

MEETING OF THE 8TH BOARD OF REPRESENTATIVES  
Minutes of September 13, 1965  
Stamford, Connecticut

4458

The regular monthly meeting of the 8th Board of Representatives of the City of Stamford, was held on Monday, September 13, 1965 in the Board's meeting room, Municipal Office Building, Stamford, Connecticut.

The meeting was called to order by the President, Alan H. Ketcham, at 8:45 P.M.

INVOCATION: Given by Rev. Emidio O. Gregori, St. Mary's R. C. 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 32 present and 8 absent. The absent members were: Chester Walajtys, Robert Durso, Vincent Caporizzo, Michael Zesima, John Morris, Stanley Kulowiec, John Rich and Judith Sutherland.

ACCEPTANCE OF MINUTES - Meeting of August 2, 1965

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

COMMITTEE REPORTS:

The President read the following report of the Steering Committee:

STEERING COMMITTEE REPORT  
Meeting held Monday, August 30, 1965

A meeting of the Steering Committee was held Monday, August 30, 1965, in the Board of Representatives' meeting rooms, Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut.

The meeting was called to order by the Chairman, Alan H. Ketcham at 8:25 P.M. All members were present, with the exception of Mr. Hemingway, Mrs. Lilliendahl and Mr. Remling.

RESIGNATION:

- (1) Letter dated August 16, 1965, from ROBERT L. LEVISTER, member of Board of Finance, resigning as a member of the Board of Finance, term ending December 1, 1967.

ORDERED ON AGENDA, under terms of Sec. 113 of Charter. (Also see Sec. 703)

- (2) Mayor's letter, dated 8/27/65 appointing David F. Squire (D), 1398 Newfield Avenue, to the URBAN REDEVELOPMENT COMMISSION for a five year term, expiring August 7, 1970, replacing Mr. Turrentine, whose term expired August 7, 1965.

REFERRED TO APPOINTMENTS COMMITTEE.

- (3) Additional Appropriations:

Additional appropriations, requested by the Mayor and approved by the Board of Finance at their July 12th and August 12, 1965 meetings were ORDERED on the agenda under the FISCAL COMMITTEE, with all appropriations over \$2,000 (except pensions) referred to a secondary committee.

- (4) Final adoption of Ordinance "PROHIBITING WASTE OF WATER BY ACTS NOT ESSENTIAL TO THE PUBLIC WELL-BEING IN THE STATE OF AN EMERGENCY" (Mayor's letter 6/25/65)  
(Adopted for publication 7/12/65 - Published 7/17/65)

The above matter, having been previously deferred at the August Board meeting, was ORDERED PLACED ON THE AGENDA under LEGISLATIVE & RULES COMMITTEE.

- (5) SALE OF CITY-OWNED PROPERTY - 35 x 125 ft. strip of land, known as Lot #216 on Hillandale Avenue, to William C. Mocher, for the sum of \$3,500.00 (Mayor's letter of 5/20/65) (Approved by Board of Finance 7/8/65)

The above matter, having been deferred at the August Board meeting, was ORDERED PLACED ON THE AGENDA under LEGISLATIVE & RULES COMMITTEE.

- (6) Conveyance to LONG MILL, INC., AS PART OF AN EXCHANGE OF PROPERTIES IN CONNECTION WITH WIDENING AND STRAIGHTENING OF OAKLAWN AVENUE, of a small triangle of City-owned land on south side of Oaklawn Avenue, known as Parcel B, as shown on Map No. 7984 on file in Town and City Clerk's Office (Mayor's letter of 6/18/65) (Approved by Board of Finance on 7/8/65)

The above matter, having been deferred at the August Board meeting, was ORDERED PLACED ON THE AGENDA under LEGISLATIVE & RULES COMMITTEE.

- (7) Proposed Ordinance concerning PARKS, BEACHES AND RECREATION AREAS (Letter to Chairman of Park Commission from Joseph J. Black, member of Board of Recreation, dated 6/29/65)

The above matter, having previously been referred to the Legislative & Rules Committee, was removed from that Committee and ORDERED PLACED ON THE AGENDA under the PARKS & RECREATION COMMITTEE for action and to the LEGISLATIVE & RULES COMMITTEE for form, only.

- (8) Proposed Ordinance concerning POLLUTION, BLOCKING, DIVERTING, ETC. OF RIVERS, STREAMS AND BROOKS within jurisdiction of the Flood & Erosion Control Board (Letter from Warren Davidson, Chairman of Flood & Erosion Control Board, dated 6/14/65 - See Minutes of 7/12/65, page 4408; minutes of 8/2/65, page 4437, item #7)

The above matter, having previously been referred to the Legislative & Rules Committee, was ORDERED ON THE AGENDA under that Committee. It was thought that perhaps the powers requested in the proposed Ordinance are already possessed by the Flood and Erosion Control Board under the powers created by the State Statutes.

- (9) Concerning Pollution of Noroton River: (See Minutes of 8/2/65, page 4437)

MR. CONNORS asked if an answer has been received from Dr. Costanzo, Director of Health. He was told no answer has been received in the office of the Board.

- (10) QUIT CLAIM DEED from City of Stamford to TURN-OF-RIVER FIRE DEPARTMENT, covering parcel of land containing 0.50 of an acre on westerly side of Turn-of-River Road at Buxton Farm Road Extension, purchased by the Turn-of-River Fire Department for construction of new fire headquarters (Requires an Ordinance) (Mayor's letter of 7/22/65) (Approved by Board of Finance on 8/12/65)

REFERRED TO LEGISLATIVE & RULES COMMITTEE - Ordered on Agenda

- (11) Request for WAIVER OF BUILDING PERMIT FEE under provisions of Building Code, (Ordinance No. 80.7 Supplemental) for Convent for Sacred Heart Parish (Letter dated 8/30/65 from Frank S. Massari, Architect)

REFERRED TO LEGISLATIVE & RULES COMMITTEE - Ordered on Agenda

- (12) Complaint concerning STORM DRAIN ON PINE HILL AVENUE (below intersection of PINE HILL and ELMBROOK DRIVE) CAUSING FLOODING OF LEHNER PROPERTY, SLAVINSKI PROPERTY and MOSER PROPERTY DURING HEAVY RAINS - (Letter from R. A. Philpot, 15th District Representative, dated 8/16/65)

REFERRED TO PUBLIC WORKS COMMITTEE

- (13) Petition requesting WOODRIDGE DRIVE BE REPAVED (Signed by 44 petitioners and presented in letter of 8/20/65 from Judith Sutherland, 18th District Representative)

REFERRED TO PUBLIC WORKS COMMITTEE

There was some discussion at this time regarding the disposition of complaints on various drainage and flooding problems, as well as other matters that require action by the Public Works Department. It was decided that these should be forwarded to the Public Works Department for their consideration and attention.

- (14) Change of Street name from "HIGH VALLEY WAY" to "CLIFFHANGER ROAD" (Requested in letter of 7/29/65 from Dr. Abrahamson, 1425 Bedford Street)

REFERRED TO PLANNING & ZONING COMMITTEE

- (15) Petitions for acceptance of roads as city streets

REFERRED TO PLANNING & ZONING COMMITTEE

- (16) Petition requesting permission for STAMFORD VETERANS' DAY CELEBRATION on November 11th and for parade and memorial services (Requested in letter dated 8/5/65 from Atty. Theodore P. Jakaboski, President, Stamford Veterans' Day Celebration Committee)

REFERRED TO PARKS & RECREATION COMMITTEE and ORDERED ON AGENDA

- (17) Two matters, previously referred to the Education, Welfare & Government Committee, after discussion, were not placed on the agenda, but kept in Committee for further study. These are as follows:

(a) Proposed Resolution concerning VOTING DISTRICTS (Presented by Peter Martin, 14th District Representative, at 6/7/65 Board meeting; on agenda 6/7/65 - See Minutes of 7/12/65, page 4417; Minutes of 8/2/65, page 4454)

(b) Proposed Resolution concerning amendment to Rules of Order of the Board by creating another Standing Committee to be known as the "Education Committee" and changing the Education, Welfare & Government Committee to the "Welfare & Government Committee" (Requires a 2/3rds vote - See Minutes of 8/2/65, page 4454)



(18) Concerning Public Address and Recording System for Board's Meeting Room

The above matter was briefly discussed and it was decided that this should be expedited and the contract given out so that this work can be started as soon as possible

(19) DISPOSITION OF CITY-OWNED PROPERTY on September 1, 1964 Grand List, submitted by Commissioner of Finance under date of June 2, 1965, on which action was taken by Planning Board on July 20, 1965, pursuant to requirements of Section 2-24 of Code of General Ordinances (See Section 488 of Charter) (Letter dated 8/5/65 from Saul Kwartin, Chairman of Planning Board)

REFERRED TO PLANNING & ZONING COMMITTEE (Not ordered on agenda)

(20) Letter from Samuel F. Pierson, Chairman, Board of Public Safety (dated 8/9/65 replying to letter from President of the Board of Representatives (dated 7/9/65) asking about increase in pay scale for SPECIAL POLICE from \$1.50 per hour to \$2.00 and suggesting that an Ordinance be enacted to put this into effect

REFERRED TO THE HEALTH & PROTECTION COMMITTEE

(21) Letter (dated 8/24/65) from Mr. John McGutcheon, Executive Secretary, Classified Employees Retirement Fund, concerning increases in benefits to retired employees by the Social Security Administration and requesting Board's approval of same.

