (4) other local obligations and responsibilities in connection with the preparation of the Community Renewal Program;

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

- Section 1. That the preparation of the Community Renewal Program referred to above, by the City of Stamford is hereby approved.
- Section 2. That the financial assistance under Title 1 of the Housing Act of 1949, as amended, referred to above, is required to enable the City of Stamford to finance the preparation of the Community Renewal Program.
- Section 3. That it is fully cognizant of the obligations and responsibilities that are imposed by a Federal contract for a grant to assist in the preparation of a Community Renewal Program, and it is the sense of this body that such obligations can and will be fulfilled.
- Section 4. That the filing of an application by the City of Stamford for a grant under Title 1 of the Housing Act of 1949, as amended, in an amount not to exceed

\$200,000.00 to assist in financing the preparation of a Community Renewal Program for the Locality is hereby authorized and approved.

PLANNING & ZONING COMMITTEE:

MR. RUSSELL, Chairman, presented his committee report. He said a meeting was held on December 26, 1961, with the following members present: F. Melzer, R. Mayers, J. Mulreed, G. Russell. Mr. Shanen was absent.

- (1) OVERLOOK PLACE - Abandonment of portion - Requested in letter from Vincent and Mary Savastino, 16 Overlook Place, Springdale
(Deferred 11/13/61 and again on 12/11/61)

MR. RUSSELL MOVED for abandonment of the above road, being more particularly bounded and described as follows:

Extending from the west side of Columbus Place for a width of 50 feet, running in southwesterly direction for a distance of 236.97 feet on its southerly side and 254.85 feet on its northerly side. The area referred to is known as "C-2 of Plot C, Map No. 630; and Plot C-2, Map No. 579, being maps on file in the office of the Town and City Clerk, entitled "Map of Property of Vincent J. Savastino, et ux, Stamford, Conn., scale: 1"= 30', Surveyed Oct. 12, 1961 by Edward J. Frattaroli, C. E."

Seconded by Mr. Mayers and Mrs. Clarke and CARRIED unanimously.

- (2) WALLACE STREET - Concerning Mayor's report dated 12/18/61, in accordance with directive contained in Resolution No. 369 adopted at Aug. 7, 1961 meeting

MR. RUSSELL explained that the above was only a progress report and no action could be taken at this time.

- (3) Acceptance of roads as city streets: ACRE VIEW DRIVE, CRICKET LANE

MR. RUSSELL explained that a certification from the City Engineer has not yet been received, no doubt it had not been inspected due to the snow.

PARKS & RECREATION COMMITTEE - Allen Shanen

Fees for use of park facilities, 1962 Season - Letter dated 12/4/61 from Edward Connell, Supt. Parks & Trees (In compliance with provisions of Ordinance No. 64, Section 2)

MR. SHANEN said the committee had decided to defer ^{DYKE PARK} action on the above matter, because of an incomplete report concerning ~~dike~~ dockage, which was left out of the letter. Upon inquiry, he had been told that the Park Department had the intention of abandoning the operation in the dike area, with the intent of re-locating the marinas there to the other three dockages - Cummings, Southfield and Cove Island. He said the Committee felt that they would like to investigate this move further before approving it. He said two meetings have been scheduled with the Board of Recreation and the Park Commission, and as a result of these two meetings, the committee will be able to come out with a full report at the next Board meeting.

COMMUNICATIONS FROM OTHER BOARDS AND INDIVIDUALS:Urban Redevelopment Commission - Letter dated Jan. 8, 1962

MR. SHAPERO informed the members that he was in receipt of a letter from the URC, informing the Board that an informational meeting would soon be held by the Commission and the members would be invited to attend the meeting. He asked the members to try to attend the meeting because of the importance of urban renewal this year, when it will become a reality rather than a plan.

NEW BUSINESS:Re: Naming of 2 Republicans to fill position of Constable

MR. JOHNSON MOVED for suspension of the rules in order to bring the above matter on the floor at this time. Seconded by Mr. Mead.

THE PRESIDENT inquired if these were to fill two vacancies. Mr. Johnson replied that it was.

MR. NOLAN said that this was the first he had heard of the matter under discussion. He said the usual procedure was to acquaint the Majority Leader, as well as the President. He asked if there was a letter on this. Mr. Johnson said there was not.

VOTE on suspension of the rules. CARRIED.

RE: Naming of Ernest Mallozzi, Jr. for post of Constable (Republican)

MR. JOHNSON MOVED that the name of Ernest Mallozzi, Jr. be placed in nomination to fill the Republican vacancy as Constable.

