

JULY 11, 1949

A regular meeting of the Board of Representatives of Consolidated Stamford was held at the Burdick Junior High School on Monday, July 11th, 1949, and was called to order at 8:15 P.M. by Samuel F. Pierson, President of the Board.

Rabbi David W. Pearlman pronounced the Invocation.

In answer to the Roll Call, all were present except John J. Gacher, Leon C. Staples, Jeanette L. Bell and Sewell H. Corkran.

Upon motion of James W. Harrington, 9th District, seconded by Ralph Nau, 19th District, ^{and carried} the Minutes of the June 6th, 1949 meeting were duly approved.

Petition #28, signed by Stephen E. Kelly, 12th District Representative, pertained to curbing on both sides of Dale Street, located in the new housing development. George V. Connors, 10th District, moved that this matter be referred to the Mayor and the City Engineer; seconded by Michael Wofsey, 1st District and carried.

Petition #29, signed by Aurelio Gianitti, Secretary of the committee in charge of commemorating the Feast of St. Theodore, August 27 and 28, was read. Upon motion of Sherman R. Hoyt, 19th District, seconded by several, and carried, IT WAS VOTED to approve this petition, subject to the approval of the Chief of Police and Chief of the Fire Department.

Petition #30 of the Long Ridge Fire Company, Inc. requested permission to hold its Annual Fair on the Fire Company grounds August 24th, 25th, 26th, and 27th. Upon motion of Michael Wofsey, 1st District, seconded by Sherman R. Hoyt, 19th District, IT WAS VOTED to approve this petition, subject to the approval of the Captain of Police of Precinct #2.

Petition #31 was read, being a communication from the Board of Finance concerning a transfer of \$1,400.00 from P3-2 Salary Sanitary Engineer Health Department to \$16-40 Garbage Collection, Operation and Maintenance of Equipment, Gas, Oil, Grease, Tires, etc.

Mr. Robert Almond, Commissioner of Finance, was presented to explain the requested transfer, saying, in part, that the garbage trucks were practically not running and required repairs, gasoline and oil, and that they found some money in the Health Department and asked for a transfer to take care of the situation. The Chair stated that this transfer concerns the former City Budget which expired on June 30, 1949.

James N. Mulreed, 4th District, moved that the transfer be granted, seconded by Patrick Scarella, 3rd District, and carried.

A communication from Mayor Barrett was read concerning the request of the Board of Public Safety for permission to issue 400 Special Policemen's badges instead of 200 as set up in the new Charter.

Upon motion by Daniel Miller, 16th District, seconded by Catherine B. Cleary, 8th District, IT WAS VOTED to approve this request.

Michael Wofsey, 1st District, inquired if Special Policemen who are appointed in the former Town Area are responsible to the ~~City~~ Captain of Police of Precinct #2, and it was decided that the President of this Board should write to the Corporation Counsel for a decision in the matter.

A communication from Mayor Barrett was read pertaining to acceptance of new roads, in which he suggested that the Board of Representatives require from every applicant a statement by the City Engineer that the road is, as of the date of application, properly constructed, gravelled and rolled, ready for oiling by the City Government.

There was considerable discussion in which it was brought out that the City Engineer was, by far, the most competent authority to know whether a road is completed and that this Board might delegate authority to him.

Sherman R. Hoyt, Chairman of the Planning and Zoning Committee, stated in part, "We had a discussion on that subject at a meeting of our Committee and the feeling was that there was no sense in accepting roads in private developments on a piece-meal basis. We felt the Contractor should stand the expense and get the job finished and apportion the costs among the buyers of the property, and that Stamford should, in no way, take the responsibility."

Patrick Scarella, 3rd District, remarked that he felt it was up to the Town Engineer to approve roads before they are accepted, whereupon the municipality should go ahead and oil it. The Chair stated that Mr. Hoyt feels it might be wise to let the Contractor oil the roads and then have them accepted by the municipality. Louise T. Seeley, 1st District, stated, in part, that all ~~acceptances should be referred to the Planning Board~~, with the approval of the City Engineer. Joseph Zdanowicz, 13th District, pointed out that the Planning Board uses the City Engineer as a consultant. Michael Wofsey, 1st District, stated, "We will save perhaps thirty days if the Planning Board approval carries with it the approval of the City Engineer." Sherman R. Hoyt replied by saying that he felt the possible delay of two or three months between the completion of the job and the acceptance of the road is a protection to the taxpayers. The Chair stated that the only apparent difference was that the arrangement has been that the former City and former Town would oil the road, and that if we change this so that the Contractor oils it, that would eliminate the emergency.