REFERRED TO PERSONNEL COMMITTEE

(22) Letter (dated 8/27/65) from Rector Norman J. Catir, Jr., of St. Andrew's Parish condemning "piecemeal re-zoning" (Printed in Advocate on 8/28/65)

REFERRED TO PLANNING & ZONING COMMITTEE (Not ordered on agenda)

(23) Concerning complaints from residents of MEAD AVENUE and OENOKE PLACE area on ramp entering Machlett Laboratories which hampers exits on abutting properties (Presented by Mr. Kelly, 12th District Representative in letter received 7/27/65) (See Minutes of 8/2/65, page 4456, item #1 under "Communications")

REFERRED TO PUBLIC WORKS COMMITTEE (Not on agenda)

(24) Letter concerning dangerous intersections at COLD SPRING ROAD and STILL-WATER AVENUE, COLD SPRING ROAD and TRAVIS AVENUE, TRAVIS AVENUE and DUNCANSON STREET, and COLD SPRING ROAD and LONG RIDGE ROAD (From John T. Homa, 63 Travis Avenue, dated 7/19/65, addressed to Mr. Ketcham, President) (See Minutes of 8/2/65, page 4456, item #2)

REFERRED TO HEALTH & PROTECTION COMMITTEE and copy ordered sent to Chief of Police.

(25) Letter from Paul Kuczo, dated 8/27/65, calling attention to violation of City Ordinances (Chapter 1, Sec. 10) regarding vehicles used for official City business by not having imprinted on both sides of vehicle so used the name of the City and Department in letters 3" high, requesting this be brought to the attention of the proper City officials

REFERRED TO HEALTH & PROTECTION COMMITTEE (not on agenda)



(26) Need for bringing Charter and Code of General Ordinances, Building Code amendments, etc. up-to-date

The above matter was brought to the attention of the Committee. It was agreed that these amendments should be incorporated into the Code and Charter, inasmuch as a new Board will be coming into office in December and new City Officials elected and appointed. The President was requested to look into the matter to see what must be done to get these Codes brought up-to-date.

(27) Increase in Salary for Acting Mayor under Section 302.1 of Charter to be in proportion to Mayor's Salary (Mayor's salary increased to \$20,000.00 as of 12/1/65)

The question was raised as to whether the salary for the Acting Mayor is in proper proportion to the salary to be given the Mayor to take effect December 1, 1965, namely \$20,000.00. Inasmuch as this has not changed for many years, it was suggested that this be brought up to date at the same time the increase takes effect for the Mayor's salary. REFERRED TO FISCAL COMMITTEE and ordered on Agenda.

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

Alan H. Ketcham, Chairman  
Steering Committee

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APPOINTMENTS COMMITTEE:

MR. NATHANSON, Chairman, said his Committee met on Tuesday, September 7, 1965 with all members present with the exception of Mr. Arruzza and approved the following appointment.

Ballots were distributed by the Tellers. The vote is recorded below:

URBAN REDEVELOPMENT COMMISSIONTerm Ending

DAVID F. SQUIRE (D)  
1398 Newfield Avenue  
(Replacing Mr. Turrentine, whose  
term expired August 7, 1965)

August 7, 1970  
(5 yr. term)

VOTE: 13 in favor  
18 opposed  
1 abstention

FISCAL COMMITTEE:

MR. HEMINGWAY, Chairman, presented his Committee report. He said a meeting was held September 9, 1965 with five members present.

- (1) \$416.00 - CENTRAL SERVICES - Code 126.0101. Salary Account (Upgrading of Supervisor and reclassification of Clerk-Typist 1 to Offset Machine Operator 1, effective July 1, 1964) (1964-1965 fiscal year)  
(Mayor's letter of 5/7/65) (Approved by Board of Finance 7/12/65)

MR. HEMINGWAY said his Committee approved the above request and he SO MOVED. Seconded and CARRIED.

- (2) \$1,000.00 - TAX ASSESSOR - Code 144.04-03 - Printing Tax Books (REDUCED by Board of Finance on 8/12/65 from \$2,000.00) (Mayor's letter of 7/22/65) NOTE: See Sec. 574 of Charter.

MR. HEMINGWAY MOVED for approval of the above request. Seconded and CARRIED.

- (3) \$6,500.00 - DEPARTMENT OF PUBLIC WORKS - Code 620.2201 - Incinerator - Treatment Plant, New Equipment (Mayor's letter of 7/28/65)

MR. HEMINGWAY MOVED for approval of the above request. Seconded by Mr. Remling who said the Public Works Committee concurs in approval. CARRIED.

- (4) \$5,000.00 - ANNUAL CONVENTION, STATE FIREMENS' ASSOCIATION (City Contribution) Code 574.0000 (Convention held August 19, 20, 21) (Mayor's letter of 7/29/65)

MR. HEMINGWAY MOVED for approval of the above request. Mr. Kelly seconded the motion and reported that his Committee - the Parks & Recreation Committee - concurs in approval. CARRIED.

- (5) \$800.00 - BOARD OF REPRESENTATIVES (Mayor's letter of 7/30/65) (REDUCED by Board of Finance from \$1,100.00 by reducing the \$600 originally requested for Code 106.0308 for Binders for Charter and Code of General Ordinances to \$300) outlined below:

Code 106.1101 - Microfilming, Reproducing and binding record books-----	\$350.00
Code 106.0308 - Binders for Charter and Code of General Ordinances -----	300.00
Code 106.0701 - Janitor Services -----	150.00
Total-----	\$800.00

MR. HEMINGWAY MOVED for approval of the above request. Seconded and CARRIED.

- (6) \$17,289.31 - EMPLOYEES MEDICAL & HOSPITAL ACCOUNT - Code 132.0000 (Disbursed on warrant of Corporation Counsel) - Workmen's Compensation Claim for William B. Kinsella) (Mayor's letter of 8/12/65)

MR. HEMINGWAY MOVED for approval of the above request. Mr. Kuczo seconded the motion and said his Committee - the Education, Welfare & Government Committee - concurs in approval. CARRIED.

- (7) \$3,360.00 - HUMAN RIGHTS COMMISSION - Code 192.0101. Salaries - Clerical Assistance for Executive Secretary (For remainder of 1965-1966 fiscal year, at a salary of \$80.00 per week)

MR. HEMINGWAY MOVED for approval of the above request. Mr. Philpot seconded the motion and said his Committee (Personnel Committee) concurred in approval. CARRIED.

- (8) Increase in Salary for Acting Mayor under Section 302.1 of Charter to be in proportion to Mayor's Salary (Mayor's salary increased to \$20,000.00 as of 12/1/65)

MR. HEMINGWAY said the above matter was not on their agenda at the time the Committee met and was therefore being held in Committee.

MR. HEMINGWAY said he now has two matters to bring up under suspension of the rules.

- (9) \$5,500.00 - PARK COMMISSION - Code 710.2201 - Equipment: Tractor-Train (Mayor's letter of 7/15/65) (REDUCED by Board of Finance 9/9/65 from \$20,000.00 after deciding to purchase a used one from the Greyhound Corporation, World's Fair) (See letter of 9/10/65 from Robert Bundock) (1965-1966 fiscal year)

MR. HEMINGWAY MOVED for suspension of the rules to bring the above matter on the floor. Seconded by Mr. Truglia and Mr. Morris. CARRIED.

MR. HEMINGWAY MOVED for approval of the above request. He said the Park Commission has been granted an extension of time by the Greyhound Corporation to the coming Wednesday, September 15, but the original deadline date was September 1st, and there is no likelihood of their getting any further extension of time, as this time extension was given in order to allow this Board to act upon the purchase tonight. He said the Fiscal Committee recommends this for approval as it represents quite a saving. He said they understand that there will be a slight charge for the use of this equipment after it is put into effect. Seconded by several people.

MR. KELLY said this matter is also within the province of the Parks and Recreation Committee. He said his Committee concurs in approval for the reason that it is badly needed by those who use Cove Island - women with small children, etc. and those with loads that have to be transported to the beach.

MR. NATHANSON said he believes this will be of great help to the elderly and to the handicapped and represents another step forward in the City.

MR. MORRIS said he had recently given Mr. Kelly a letter from the Senior Citizens of Stamford on this matter and recommended this be approved.

MR. BITETTO spoke in favor of the appropriation.

MR. KANE MOVED the question. CARRIED.