THE PRESIDENT informed Mr. Johnson that he was not at all sure that this was the way to fill a vacancy of this sort.

MR. BAKER asked Mr. Johnson how the vacancy came to exist.

MR. JOHNSON replied that the vacancy exists - that there is no one in the position now and it should be filled.

THE PRESIDENT said there were two sections of the Charter that governs vacancies in elective offices. He read from Sec. 113 (page 15 of the Charter), as follows:

Sec. 113. Vacancies in Elective Offices.

Whenever a vacancy occurs in any elective office and no specific provision for filling such vacancy is made in this charter, the Board of Representatives shall elect a successor to fill such vacancy until December first following the next biennial election.

MR. NOLAN said he was not convinced that there is a vacancy and that as long as they have waited this long and have not been too concerned about a candidate to fill the so-called vacancies, that it could not wait until the next board meeting. He suggested that this matter wait until next month and that it be referred to the Steering Committee.

MR. BAKER said if there was no predecessor, you cannot elect a successor - that if there is no incumbent, you can't elect his successor. He said he thought it

would require the Corporation Counsel's ruling as to whether the provisions of the Charter is applicable to these two specific instances.

MR. NOLAN asked how this Board is to know whether the positions are to be filled by Republicans or by Democrats.

MR. SCARELLA quoted from Sec. 110. Elective Officers, as follows:

Sec. 110. Elective Officers.

The following named officers shall be elected by the qualified voters of Stamford: A Mayor, forty members of the board of representatives, six members of the board of finance, a town clerk, nine members of the board of education, two registrars of voters, three selectmen and seven constables.

MR. SCARELLA then went on to quote from Sec. 113 of the Charter. (see above)

MR. NOLAN said he still wanted to know the reason why the Republicans have the right to fill these vacancies.

MR. SCHWARTZ quoted from Sec. 114 of the Charter, regarding political qualifications of successors. HE MOVED that this be referred to the Steering Committee.

Mr. Schwartz was reminded that a motion was already on the floor and took precedence.

MR. JOHNSON said as long as there appeared to be doubts in the minds of some of the members about how this is to be done, that he wished to withdraw his motion, and will present a letter for the Steering Committee on these appointments, which may then be referred to the appropriate committee.

Announcement of appointment of members of URBAN REDEVELOPMENT COMMITTEE:

THE PRESIDENT announced the following appointments as members of the special Urban Redevelopment Committee:

DAVID E. OPPENHEIMER (R), Chairman
MICHAEL S. SHERMAN (R)
WILLIAM WALSH (R)
JAMES E. MULREED (D)
WILLIAM D. MURPHY (D)
ANTHONY ESPOSITO (D)
BENJAMIN KOZLOWSKI (D)
CARMIN V. LONGO (D)
GEORGE V. CONNORS (D)
EDWARD DOMBROSKI (D)

Re: Appointment of Assistant Majority Leader:

THE PRESIDENT announced the appointment of the following as Assistant Majority Leaders:

ELEANOR R. AUSTIN (D)
FRED C. BLOIS (D)

Concerning Republican members of Urban Redevelopment Committee:

MR. JOHNSON brought up the above matter and the method of appointment of a Chairman for this Committee. He objected to the way this was done.

After some further discussion, MR. OPPENHEIMER, the Chairman of the Special Urban Redevelopment Committee, thanked the Board members, saying he looked forward to the full cooperation of both parties so that the best interests of the people of the City of Stamford may be served.

Re: Balloting

MR. KUCZO objected to the method of counting the ballots, saying he thought there was a better way to handle it, as it kept four Board members from participating in the conduct of the meeting, as they were engaged in counting the ballots instead.

MR. SHAPERO said he would look into this problem further.

Concerning appointments referred to the Board by the Mayor:

MR. CONNORS called attention to page 3285 of the Minutes of December 11, 1961. He said he had brought this question to the attention of the President at that time, who promised to get an opinion from the Corporation Counsel.

MR. SHAPERO replied that he had not asked for a written opinion, but rather sought it informally. He said he had been informed that "we have acted correctly".

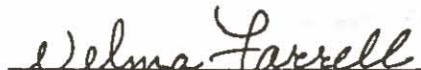
ADJOURNMENT:

There being no further business to come before the Board, upon MOTION, duly seconded and CARRIED, the meeting was adjourned at 9:50 P.M.

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APPROVED:


Paul D. Shapero, President


Velma Farrell
Administrative Assistant
(Recording Secretary)