Catherine B. Cleary, 8th District, raised a point of order and stated that the Charter calls for the action under discussion. John L. Cameron, 20th District, said that Mrs. Cleary's point of order should have some *clarification, amendment* and Clifford Waterbury, 4th District, moved that this matter be referred both to the Legislative and Rules Committee and the Planning and Zoning Committee of this Board; seconded by James W. Harrington, 9th District, and carried.

A letter was read from Mayor Barrett concerning the lending of Voting Machines to the City of Waterbury, and upon motion made by James N. Mulreed, 4th District, seconded by Clifford Waterbury, 4th District, IT WAS VOTED that the authority be given to the Mayor to lend these machines to the City of Waterbury, provided proper insurance is provided.

A letter was read from Louis DeGarmo concerning vandalism and traffic violations, supported by a letter from Mayor Barrett. Upon motion made by Michael Wofsey, 1st District, seconded by Patrick Scarella, 3rd District, IT WAS VOTED that the President of the Board make note of the request for additional police protection in the 2nd Precinct when the Supplemental Budget is considered.

A communication from Mayor Barrett was read concerning the proposed purchase of "Black Swamp" in the Westerly part of Springdale, which purchase he recommended. Daniel Miller, 16th District, moved that the matter be turned over to the Planning and Zoning Committee of this Board; seconded by several.

Hunt Sutherland, 17th District, inquired if a spokesman of the petitioners could be heard. John L. Cameron, 20th District, stated that it should be made clear that the Board cannot do anything definite at this meeting and that if we establish a general practice of hearing petitioners it would result in a very long Agenda; that the procedure is therefore unsound, but as a matter of courtesy we permit them to be heard at this time.

Michael Wofsey, 1st District, moved that we allow five minutes for a spokesman on this matter, seconded by Hunt Sutherland, 17th District, and carried.

Mr. John W. Hickey, a resident of the section, described the section involved

and displayed a map thereof, saying that there are twenty-eight or thirty acres in the so-called "Black Swamp" area. He said that the Town is now channeling water through Town operating drains into "our property". "You cannot put water on a man's property unless you take it off. I have gone to Mr. Bromfield and he told me that it was a mosquito-infested spot, required flood control and was a very hazardous condition. We have proposed to purchase this property to get rid of the mosquitoes, take care of the flood conditions and to build roads around it. The Town would own twenty-eight or thirty acres of land, and the cost is estimated to be \$35,000.00."

Upon the call for the question, the original motion that the matter be turned over to the Planning and Zoning Committee of this Board was voted upon and carried.

Patrick J. Hogan, 10th District, called the attention of the Board to the provision of Section 303.1 of the Stamford Charter requiring a report from the Mayor. The Chairman explained that the delay was due to the transition period.

A communication from Mayor Barrett was read concerning a request for an Ordinance covering sewage disposal systems on private property, together with a suggested Ordinance which was enclosed.

Daniel Miller, 16th District, moved that the matter be turned over to the Legislative and Rules Committee for consideration and report back to the next meeting; seconded by Clifford Waterbury, 4th District, and carried.

Resolution #13 adopted by the Board of Finance on June 10, 1949, recommended an appropriation in the amount of \$800.95 to pay the award of the Compensation Commissioner in favor of Salvatore Sabia for injuries received during the course of his employment by the Town of Stamford. The Corporation Counsel had reported that this was a compensation matter which he had argued and that the Compensation Commissioner had rendered a Judgment against the municipality, leaving no alternative than to pay it.

James N. Mulreed, 4th District, moved the adoption of this Resolution, seconded by Patrick Scarella, 3rd District, and carried.

Resolution #14, presented by the Board of Finance, was read:

"WHEREAS, the City of Stamford, prior to April 15, 1949, appropriated a sum of \$1500.00 to defray the cost of auditing said City's books for the period April 15, 1949 through June 30, 1949, which sum of fifteen hundred dollars is now available for said purpose, and

"WHEREAS the actual cost of such audit is two thousand (2,000) dollars.

"NOW THEREFORE, BE IT RESOLVED that an appropriation of the sum of five hundred (500) dollars is hereby approved to supplement the appropriation of fifteen hundred dollars by the City, above referred to, to defray the cost of such audit and recommended to the Board of Representatives for action."

Also Resolution #15, presented by the Board of Finance, was read, as follows:

"RESOLVED that an appropriation of \$500.00 to compensate Mr. J. Harold Burns, Auditor, for special services rendered at the request of the Board of Finance, in connection with the audit of the books of the Town Housing Authority, be approved and recommended for action by the Board of Representatives."

(Resolution #15)

It was explained that this \$500.00 is to cover a Supplementary Report which the Board of Finance requested. Mr. Almond stated that the Board of Finance did request an additional investigation (Sec. 658 of the Charter) and Mr. Burns put in more time than he should have done and that he should be paid. John L.

Cameron, 20th District, pointed out that under that section the Board of Representatives has no power.