- (10) Resolution No. 470 "Enabling Board of Education to Receive Grant Funds from Federal or State Grants Available to Municipalities for Educational Programs and Projects to Entirely Finance Program or Project for which Grant is Awarded"  
(Resolution prepared by Corporation Counsel, forwarded in his letter of 9/3/65)

MR. HEMINGWAY MOVED for suspension of the rules to bring the following request before the Board at this time; seconded and CARRIED:

STAMFORD PUBLIC SCHOOLS  
151 Broad Street  
Stamford, Connecticut

Board of Representatives:

September 3, 1965

In accordance with the discussion held during the informal meeting of the Board of Education with the Mayor, City officials and members of the fiscal boards on August 30, 1965, the Corporation Counsel has submitted a resolution to each of your Boards on behalf of the Board of Education, which deals with the disbursement of Federal and State 100% reimbursable project funds and funds for projects for which the Board of Education's



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contribution is made "In kind" (such as use of buildings, services of staff members, etc.)

We are most anxious to have your approval of a procedure by which these funds can be appropriated for the Board of Education as expeditiously as possible, so that programs can be implemented without delay as soon as the grants have been approved. We would like to point out, however, that no funds can be received by the City for these projects until someone has been authorized to sign, in behalf of the City of Stamford, the Financial Allocation Affidavit form to be submitted with the project proposal. A copy of this affidavit is attached for your information.

It is understood that no project will be implemented until the funds have been appropriated to the Board of Education.

In connection with the resolution, there are two projects on which we would like action now, as follows:

1. Project 135-1, presented under an Act Concerning State Aid for Disadvantaged Children (1965 State General Assembly), and approved in the amount of \$128,700.00 for the period of July 1, 1965 to June 30, 1966.
2. Project #ABE-135, presented under Adult Basic Education, Title 11-B Economic Opportunity Act, fiscal year 1965-1966-PL 88-452, approved in the amount of \$25,057.50.

We earnestly seek your approval of the resolution and the two projects listed.

Sincerely yours,

Helen A. Tobin,  
Acting Superintendent of Schools

Enclosure (Attachment A)

ATTACHMENT A

CONNECTICUT STATE DEPARTMENT OF EDUCATION  
Division of Instructional Services  
Hartford, Connecticut

AN ACT CONCERNING STATE AID FOR  
DISADVANTAGED CHILDREN

Public Act 523

FINANCIAL ALLOCATION AFFIDAVIT  
(To be submitted with project proposal)

It is hereby agreed that to the extent that this application is approved by the State Department of Education the funds will be used only for the purposes itemized and that such expenditures will be in compliance with AN ACT CONCERNING STATE AID FOR DISADVANTAGED CHILDREN and the instructions and requirements of the State Department of Education. Any deviation in the use of the funds will be cause for the termination of the project or the withholding of future payments by the State. It is further agreed that in case of any such termination, the project will be handled in the

same fashion as a completed project, insofar as audits and return of funds are concerned.

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Superintendent of Schools)

I hereby certify that the funds requested by the Superintendent of Schools in the attached project application will be made available for the purposes of such project only, and that any cash advanced by the State in connection with this project will be deposited in a separate account and that no part of these funds will be used for any other purpose whatsoever, even for a short period of time.

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature of City Fiscal Officer)

\_\_\_\_\_  
(Title)

RR:llf

6/29/65

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MR. HEMINGWAY said the Board of Finance approved this resolution (as submitted to them by the Corporation Counsel) on September 9, 1965. He said the purpose of the resolution is to give the Board of Education (or their proper legal officer) authority to make application for Federal or State Grants in Aid to be used for school drop-outs, retarded children, or anything of that type, which they are not now able to do, because these Grants specify in the regulations that the requesting officer must sign an affidavit stating that the money will be used 100% for the particular project. He said no one on the Board of Education today has the authority to make that statement because all moneys are appropriated at the request of the Mayor, approved by the Board of Finance and then by this Board, and not until then does the school Board know how much money they will have. He said at the present time if any Federal Grant of, say \$100,000 were to be applied for and were received, it would go into the General Fund and there is no knowledge of just how much might come back to the Board of Education, so the affidavit in that case would not be a true one, (at the present time).

He said, therefore, the purpose of the resolution is to give the Board of Education the authority to sign these affidavits when they make the application for the Grants. He said the authority is revocable either by the Board of Finance or by this Board, at their discretion, and approval continues until, or if this is done.

MR. HEMINGWAY MOVED for approval of the following resolution. Seconded by Mr. Morris (Tom) and Mr. Truglia:



RESOLUTION NO. 470ENABLING BOARD OF EDUCATION TO RECEIVE GRANT FUNDS FROM  
FEDERAL OR STATE GRANTS AVAILABLE TO MUNICIPALITIES FOR  
EDUCATIONAL PROGRAMS AND PROJECTS TO ENTIRELY FINANCE  
PROGRAM OR PROJECT FOR WHICH GRANT IS AWARDED

WHEREAS, there are a number of grants available for educational programs and projects to municipalities from the Federal Government and/or the State of Connecticut which grants entirely finance the program or project for which the grant is awarded, and

WHEREAS, there are also a number of grants available for educational programs and projects to municipalities from the Federal Government or the State of Connecticut which grants entirely finance all sums of money to be actually disbursed to execute the grant program or project, but require municipal participation to provide facilities, equipment and personnel, and

WHEREAS, the City of Stamford is eligible and the Board of Education is desirous of applying to the Federal Government and/or the State of Connecticut for a number of aforesaid grants, and

WHEREAS, any such Federal or State grant is finally awarded only after the applicant attests that the funds of the grant will be used solely for executing the grant program or project,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Representatives in order to enable the Board of Education to obtain Federal or State grants in educational areas, does hereby consent and authorize the Board of Education or its designated agent and any other City Officer, official or employee, to make the necessary attestation to the Federal and/or State Government that the grant will be used for the purposes for which granted, and

BE IT FURTHER RESOLVED, that upon receipt by the City of Stamford of said grant funds, the Board of Representatives will appropriate said funds to the Board of Education for the execution of the program or project for which the Federal or State grant is made, and

BE IT FURTHER RESOLVED, that the Board of Representatives reserves to itself the right to revoke this entire resolution, authorization and commitment at any time upon written notice to the Board of Education; which revocation, however, shall not be construed to affect any grant finally approved by the Federal Government or State of Connecticut prior to the revocation.

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MR. KUCZO said his Committee - the Education, Welfare and Government Committee - met with the Board of Finance and the Board of Education Thursday night and discussed this matter and also concur in the recommendations offered by Mr. Hemingway.

MR. LINDSTROM said he would like to ask who sent this letter from the State and Federal Government requesting that this be done by the City of Stamford.



MR. HEMINGWAY replied that for some time grants have been available from the State and Federal Government along these lines, but the Stamford Board of Education has not been able to take advantage of them. He said they were told that the City of Norwalk has obtained around \$250,000 in the last two years in this area. He said their government procedures are somewhat different than Stamford's and for this reason the Board of Education here was not able to make application for any of these grants.

MR. LINDSTROM asked what about the grant that Stamford already gets from the Federal Government - is this also giving control to the Board of Education on the funds that we are now receiving from the State and Federal government?

MR. HEMINGWAY said he thinks these two things are being confused - that these particular grants for retarded children, or remedial reading or whatever it may be, are so specified that the applicants must sign an affidavit in advance before any money is approved by the Federal Government that such moneys, intact, 100%, will be used by the Board of Education for that specific project - they cannot divert the money to anything else, whether it be for buying trucks or whatever it may be.

He said a lot of the money that is now received from the State as State Aid can be switched around in various areas, but this requires an affidavit in advance, that this will not be done.

MR. LINDSTROM said he thought we had just received State Aid a month or two ago, that the Board of Finance deemed it necessary to cut, and it was for retarded children and so on - pre-kindergarten. He asked if this would affect that also.

MR. KANE said he would like to answer that question. He said he thinks this is a very unique situation, because we here in the City of Stamford have not been able to obtain funds made available through the Educational Act prior to this particular time. He said the reason for this is because this particular Act, the City, or the Board of Education requires certain goods under this particular Bill, the Federal Government reimburses the City with matching dollars; previous to this particular time, the money went into the General Fund, and have not been reverting back to cover the costs that the Board of Education has incurred. He said Norwalk has granted to their Board of Education this autonomy, so that they may carry out this procedure knowing full well that everything they ask for in this area and according to this Federal Act, they will receive all the money to enable them to carry it through.

MR. LINDSTROM said does this mean that we have never asked for this?

MR. KANE said we have not because there is a difficulty here and the Board of Education is not sure that the moneys that do come back from the Federal Government will come back to the Board of Education to pay for the equipment. He said if it goes to the General Fund it could then be used to buy automobiles for the Public Works Department, for instance. He said he thinks it will save the City many dollars in the future if we go ahead now.

MR. LINDSTROM said he wants to ask one more question and that is, are we not already receiving these Federal and State Grants. He said is he to understand that the City is not now receiving this money, or is this going to be additional money for the Board of Education that they are not now receiving - but we have to match it.

Several members said "No" to this question.

MR. GOINGS said he thinks the members are getting confused between State and Federal Grants - He said this is a Federal Grant and the money that we now receive from the State is different from the money we would receive from the Federal Government.

MR. RYBNICK said he believes that this merely permits them to make application for these funds where they weren't able to obtain these grants before. He said it is his understanding that this was never done before in the City of Stamford; that it allows them to make application for these grants so that they will be sure to receive them and it will not be spent on something else.

MR. MORRIS MOVED THE QUESTION.

VOTE taken on Resolution No. 470. CARRIED.

Re: Appropriation for CLOONAN SCHOOL

MR. SULLIVAN MOVED for suspension of the rules in order to bring up the above matter.

THE PRESIDENT warned the members on bringing matters up under suspension of the rules. He said the Board is liable to entrap itself by not properly considering matters.

Mr. Sullivan's motion was seconded by Mr. Kuczo.

MR. SELSBERG objected to taking this up now for the reason that it has not even been referred to a Committee as yet and also that it will require a two-thirds vote to suspend the rules.

THE PRESIDENT said not only has this not been referred to a Committee, but it has not even been before the Steering Committee for referral to a Committee.

MR. TRUGLIA said he can see no valid point in that reasoning, because the Board just finished taking up an appropriation for the Park Commission without it first going to a Committee.

MR. MORRIS asked for a recess at 9:30, which was granted.

The recess was declared over at 9:40 P.M. and the members resumed their seats.

MR. SULLIVAN said he wished to withdraw his motion to suspend the rules, for the reason that during the recess he had been assured by both the Minority and Majority Leaders that this matter will be brought up at the next meeting.

MR. KUCZO said he also wishes to withdraw his seconding of the motion.

LEGISLATIVE & RULES COMMITTEE:

THE PRESIDENT asked Mr. Selsberg if he was prepared to bring up the first item on the agenda under his Committee. Mr. Selsberg replied that this is his intention. In that case, the President said he would turn the Chair over to Mr. Thomas Morris, the Majority Leader, in order that there be no question of propriety, as he is an officer of the Water Company in their employ.

MR. THOMAS MORRIS took the Chair, replacing Mr. Ketcham at this time.

MR. CONNORS asked, through the Chair, if Mr. Ketcham would be available in case the members wished to ask him questions.

MR. KETCHAM replied if it is absolutely necessary and the members wish him to answer any questions, he will be glad to do so.

MR. SELSBERG presented his Committee report. He said a meeting of the Legislative and Rules Committee was held on Wednesday, September 8, 1965 in the Municipal Office Building and all members were present.

- (1) Final adoption of Ordinance "PROHIBITING WASTE OF WATER BY ACTS NOT ESSENTIAL TO THE PUBLIC WELL-BEING IN THE STATE OF AN EMERGENCY" (Mayor's letter of 6/25/65) (Adopted for publication 7/12/65 - Published 7/17/65 - DEFERRED 8/2/65)

MR. SELSBERG said his Committee, after deliberating at length and after a public hearing had been held, had decided not to enact the proposed Ordinance as it might create numerous problems. Therefore, the Committee undertook the task of amending it. He said the amended Ordinance is now before the members. (Copies were distributed to all members prior to the meeting)

MR. SELSBERG read the proposed Ordinance, as approved by the Legislative & Rules Committee, as follows:

BE AND IT IS HEREBY ORDAINED BY THE CITY OF STAMFORD THAT:

Sec. 1 In conformity with Sections 420, 423 and 425 of the Stamford Charter it is hereby declared to be in the best interest of the public health and safety of the City of Stamford to regulate and restrict the use of water from the public water supply during emergencies caused by drought.

Sec. 2 A public emergency caused by drought is hereby defined to be a period of time when the Director of Health in his judgment, determines that the water level at the reservoirs supplying water to the City are, or are in danger of reaching, low levels with relation to the needs of the City or when a drought threatens to result in insufficient water supply for the residents of the City of Stamford, or for the use of fire or other protective agencies of the City.

Sec. 3 A public emergency caused by drought as defined in Sec. 2 hereinabove, shall be declared by the Mayor of the City of Stamford, when, advised by the Director of Health that such circumstances and criteria set forth in Sec. 2 above warrant the determination of such an emergency in the interest of the public health and safety to the City of Stamford. The Mayor of the City of Stamford shall cause a public announcement of such determination of emergency to be made at least twice over the local radio station prior to the time of such emergency becoming effective. Publication of this fact shall be made prominently in two successive publications in a newspaper published daily in the City of Stamford, after which publication, a public emergency caused by drought shall be in effect. Such public emergency caused by drought shall continue in effect until the Mayor of the City of Stamford shall determine that such an emergency shall no longer exist upon the advice of the Director of Health and shall make public announcement of the same by publishing an announcement, terminating the emergency, once in a newspaper published daily in the City of Stamford.



Sec. 4 The Director of Health shall make such rules and regulations governing and restricting the use and supply of water as are consistent with the needs of the public health, preservation of human life, sanitation, safety, welfare and economic needs of the City.

Sec. 5 The Director of Health shall submit said rules and regulations to the Board of Representatives and such rules and regulations shall, when and as approved by resolution of the Board of Representatives, have the force and effect of law, provided that a copy of the same is published at least once in a newspaper having a general circulation in the City.

Sec. 6 Any person aggrieved by any order of the Director of Health shall have a right of appeal within fifteen (15) days of the publishing of the rules and regulations, as approved by the Board of Representatives, in accordance with Section 423 of the Stamford Charter.

Sec. 7 Any person who violates any of the provisions of this Ordinance and/or the rules and regulations of the Director of Health as approved by the Board of Representatives, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined an amount not exceeding One Hundred Dollars (\$100.00) or be imprisoned for a period not exceeding thirty (30) days, or both.

Sec. 8 For the purposes of this Ordinance, the following terms, phrases, words, and their derivations shall have the meaning given therein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

(a) "City" is the City of Stamford.

(b) "Person" is any person, firm, partnership, association, corporation, company or organization of any kind.

(c) "Water" is water from the Stamford Water Company System.

Sec. 9 If any section, subsection, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

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

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MR. KANE rose on a point of information. He said he would like to ask for clarification on the Ordinance as just read by Mr. Selsberg. He said he fails to see where it in any way resembles the original Ordinance as adopted for publication by this Board July 12, 1965 and published in the Stamford Advocate on 7/17/65. He said he feels that this version is totally different from the original.

MR. KANE requested a ruling from the Chair as to whether this is the same Ordinance or is it a new Ordinance. He said if this is a new Ordinance then the Board will have to suspend the rules in order to bring it on the floor.

MR. MORRIS called on Mr. Russell, Parliamentarian for an interpretation.

MR. RUSSELL said in view of the fact that in the past Ordinances have often been changed radically between their adoption for publication and the final version as given final approval by the Board. He said once it has been published in accordance with Sec. 204.1 concerning "Passage of Ordinances" there is a provision for amending and the latitude for amending can be very broad at times, unless it is spelled out differently. He said he would interpret this as meaning that the Ordinance as amended is still basically the same Ordinance as originally proposed, as it deals with the same subject matter and the purpose has not been changed. He said the reason for publishing a proposed Ordinance is in order to get different views, and if needed, to amend it and get in proper form before the next meeting and to enable everyone to study it. He said he would therefore rule that it is the same Ordinance and properly before the Board.

MR. KANE objected for the reason that he felt the Ordinance was in an entirely different form now from the one that was published previously. He said it has changed the intent, the person who would be in control, the rules and regulations and possibly under what section of the Charter it would be enforced.

MR. RUSSELL said the purpose of the Ordinance is exactly the same and the question as to how it will be enforced does not change its purpose.

MR. KANE said he disagreed, because in the first publication of the Ordinance, we have spelled out the rules and regulations whereby it would be enforced. He said as it now stands, it will be sent to the Health Director who will establish these regulations and then proceed to send them back to the Board, and as it now stands, it does not contain any regulations spelled out and it therefore is not the same, because the first published Ordinance definitely spelled out what the rules and regulations were and is now turning this function over to the Health Director. He said if this particular Ordinance has been published and the Board is going to take action on it tonight, then why are we going to send it to the Health Director to have him fill it in, if it is supposed to be the same Ordinance. He asked for a ruling from the Parliamentarian, through the Chairman.

MR. RUSSELL said the only answer he can give is that there have been changes in the Ordinance as far as it refers to the means of enforcing it. He reiterated his earlier stand that there can be radical changes made and still not alter the basic purpose. He said Sec. 204.1 does not spell it out that the Board is limited in any way - that it can stay the same or be changed quite radically from the original form.

MR. MURPHY ROSE ON A POINT OF ORDER. He asked if he was to understand that this has been altered considerably since its first approval by the Board, as he was absent at the July Board meeting when it was adopted for publication.

He was told that this was the case.



MR. MARTIN spoke in favor of the Ordinance. He said a water ordinance is a very important matter and should be very carefully considered. HE MOVED TO AMEND Section 2 to add after the words: "...when the Director of Health in his judgement....." and before the word "...determines" the following; so that the amended section would then read:

Sec. 2 A public emergency caused by drought is hereby defined to be a period of time when the Director of Health, in his judgment, after consultation with and agreement by the Chief Executive Officer of the Stamford Water Company, determines that the water level at the reservoirs supplying water to the City are, or are in danger of reaching, low levels with relation to the needs of the City or when a drought threatens to result in insufficient water supply for the residents of the City of Stamford, or for the use of fire or other protective agencies of the City.