Thereupon Michael Wofsey, 1st District, moved that the President of this Board refer Resolution #15 back to the Board of Finance, referring to Section 658 of the Stamford Charter; seconded by Walter F. Seely, 6th District, and carried.

Referring to Resolution #14, Mr. Almond stated, in part, that the Board of Finance thought they did not have power to give a contract for a fifteen month's audit and consequently it was necessary to have two complete reports, one through April 14th, 1949 and one through June 30th, 1949, which was almost the same as doing two years' work because they had to set up their papers all over again. He further said that there was no contract covering the last period.

Michael Wofsey, 1st District, moved approval of the appropriation set forth in Resolution #14, seconded by Catherine B. Cleary, 8th District, and carried.

Under Reports of the Committees of this Board, Michael Wofsey, Chairman of the Legislative and Rules Committee, gave a majority report of his committee, a copy of which is annexed hereto for the purpose of appending the same to the Rules of this Board adopted at its meeting held May 2nd, 1949. This report was signed by Robert G. Shepherd, Michael E. Laurenco, Leonard J. DeVita and Michael Wofsey; James N. Mulreed, the other member of the committee, taking no action.

Michael Wofsey moved the acceptance of his report, the same being in the form of a Resolution numbered 16; seconded by several. Patrick Scarella, 3rd District, proposed that Rule #27 be amended by striking out the words "unanimous consent of" in the last sentence thereof and inserting in lieu thereof the words "consent of two-thirds of the members present at a meeting of". Michael Wofsey accepted the amendment and thereupon the Resolution, as amended, was adopted.

James N. Mulreed explained his reason for not taking action in the committee on the resolution by saying that he felt that the wording "duly constituted executive or administrative authority of Stamford" should be deleted because this Board might be the clearing house for a lot of crank letters - letters which should not come to this Board.

Daniel Miller, Chairman of the Appointments Committee, reported that his committee has examined the qualifications of the men named by the Mayor to the BOARD OF TAX RELIEF, as follows:

Alvin Thoms	for five years
Charles H. Johnson	for four years
Michael Sabia	for two years
Joseph Greaney	for one year

and finds that they are all qualified to be members of the Board of Tax Relief and recommends that the Board of Representatives approve these appointments. He further reported that the appointment for the three year term on this Board has not been made.

The Chair appointed Catherine B. Cleary to act as a Teller in Jeanette Bell's absence.

The meeting then proceeded to ballot and the Chair announced the following vote:

Name	<u>BOARD OF TAX RELIEF</u>	
	Yes	No
Alvin Thoms	35	1
Charles H. Johnson	35	1
Michael Sabia	33	3
Joseph Greaney	28	8

and declared the approval of the four above-mentioned members of the BOARD OF TAX RELIEF.

Louise T. Seeley, Chairman of the Fiscal Committee, read her report and stated that she felt this Board should ask as of each month what the fiscal position of each department is so that when they come in for additional appropriations we may know from where the appropriations can come. Her report was placed on file.

Stearns E. Woodman, Chairman of the Public Works Committee, gave the report of his committee regarding approval of acceptance of Lawton Avenue Extension as a Stamford Road, and said, in part, that the same is deemed by the committee to be in acceptable condition insofar as the dimensions, grade and surface are concerned, as of July 9, 1949. He continued, by saying that he has discussed the matter with the Mayor and that since this Board is now, under the Charter, responsible for the final acceptance of roads there should be Specifications upon which the Board can base its acceptance. He also said that the Mayor has told him that there is in the works now a proposed list of specifications being made up which can be used by this Board if it wishes, and stated further that the approval of Lawton Avenue Extension by his committee is based on Town Specifications.

John L. Cameron, 20th District, moved the approval of the acceptance of this road, and accepted a suggested amendment, "subject to the approval of the Planning Board", said motion being seconded by Patrick Scarella, 3rd District.

Patrick Scarella stated that the Planning Board's attention should be called to the fact that this is a dead-end street, because if it is accepted Stamford will have another dead-end street. Mr. Woodman read to the Board a statement signed by Mr. Bromfield certifying to the fact that this street is in a condition where the previous Town government would have approved it.

Robert G. Shepherd, 9th District, remarked that a five year bond should be required.

Upon the call for the question, the motion was carried.

Sherman R. Hoyt, Chairman of the Planning and Zoning Committee, gave his report, the same pertaining to the acceptance of Seaton Road and Standish Road, the establishment of building lines on eight different streets and a proposed change in the street line on the Easterly side of the junction of Elmcroft Road and Dyke Lane. Following the reading of his written report concerning Seaton Road and Standish Road, Mr. Hoyt commented as follows: "I might say that in discussing that matter our committee was acting a little ahead of itself because this body sent this letter to the Planning Board with the request that a copy of their report come to this Committee."