Mr. Martin's amendment was seconded by several members.

MR. RYBNIOK said he is in favor of the amendment and thinks it should go further to state that as long as the Stamford Water Company is a private company, they should have the right to determine whether or not there is a water shortage.

MR. KANE objected to trying to legislate on the floor of the Board, and that it should go back to Committee. He felt more work was needed before adoption in final form.

After considerable further discussion, Mr. Murphy MOVED THE QUESTION.

VOTE taken on Mr. Martin's amendment. CARRIED.

MR. SELSBERG said he now wishes to speak in favor of an amendment which he is about to offer and is not now speaking as Chairman of the Legislative & Rules Committee. HE MOVED for approval of the following amendment by adding Sec. 10 to the Ordinance, as follows:

Sec. 10 Until such time as the rules and regulations hereinbefore referred to in Sec. 4 are approved by the Board of Representatives, the Mayor of the City of Stamford is hereby empowered and authorized, in the time of a public emergency, as defined in Sec. 2 hereinabove, to declare any or all of the following acts to be unlawful:

- (a) The sprinkling, watering or irrigating of shrubbery, trees, lawns, grass, ground covers, plants, vines and flowers, not used in the furtherance of a person's livelihood or enterprise.
- (b) The filling or draining of pools, ponds, rivers or lakes used for private and/or public recreational purposes.
- (c) The washing of automobiles, if the same be not in the furtherance of a person's livelihood or enterprise.
- (d) The allowance of plumbing to remain out of repair, resulting in the escape of water.
- (e) The use of water from fire hydrants, unless same be used for the protection, safety and welfare of the residents and the City of Stamford by a public agency.



The provisions of this Section shall become of no force and effect and shall terminate and expire upon the approval by the Board of Representatives of the rules and regulations hereinbefore referred to in Sec. 4.

MR. KANE said he thinks this is subterfuge in its most blatant form. He said the Legislative and Rules Committee met only last Wednesday and if the Chairman did not see fit at that time to bring his proposed amendment before his Committee he sees no reason to try to legislate it through now on the floor of the Board. He said he would like to question Mr. Ketcham, because the water shortage is no different now than it was last year at this time of year and there is no emergency.

He said he challenged the audacity to bring out in public that there is an emergency. He said the Chairman of this particular Committee has had this matter in his Committee for three months; held one public hearing, which he failed to attend, because of other business and felt at that time that they should change this particular Ordinance which the Committee proceeded to do. Now, he said, he is trying to change it again. He said he believes this to be nothing but a political trick and feels this question of an "emergency" will have to have further substantiation. He requested that Mr. Ketcham address the members and give them the facts of the situation and show us whether or not an emergency really exists.

MR. SELSBERG rose on a point of order. He said Mr. Ketcham gave up his Chair as presiding officer of this Board so there would be no conflict of interest. He said any remarks that he might make would most certainly be interpreted as being a conflict of interest. He said the newspaper quoted the President of the Water Company, and his words should suffice. He said if this Board is to request Mr. Ketcham to address the members, the rules will have to be suspended first.

MR. MORRIS ruled that Mr. Ketcham is a member of this Board and a Representative from the 20th District and can be called upon to present the facts.

MR. SELSBERG said he would challenge his right to address the Board because he has a conflict of interest.

MR. MORRIS said he will give a ruling which was given during Urban Renewal time when the Corporation Counsel was questioned and he said where people own property in this Urban Renewal area that they had a right to vote on this question because they are representing the people.

MR. MORRIS said Mr. Kane has requested to hear from Mr. Ketcham and if he wishes to speak he may do so.

MR. TRUGLIA asked that the choice be left up to Mr. Ketcham and that he does not think a vote or anything else is necessary.

MR. KETCHAM said he would be glad to answer any questions the members may have, speaking as an expert with many years of experience in this field.

MR. SELSBERG rose on a point of order. He said he wants to know is he going to speak as a member of this Board or as an expert. He said Mr. Bell's remarks appear in the newspaper, which should be answer enough for anybody.

MR. CONNORS said he did not notice any of the members feeling sorry for him when the Board asked him about the Telephone Company and he answered all the questions the members asked and he feels that if Mr. Ketcham is willing to answer questions from the members that Mr. Selsberg is out of order and that the Chair should rule him out of order.

MR. MORRIS, Chairman, said Mr. Ketcham may speak if he so wishes.

MR. BITETTO rose on a point of order and asked if he is being invited to speak as a member of this Board or as a representative of the Water Company.

MR. TRUGLIA asked that the bickering cease and that they get on with the meeting.

MR. KETCHAM addressed the members of the Board. He said as an employee of the Water Company and as President of this Board, he is involved directly at this time in this proposed Ordinance. He said he does not want to abuse his prerogatives as a member of this Board and as President, or as an executive of a corporation which is involved directly at this time in this proposed Ordinance. However, he said he feels that every member of the Board has the best interests of the community at heart, otherwise he would not be here; spending a lot of time and energy. He said he is willing to answer any questions that members may have in order to shed some light on the subject, if the Board so wishes. He said if the Board does not wish him to speak, he will not do so.

There being no objection to his speaking, Mr. Ketcham continued. He said he has been with this corporation for the past 26 years, has been in charge of this particular department for the last 11 years and has some knowledge. He said he would be glad to answer any technical questions.

MR. TRUGLIA said they would like to ask Mr. Ketcham a specific question, which is "Do we have an emergency at the present time?"

MR. KETCHAM replied that at 7:45 P.M. this evening he called the President of the Stamford Water Company and informed him that he had just received a copy of the Ordinance as proposed by the Legislative & Rules Committee.

He said before he can answer that, the meaning of "emergency" would have to be defined, which means that it would require drastic measures be undertaken immediately. In that meaning of the word, he said we are not as of today in an emergency. He said Mr. Bell has stated to him tonight that, as of today, we are not in an emergency to the effect that immediate and drastic conservation measures must be enforced - that with normal rainfall from now until Christmas - the water supply would again be back to normal. However, no one knows just what will happen in the next three months and that if we do not have normal rainfall, we can very rapidly move into an emergency situation. On the other hand, if we do have normal precipitation from now until the first of the year, there will be no emergency.

MR. RUSSELL said he would like to ask a question and that is, in view of the fact that we may not get a normal rainfall between now and when an emergency situation could develop -- is it possible that an emergency situation could develop during the period between now and say, perhaps Christmas, would it not be a good idea to take proper steps in time - in other words, we are talking about what may happen a month or two months from now, if we get a sub-normal rainfall or an early freeze.

MR. KETCHAM said if an emergency should occur, say by November 1st, and if we do not have normal rainfall between now and then, we could reach a condition which would be regarded by the management of the Stamford Water Company as an emergency wherein drastic steps should be taken. Here again, he said, this would have to be determined by people who are expert in the field as to what our projected consumption will be, as to when the situation deteriorates to the point where these drastic emergency restrictions must be imposed. That point is not with us today, he said.

MR. KUCZO asked what other community or communities might be drawing from the Stamford reservoir besides Stamford.

MR. KETCHAM said the only other community that is taking water from the Stamford Water Company system is the Town of Darien which has been taking water under contract with the Water Company since its inception.

MR. KUCZO asked if Darien was making provision for this emergency situation.

MR. KETCHAM said the Noroton Water Company and the First Selectman of the Town of Darien have requested and received cooperation of the consumers of the imposition of voluntary conservation of water - the same type of measures that have been requested in Stamford by the Stamford Water Company and the chief executive.

MR. KUCZO said he would like to know the approximate percentage that they draw from the Stamford reservoirs.

MR. KETCHAM said he cannot answer that question as he is out of touch with the distribution end at the present time.

MR. KUCZO asked if it is less than 25%.

MR. KETCHAM replied "yes".

MR. CONNORS said there is no doubt in his mind that if there was an emergency that the Stamford Water Company would give the City officials sufficient notice in plenty of time to declare an emergency exists. He asked if he is correct in saying that.

MR. KETCHAM said he can assure him that as of now the management of the Stamford Water Company has kept in touch with the Mayor, advising him of the situation at all times.

MR. MARTIN spoke in favor of adopting the amendment, and urged that action be taken tonight.

MR. KANE rose on a point of information. He asked if it is not a fact that the Board has just received an amendment and not even in written form, which the Board is being requested to adopt tonight. He said it appears to him that some people think we have an emergency situation and others do not agree and also that the proposed legislation is not in front of the members so that they can act on it intelligently to best protect the individual. He said a special meeting can be called and action taken immediately if an emergency situation does develop.

MR. MORRIS, Chairman, requested that the speaker confine his remarks to the amendment which is now before the Board.

MR. NATHANSON said he is somewhat confused at this point. He read from the newspaper account of what the President of the Water Company said on the water situation, that the water supply is now down to 36% of capacity, which is two weeks behind what it was last year at this time; and last year the supply stood at 43% of capacity at this time which means that there has been a 7% drop during the past two weeks. He said he does not believe anyone has said that there now exists an emergency - that there is only need for legislation so that it will be ready if needed.



MR. TRUOLIA rose on a point of order. He said he would like to know if this is the Mayor's Ordinance or is it something that is coming out of Mr. Salsberg's Committee. He said he would like to clarify what this has to do with the Mayor.

MR. MORRIS said the members must confine their remarks to the amendment only.

MR. CONNORS said at this point there have been so many amendments, he doesn't know what it looks like or what he is voting on. He said this has been in the Legislative & Rules Committee for three months and now tonight they spring an amendment which no one has even been advised of and do not have it before them in written form so they can study it. He said if some of the members of the Committee itself were not advised of the amendments, how can the other Board members know what they are doing. He said he tried to keep up with the amendments, but had to give up, because he couldn't write that fast. He said he doubts if there is anyone else in the room that is sure of exactly what the amendment is. He said he thinks this should be TABLED.

MR. SULLIVAN said he also is confused like Mr. Nathanson - that he is a member of the Legislative and Rules Committee and this is completely new to him - that he has never been shown these amendments.

MR. MORRIS informed Mr. Sullivan that Mr. Salsberg brought up this amendment as a member of the Board and not as a part of his report as Chairman of the Legislative and Rules Committee.

MR. SULLIVAN says he does not dispute the fact - that he is just saying it was not done through the Committee process. He spoke in opposition to legislating on the floor of the Board, as this has been in Committee for a long time, with action postponed since the July meeting.

After considerable further debate, Mr. Goings MOVED THE QUESTION.

Mr. Goings' motion was seconded and CARRIED, with several "no" votes.

VOTE taken on Mr. Salsberg's amendment by adding Sec. 10 to the Ordinance. Seconded and CARRIED, by a majority vote of 21 in favor.

MR. MORRIS said the vote would now be on the Ordinance, as amended.

MR. KANE said he thinks the Ordinance is now completely changed from what it was when it was originally published and should be re-published.

MR. RUSSELL said it is not necessary to re-publish, however, it could be done if the Board so ordered.

The debate continued for some time.

MR. MARTIN and MR. DOMBROSKI were excused at 11:05 P.M.

MR. RYBNICK MOVED to TABLE the Ordinance for one month. Seconded. (not debatable)

VOTE on above motion. LOST - 10 in favor and 14 opposed.

MR. SULLIVAN said he would like to know what is now before the Board.

MR. RUSSELL said the Ordinance was previously published; has been amended tonight, and is now ready to be voted upon, as amended, for final adoption.

MR. MORRIS said the original intent of the Ordinance is the same, even though it has been amended.

After considerable further debate, MR. TRUGLIA requested a recess at 11:20 P.M.

The recess was declared over at 11:35 P.M. and the members resumed their seats.

MR. NATHANSON MOVED THE QUESTION. Seconded and CARRIED.

MR. MORRIS said the vote would now be on the proposed Ordinance, as amended, for final adoption.

MR. ARRUZZA asked to be excused at 11:40 P.M.

MR. MURPHY asked what vote is needed to adopt the Ordinance.

He was told the vote must be a majority vote - 21. He asked whether a majority is now present, as some of the members have left the meeting.

MR. MORRIS told him there were 25 members now left.

MR. MORRIS asked for a show of hands on the vote for passage of the Ordinance. There were 16 in favor and 9 opposed. LOST.

MR. TRUGLIA MOVED for re-publication of the Ordinance as re-written and amended. Seconded by Mr. Connors, and CARRIED.

The Ordinance, as amended and adopted for publication is as follows, with final adoption expected at the next regular meeting of the Board on October 4, 1961:

A PROPOSED ORDINANCE PROHIBITING WASTE OF WATER BY ACTS NOT  
ESSENTIAL TO THE PUBLIC WELL-BEING IN THE STATE OF AN EMERGENCY

BE AND IT IS HEREBY ORDAINED BY THE CITY OF STAMFORD THAT:

Sec. 1 In conformity with Sections 420, 423 and 425 of the Stamford Charter it is hereby declared to be in the best interest of the public health and safety of the City of Stamford to regulate and restrict the use of water from the public water supply during emergencies caused by drought.

Sec. 2 A public emergency caused by drought is hereby defined to be a period of time when the Director of Health, in his judgment, after consultation with and agreement by the Chief Executive Officer of the Stamford Water Company, determines that the water level at the reservoirs supplying water to the City are, or are in danger of reaching, low levels with relation to the needs of the City or when a drought threatens to result in insufficient water supply for the residents of the City of Stamford, or for the use of fire or other protective agencies of the City.

Sec. 3 A public emergency caused by drought as defined in Sec. 2 hereinabove, shall be declared by the Mayor of the City of Stamford, when, advised by the Director of Health that such circumstances and criteria set forth in Sec. 2 above warrant the determination of such an emergency in the interest of the public health and safety to the City of Stamford. The Mayor of the City of Stamford shall cause a public announcement of such determination of emergency to be made at least twice over the local radio station prior to the time of such emergency becoming effective. Publication of this fact shall be made prominently in two successive publications in a newspaper published daily in the City of Stamford, after which publication, a public emergency caused by drought shall be in effect. Such public emergency caused by drought shall continue in effect until the Mayor of the City of Stamford shall determine that such an emergency shall no longer exist upon the advice of the Director of Health and shall make public announcement of the same by publishing an announcement, terminating the emergency, once in a newspaper published daily in the City of Stamford.

Sec. 4 The Director of Health shall make such rules and regulations governing and restricting the use and supply of water as are consistent with the needs of the public health, preservation of human life, sanitation, safety, welfare and economic needs of the City.

Sec. 5 The Director of Health shall submit said rules and regulations to the Board of Representatives and such rules and regulations shall, when and as approved by resolution of the Board of Representatives, have the force and effect of law, provided that a copy of the same is published at least once in a newspaper having a general circulation in the City.

Sec. 6 Any person aggrieved by any order of the Director of Health shall have a right to appeal, within fifteen (15) days of the publishing of the rules and regulations, as approved by the Board of Representatives, in accordance with Section 423 of the Stamford Charter.

Sec. 7 Any person who violates any of the provisions of this ordinance and/or the rules and regulations of the Director of Health, as approved by the Board of Representatives, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined an amount not exceeding One Hundred Dollars (\$100.00) or be imprisoned for a period not exceeding thirty (30) days, or both,

Sec. 8 For the purposes of this ordinance, the following terms, phrases, words, and their derivations, shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

(a) "City" is the City of Stamford.

(b) "Person" is any person, firm, partnership, association, corporation, company or organization of any kind.



(c) "Water" is water from the Stamford Water Company system.

Sec. 9 If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Sec. 10 Until such time as the rules and regulations hereinbefore referred to in Sec. 4 are approved by the Board of Representatives, the Mayor of the City of Stamford is hereby empowered and authorized, in the time of a public emergency, as defined in Sec. 2 hereinabove, to declare any or all of the following acts to be unlawful:

- (a) The sprinkling, watering or irrigating of shrubbery, trees, lawns, grass, ground covers, plants, vines and flowers, not used in the furtherance of a person's livelihood or enterprise.
- (b) The filling or draining of pools, ponds, rivers or lakes used for private and/or public recreational purposes.
- (c) The washing of automobiles, if the same be not in the furtherance of a person's livelihood or enterprise.
- (d) The allowance of plumbing to remain out of repair, resulting in the escape of water.
- (e) The use of water from fire hydrants, unless same be used for the protection, safety and welfare of the residents and the City of Stamford by a public agency.

The provisions of this section shall become of no force and effect and shall terminate and expire upon the approval by the Board of Representatives of the rules and regulations hereinbefore referred to in Sec. 4.

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

MR. MORRIS relinquished the Chairmanship to MR. KETCHAM, President, who now took the Chair as presiding officer.

MR. CONNORS said he thinks the Board of Representatives should give Mr. Ketcham and Mr. Morris a vote of thanks.

MR. KETCHAM said he also wishes to thank Mr. Morris for doing an outstanding job without a moment's notice. (applause)

MR. KETCHAM said, because of the lateness of the hour, he would request all Committee Chairmen at this time to review their Committee reports and postpone anything they possibly can.

- (2) SALE OF CITY-OWNED PROPERTY - 35 x 125 ft. strip of land, known as Lot #216 on Hillendale Avenue, to William C. Mocher, for the sum of \$3,500.00  
(Mayor's letter of 5/20/65) (Approved by Board of Finance 7/8/65 -  
DEFERRED 8/2/65)

MR. SELSBERG said no action would be taken on the above matter, pending receipt of further information from the Corporation Counsel's office.

- (3) Conveyance to LONG MILL, INC., AS PART OF AN EXCHANGE OF PROPERTIES IN CONNECTION WITH WIDENING AND STRAIGHTENING OF OAKLAWN AVENUE, of a small triangle of City-owned land on south side of Oaklawn Avenue, known as Parcel B, as shown on Map No. 7984 on file in the City and Town Clerk's Office (Mayor's letter of 6/18/65) (Approved by Board of Finance on 7/8/65 - DEFERRED 8/2/65)

The above matter was deferred.