Michael Wofsey, 1st District, moved that the report be placed on file; seconded by Daniel Miller, 16th District, and carried.

Ralph Nau, a member of the Health and Protection Committee, gave a report of that committee in the absence of Leon C. Staples, Chairman, the same relating to Petitions of Parents regarding assignments of children to elementary schools, and safety factors involved. It was the opinion of this committee that the Board of Representatives has little jurisdiction in such matters; that the Board of Education is the only governmental body that has such jurisdiction.

Clifford Waterbury, 4th District, moved that this report be placed on file, seconded by James W. Harrington, 9th District, and carried.

Helen J. Bromley, Chairman of the Public Welfare and Recreation Committee, gave her report verbally, but ~~no~~ written report has been placed on file.

Samuel Pierson presented the report of the Steering Committee, and Daniel Miller, 16th District, moved that the same be placed on file: seconded by several, and carried.

Michael Lauren, 3rd District, moved that the Legislative and Rules Committee draw an Ordinance to empower the Chief of Police to approve the requests for carnivals, circuses and like functions that are open to the public on a commercial basis, which motion was duly seconded.

The Chair explained that it was the intent to delegate our authority to the Chief of Police to approve these various carnivals, etc., and William Adriance, 18th District, remarked that it was his recollection that a previous meeting of the Board of Representatives it was explained that having Petitions presented to the Board gave the people who lived in the respective neighborhoods the privilege of having something to say as to whether the Petitions should be allowed or not.

John L. Cameron, 20th District, stated that the Chief of Police could have the right to approve such Petitions, and also could have the right to delegate this authority to the Captain of any precinct. John W. Cook, 15th District reminded the Board that the Chief of Police of Precinct #1 has no right in Precinct #2 except in an emergency.

Babette S. Ransohoff, 15th District, offered the following amendment "providing there be a right of appeal to this Board from the decision of the Chief of Police or Captain of any Precinct", which amendment was accepted by Mr. Lauren. Helen J. Bromley, 20th District, remarked that this matter should be given publicity, and Michael Wofsey, 1st District, suggested that consideration be given to the request of twenty people who live within one thousand yards of the location of the proposed carnival, etc.

Upon vote, the motion, as amended, was carried.

George W. Lockwood, 14th District, moved that the Legislative and Rules Committee confer with the Town Clerk to find out how the indexing of the Minutes of this Board for Public Record could best be done; seconded by Patrick Scarella, 3rd District.

John L. Cameron, 20th District, remarked, in part, that he felt a lot of the Minutes could be omitted, and suggested that this Committee also consider the form of the Minutes. Babette S. Ransohoff, Clerk, reminded members of the Board that they had previously opposed her motion, made May 2nd, 1949, that a summary of the Minutes and specific action of the Board be filed with the Town Clerk, but voted for the filing of the full Minutes. She was thereupon invited to sit in with the Legislative and Rules Committee when the matter is discussed.

The Chair explained the five-day deadline provided in Rule #27, adopted at this meeting, for items for consideration at Board Meetings, and asked that publicity be given in the press to the ruling.

Upon vote, the motion was carried.

Daniel Miller, 16th District, suggested that this Board go on record as thanking Representatives John Cook and Clifford Waterbury for the nice party given to members of the Board the previous Friday night at the New Hope Fire Company, and it was further suggested that the members of the Fire Department in Glenbrook be also thanked. This suggestion met with the hearty approval of all.

The Chair referred the Mayor's appointment of Llewellyn Bramfield, Jr. as Commissioner of Public Works directly to Daniel Miller, Chairman of the Appointments Committee.

Daniel Miller, 16th District, then asked permission of the Chair to speak about the conditions existing at the Pickwick Ice Cream Company in Belltown and stated that fourteen petitioners were in the assembly. No action was taken by the Board.

Upon motion of Michael Wofsey, 1st District, seconded by John M. Canavan, 11th District, the meeting was adjourned at 10:32 P.M., the next meeting to be held Monday, August 1st, 1949.

Respectfully submitted,

Babette S. Ransohoff

Clerk.

Notes:

Petition #28 to Mayor and City Engineer

Petition #29 to Chief of Police and
Chief of Fire Department

Petition #30 to (Captain?) of Precinct #2

Letter re acceptance of new roads referred
to Leg. & Rules Com. and Planning & Zoning Com.

Communication re "Black Swamp" to Planning &
Zoning Com.

Proposed Ordinance material re Sewage Disposal
Systems on Private Property to Leg. & Rules Com.

Resolution #15 referred back to Board of Finance
Lawton Avenue Extension matter to Planning Board

Notes re Petition Ordinance to Leg. & Rules Com.

Notes re Indexing Minutes to Leg. & Rules Com.