- (4) Proposed Ordinance concerning POLLUTION, BLOCKING, DIVERTING, ETC. OF RIVERS, STREAMS AND BROOKS within jurisdiction of the Flood & Erosion Control Board (See Minutes of 7/12/65, page 4408; Minutes of 8/2/65, page 4437, item #7) (DEFERRED 8/2/65)

MR. SELSBERG said his Committee was of the opinion that the proposed Ordinance was unnecessary in that Sec. 21 - 10 and Sec. 15 - 9 of the Code of General Ordinances would seem to give authority to the City to prohibit the acts mentioned in the proposed Ordinance.

- (5) Proposed Ordinance concerning QUIT CLAIM DEED from City of Stamford to TURN-OF-RIVER FIRE DEPARTMENT, covering parcel of land containing 0.50 of an acre on westerly side of Turn-of-River Road at Buxton Farm Road Extension, purchased by the Turn-of-River Fire Department for construction of new fire headquarters (Mayor's letter of 7/22/65)

MR. SELSBERG said the Committee approved this Ordinance for publication. Because of the length of the Ordinance, Mr. Selsberg polled the members of his Committee and asked if they have no objections, to defer this also.

MR. SULLIVAN said this might create a hardship because this involves a mortgage and is being done for mortgage purposes.

MR. SELSBERG MOVED for approval, for publication of the following proposed Ordinance. Seconded by Mr. Sullivan and CARRIED:

A PROPOSED ORDINANCE CONCERNING CONVEYANCE BY THE CITY OF STAMFORD TO TURN-OF-RIVER FIRE DEPARTMENT, COVERING PARCEL OF LAND ON WESTERLY SIDE OF TURN-OF-RIVER ROAD AT BUXTON FARM ROAD EXTENSION, PURCHASED BY THE TURN-OF-RIVER FIRE DEPARTMENT FOR CONSTRUCTION OF NEW FIRE HEADQUARTERS

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, Sections 2-24 to 2-27 inclusive, of the Code of General Ordinances of the City of Stamford, the conveyance by the City of Stamford to the TURN-OF-RIVER FIRE DEPARTMENT, INC., of Stamford, Fairfield County, State of Connecticut, the following described property:

ALL that certain parcel of land, situated in the City of Stamford, County of Fairfield and State of Connecticut, on the Westerly side of Turn-of-River Road at Buxton Farm Road Extension, and containing 0.50 of an acre, more or less, bounded and described as follows:



Beginning at a point in the northerly highway line of Buxton Farm Road Extension at the division line between lands now or formerly of Marion Doniger, et al, and of the State of Connecticut; thence along land of said Marion Doniger, et al, northerly, 140 feet, more or less, to a Connecticut Highway Department monument, and northwesterly, along a curved line having a radius of 124.29 feet and deflecting to the left 110 feet, more or less, to a point 90 feet southeasterly from and measured at right angles to the base line of Ramp "D" of Merritt Parkway; thence along the southeasterly highway line of Ramp "D" of Merritt Parkway, as established by this instrument, northeasterly, along a straight line, to a point 110 feet southeasterly from and measured at right angles to said base line at Station 8+00; and northeasterly again, along a straight line, to the westerly highway line of Turn-of-River Road (formerly old High Ridge Road, see Right of Way Map 135-180, Sec. 6, Sheet 1, on file in the office of the Stamford Town Clerk), the total distance for the last two courses being 210 feet, more or less, said straight line being elongated to a Connecticut Highway Department monument set in the easterly highway line of said Turn-of-River Road; thence southerly along said westerly highway line, 297 feet, more or less, to a point 25 feet northerly from and measured at right angles to the base line of Buxton Farm Road Extension; thence westerly, along the northerly highway line of Buxton Farm Road Extension, as established by this instrument, along a line which is 25 feet northerly from and parallel with said base line, 16 feet, more or less, to the point of beginning.

The premises herein described consist of a portion of the premises acquired by the State of Connecticut from Catherine Dunn, by a Quit-Claim Deed, dated December 30, 1936 and recorded in the Stamford Land Records in Volume 459 at Page 47.

For the consideration of ONE DOLLAR (\$1.00) and other valuable considerations, is hereby approved, approval thereof by the Mayor, the Planning Board and the Board of Finance of the City of Stamford having previously been 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.

- (6) Request for WAIVER OF BUILDING PERMIT FEE under provisions of Building Code (Ordinance No. 80.7 Supplemental) for Convent for Sacred Heart Parish  
(Requested in letter from Frank S. Massari, Architect, dated 8/30/65)

MR. SELSBERG said his Committee is in favor of waiving this permit fee under the provisions of Ordinance No. 80.7 (being an amendment to the Building Code) and he SO MOVED. Seconded and CARRIED.

PUBLIC WORKS COMMITTEE:

COVE DAM

MR. KUCZO said for some months now he has asked the Public Works Committee to investigate the Cove Dam situation and he still hasn't heard anything.

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THE PRESIDENT said he can only assume that this is in the process of preparation.

MR. KUCZO said in looking into this matter, he has found that the City has paid off this account. He asked: "Am I to assume that the Dam is now complete?"

THE PRESIDENT said he is unable to give him any more information at this time.

HEALTH & PROTECTION COMMITTEE:

Concerning complaint (undated, received 6/16/65) from residents of COLONIAL ROAD, requesting more WATER PRESSURE between the hours of 4 P.M. and 7 P.M. (See Minutes of 7/12/65, page 4409 and 4428)

MR. HEARING read the following letter on the above problem, which he has received from the Stamford Water Company:

STAMFORD WATER COMPANY  
103 Summer Street  
Stamford, Connecticut

September 10, 1965

Mr. William G. Hearing, Chairman  
Board of Representatives  
City of Stamford  
City Hall  
429 Atlantic Street  
Stamford, Connecticut

Dear Mr. Hearing:

Your letter of September 8, 1965, relative to the low pressure on COLONIAL ROAD, was received by Mr. Crane and referred to the writer.

Our engineering studies reveal that this situation can be corrected at considerable expense by the installation of 700 feet of water main in Colonial Road to connect the low pressure area with the Springdale high pressure area. However, in view of the gravity of the situation concerning the residents who filed the complaint and the fire protection in the area, we are proposing to our board that this project be undertaken at company expense. We will notify you promptly as to the results of this recommendation.

Very truly yours,

E. Arthur Bell, President

PLANNING & ZONING COMMITTEE:

- (1) Change of street name from "HIGH VALLEY WAY" to "CLIFFHANGER ROAD" (Requested in letter of 7/29/65 from Dr. Abrahamson, 1425 Bedford Street) (Requires an Ordinance)

MR. RUSSELL said the Committee has no recommendation at this time. Deferred.

(2) Acceptance of roads as City streets:

MR. RUSSELL MOVED for acceptance of the following as City streets. Seconded and CARRIED. He said all maps mentioned are on file in the office of the City and Town Clerk and all roads have been certified for acceptance by the City Engineer in his letter of 9/13/65 as required by Ordinance No. 92 Supplemental:

SWEET BRIAR COURT - Extending from Sweet Briar Road northerly to and including a permanent turnaround. Length, approximately 450 ft., width 27 ft. Map No. 7982.

SWEET BRIAR LANE - Extending from Sweet Briar Road northerly to and including a permanent turnaround. Length, approximately 420 ft., width 27 ft. Map No. 7910.

SWEET BRIAR ROAD - Extending from Newfield Avenue easterly to and including a temporary turnaround. Length, approximately 2,080 ft., width 27 ft. Map No. 7910.

ZORA LANE ----- Extending from Davenport Ridge Road northerly to and including a permanent turnaround. Length, approximately 785 ft., width 27 ft. Map No. 7751.

PARKS & RECREATION COMMITTEE:

MR. KELLY read his Committee report. He said a meeting was held Thursday, September 9, 1965 in the Municipal Office Building with all members present except Mr. Bitetto, who telephoned earlier that he would be unable to attend.

PETITION NO. 311 - STAMFORD VETERANS' DAY CELEBRATION on November 11th, parade and memorial services (Requested in letter of 8/5/65 from Atty. Theodore P. Jakboski, President, Stamford Veterans' Day Celebration Committee)

MR. KELLY read the above letter and said the above group is a body of local veterans recognized by the Patriotic & Special Events Commission as the group to plan and implement the parade scheduled for 2 P.M. on Thursday, November 11, 1965. He said they are requesting the Board's approval to conduct the parade and, in addition they wish permission to conduct a memorial service at 10:30 A.M. in Central Park.

Mr. Kelly said they enclose a copy of last year's parade route and expect it to be the same this year, except that it will form in the Ridgeway Center area instead of at Long Ridge Road, Bedford Street and High Ridge Road. He said permission has been granted by the Fire and Police Departments and the insurance coverage will be the same as last year.

MR. KELLY MOVED for approval of the petition, subject to the approval of the Fire and Police Departments and subject to proper insurance coverage. Seconded and CARRIED.

Proposed Ordinance concerning PARKS, BEACHES AND RECREATION AREAS  
(Also referred to Legislative & Rules Committee for form only)



Minutes of September 13, 1965

MR. KELLY asked the Board's permission to keep this in Committee for another month, due to the lateness of the hour.

PERSONNEL COMMITTEE:

MR. PHILPOT, Chairman, said his Committee met at the Municipal Office Building Wednesday, September 8th at 6 P.M. and considered two matters. Mr. Rybnick was absent, and all conclusions were approved unanimously by those present.

Concerning increases in benefits to retired employees by the Social Security Administration (Letter, dated 8/24/65, from Mr. John McCutcheon, Executive Secretary, Classified Employees Retirement Fund)

He said the first matter considered was the following letter:

CLASSIFIED EMPLOYEES RETIREMENT FUND  
City of Stamford, Connecticut

August 24, 1965

Mr. Alan H. Ketcham, President  
Board of Representatives  
Municipal Office Building  
Stamford, Connecticut

Dear Mr. Ketcham:

In view of the fact there will be changes in the Social Security Act, effective September 1, 1965, the Trustees of the Classified Employees' Retirement Plan have discussed this matter and feel it would not be correct to deprive the retired members of these increases in benefits inasmuch as the increases are given by the Social Security Administration to help offset increases in cost of living expenses.

Because of this, and in accordance with past procedures, the Trustees should like to bring the matter to the attention of the Board of Representatives and ask that authorization be given to allow continuance of these increases so that they might be passed on to the members who retired under the old pension plan, as adopted in July 1952.

Your earliest attention to this matter would be greatly appreciated.

Very truly yours,

John F. McCutcheon  
Executive Secretary

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MR. PHILPOT said his Committee considered the above request and finds it entirely consonant with the previously expressed wish of the Board that Social Security increases should not result in a static income level to pensioners, either as a

result of the 1965 Act, or of future Acts and therefore wishes to introduce the following proposed resolution. HE MOVED that this resolution be presented to the Steering Committee to be referred to the appropriate Committees for further action:

BE AND IT IS HEREBY RESOLVED that the Board of Representatives shall take such steps as may be necessary to prevent the City pensions, presently being received by pensioners retired under the Classified Employees Retirement Plan, from being diminished as a result of Social Security increases resulting from the passage of the 1965 Federal Social Security Act and/or any other future Acts which would produce a similar diminishing effect upon such City pensions.

THE PRESIDENT said the resolution would be presented at the next meeting of the Steering Committee for proper referral to Committee.

EDUCATION, WELFARE & GOVERNMENT COMMITTEE:

MR. KUCZO, Chairman, presented his committee report. He said a meeting of his Committee was held on September 9, 1965 in the Municipal Office Building. Present were Mrs. Sutherland, Mr. Goings and Mr. Kuczo. Absent were Mr. Philpot and Mr. Walajtys.

He said the one item referred to his Committee was previously reported out under the Fiscal Committee report. (See item #6 under Fiscal Committee)

He said his Committee also met with the Board of Education and the Board of Finance at a hearing to discuss the Cloonan funds and also a resolution which was acted upon earlier in the meeting tonight.

URBAN RENEWAL COMMITTEE:

MR. RICH, the Chairman of the above Committee, being absent, his Committee report was ordered entered in the Minutes of the meeting. His report follows:

URBAN RENEWAL COMMITTEE  
Minutes of Meeting  
September 7, 1965

The Urban Renewal Committee of the Board met at 8:15 p.m. in the Board Caucus Room. Present were Committee members Esposito, Murphy, Nathanson, Sutherland and Chairman Rich. Also present was Commission Chairman Mrs. Marshall and Commissioner Upham, as well as staff members Shapiro, Friedman and Novik, plus Urban Renewal Coordinator McCulloch.

Mrs. Marshall and members of the staff reported to the Committee on several matters of current interest in connection with the project:

1. The Willow Street area is receiving the major emphasis in acquisition and demolition at this point, so as to make way for the relocation housing which is to be situated there.
2. Twenty inquires have been received from project area businessmen about the possibility of acquiring property directly from the Commission on the three sites which have been made available by agreement with the sponsors.



3. Bids for the widening of Broad Street, from Summer to Bedford Streets, have been requested, will be opened on September 17th and should lead to completion of this work by the end of October.
4. The Commission expects to make considerable progress over the next few weeks on the completion of the disposition contract. This work was held up, first of all, by the suit against the project, and then later by the working out of the "business preference" clause with the sponsors.
5. The project area property owners have been notified that the Commission strongly desires to have properties brought up to the minimum code standards. If a property is below standard when acquisition is made, the price for the building may be lower than would otherwise be the case.
6. To date, fifty properties have been acquired by purchase and one by acquisition. \$2 1/4 million in total have been spent on acquisition so far, with 1/8th of the total amount of property acquired. Very shortly, there will be more condemnation proceedings with respect to area properties.
7. A report of the legal fees arising out of the Gilbert et al suit was presented to the Committee. It was noted that Stamford's share of the \$26,636.00 total cost would be \$9,877.00.
8. The Committee next received a full report on the activities of the Business Relocation Office during the past year. Mr. Novik explained in some detail the procedures followed and the financial arrangements which are made upon the relocation of a business. He made a particular point of noting the \$1,500 outright grant which is made to "small" businessmen who qualify. This amount of money is to take care of such items as painting and decorating a new location. Since October 1, 1964, thirty-eight businessmen have moved their operations with no payment involved. Two hundred and seventy-one businesses remain to be relocated now.
9. The question of the relocation of package stores was explored by the Committee with the Commission and staff. The main problem in finding new locations for the displaced project area liquor stores is a Stamford zoning regulation requiring 1,500 feet between package stores. This has made it difficult, if not impossible, in a number of instances, for the store owners to find new sites. It was suggested that this Committee could propose to the Board of Representatives that a resolution be placed before the Board requesting the Zoning Board of Appeals to make exceptions to the rule, in the case of project area package store owners.

In this connection, the Commission noted that it has a proposal before the Planning Board for a new zone called "Central Business District" which would be applicable only to the project area. This zone would allow for an adjustment of the 1,500 foot rule in the highly built-up area of the project.

10. The Commission and Committee discussed at some length, the forthcoming publication of former U.R.C. member Louis Greenbaum's suggestions for changes in the Redevelopment Plan. It was pointed out that Mr. Greenbaum's ideas had been thoroughly explored over the last twelve months by the Commission in full meetings with Mr. Greenbaum. Some of his ideas have been judged not desirable or practical by the Commission,



while others are still very much under consideration.

The meeting adjourned at 9:45 p.m.

Respectfully submitted,

John T. D. Rich, Chairman  
Urban Renewal Committee

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COMMUNICATIONS FROM OTHER BOARDS AND INDIVIDUALS

- (1) RESIGNATION - ROBERT L. LEVISTER, from BOARD OF FINANCE (Letter dated 8/16/65 resigning as a member of the Board of Finance, term ending 12/1/67 and replacement under provisions of Sec. 113 of Charter)

THE PRESIDENT read the above letter of resignation at this time. He said this means there is now a vacancy on the Board of Finance and in accordance with the Charter provisions, the Board will now elect Mr. Levister's successor, who must be of the same party - the Republican Party. He called on the Majority Leader, Mr. Thomas Morris, at this time.

- (2) ELECTION OF JULIUS M. WILENSKY, (R) 51 Barrett Avenue, to fill out unexpired term of Robert L. Levister (R) member of BOARD OF FINANCE, term ending December 1, 1967 ( 4 yr. term)

MR. THOMAS MORRIS presented the qualifications of Mr. Wilensky at this time, to replace Mr. Levister on the Board of Finance and MOVED for approval of his nomination.

MR. CONNORS seconded the nomination and spoke in favor of this replacement.

MR. KELLY also seconded the motion and said Mr. Wilensky can do a capable job of anything he tackles.

MR. RYBNICK said he also wants to concur with the previous speakers.

MR. RUSSELL said he also wishes to second the nomination.

MR. NATHANSON said as Chairman of the Appointments Committee he once had the honor and privilege to interview Mr. Wilensky for appointment to a City Board and he showed he was well qualified at that time.

THE PRESIDENT called for the Tellers to distribute the ballots among the members.

The Tellers passed out the ballots. The result of the balloting was that Mr. Wilensky was elected as a member of the Board of Finance, to fill out the unexpired term of Mr. Levister by unanimous vote of the 25 members now present.

- (3) Letter (dated 8/9/65) from Charles H. Durant III, Executive Secretary of HUMAN RIGHTS COMMISSION, thanking the Board for confirmation of his appointment at the August 2, 1965 Board meeting


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THE PRESIDENT read the above letter at this time.

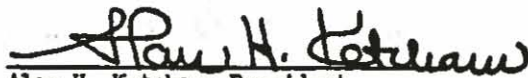
ADJOURNMENT:

There being no further business to come before the Board, on motion, duly seconded and CARRIED, the meeting adjourned at 12:20 A.M.

  
Velma Farrell  
Administrative Assitant  
(Recording Secretary)

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APPROVED:

  
Alan H. Ketcham, President  
Board of Representatives

Note: Above meeting broadcast by  
Radio Station WSTC up to  
11:00 P.M.

VF