

In considering the Budget, only those items passed by the Board of Representatives, which involved discussion and/or change, are recorded here. All other items of the Budget were approved, as approved by the Board of Finance.

All page numbers covering the budget meetings are followed by the letter "B".

MAY 10, 1950

An adjourned meeting of the Board of Representatives was held at the Burdick Junior High School on May 10, 1950. The meeting was called to order by Samuel Pierson, President, at 8 p.m. Present were Daniel Miller, 16th District, and Babette Ransohoff, 15th District,.

Daniel Miller, 16th District, MOVED the meeting be adjourned to Tuesday, May 16, 1950, at 8 p.m. due to lack of a quorum, seconded by Babette Ransohoff, 15th District, and PASSED.

The meeting adjourned at 8:05 p.m.

Respectfully submitted,
Babette S. Ransohoff, Clerk

MAY 16, 1950

The adjourned meeting of the Board of Representatives was held on May 16, 1950, and called to order at 8 p.m. by the President, Samuel F. Pierson. Roll call was taken with 37 present and 3 absent.

Absent members were:

John Gacher, 2nd District
John Canavan, 11th District
Eugene Kaminski, 13th District

Mr. Pierson said it was the thought of some of the members of the Board that there should be a reading of the official figures of the budget as passed by the Board of Finance, and then have the recommendations of the Fiscal Committee where the figures differ. The members of the Board would then be allowed to study the budget so they could take action. He also brought out the fact that there were some matters deferred from previous meetings.

James Mulreed, 4th District, MOVED the Board list the recommendations of the Board of Finance in their books and that no action be taken on any of the items in order to give the Board members time to examine the budget as a whole; that debate be permitted on any controversial items in the budget, but no action taken. The motion was seconded and CARRIED.

Mrs. Hilda Clarke, the newly elected representative of the 17th District, was given the oath of office by the President.

Mr. Pierson read the following resolution from the Board of Finance submitting the budget to the Board of Representatives:

"RESOLVED that the itemized estimate of expenditures of the Municipality of Stamford for the ensuing fiscal year, July 1, 1950 to June 30, 1951, amounting to \$7,483,843.16 is hereby approved by the Board of Finance, and be it further resolved that said approved budget be forthwith transmitted to the Clerk of the Board of Representatives for its action thereon.

Respectfully submitted,
(signed) E. Gaynor Brennan, Chairman (signed) Charles T. McKean, Member
(signed) Dr. James J. Costanzo, Member (signed) Walter F. Randall, Member
(signed) Nicholas J. Gorman, Member (signed) Ralph A. Shulman, Member

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Mr. Pierson then read the figures as recommended by the Board of Finance, and Mrs. Louise Seeley, Chairman of the Fiscal Committee, gave the figures as recommended by that Committee.

During the listing of the figures, it was brought out that the Board of Finance included in the Board of Education budget an item "Custodian's Retirement Fund" in the amount of \$4,300. This item was written in by pen and ink. The authority for the insertion of this item was questioned, and also the fact that it was included in the Board of Education budget was also questioned.

Reginald Newien of the Board of Education, pointed out that the amount in the Custodian's Retirement Fund should be a part of the Mayor's operating budget as provided by State Statute. The Statute covering this item was House Bill 842, Special Act #489, General Assembly 1949.

Babette Ransohoff, 15th District, MOVED the report of the Fiscal Committee be read, seconded by Daniel Miller, 16th District, and CARRIED.

Louise Seeley, Chairman, read the report--copy of which is attached.

Robert Shepherd, 9th District, MOVED a five minute recess, seconded by Helen Bromley, 20th District, and CARRIED.

The meeting was called back to order at 10:30 p.m. to hear the figures of the Capital Projects Program as submitted to the Board of Representatives.

Robert Shepherd, 9th District, said that in view of the fact that until the public hearing on the capital budget no action is final, he questioned if there was any point of the Board receiving the recommendations on the capital budget at this time.

The President said that the Board of Finance feels they complied with the public hearing and therefore plan no further action on the capital budget. He pointed out, however, that the fact remains whether the Board of Representatives should have a hearing on the capital budget as submitted to them.

James Mulreed, 4th District, said he couldn't see what useful purpose a public hearing would have at this particular stage of the game. The cuts have already been made by the Planning Board and by the Board of Finance. He noted this Board could make no additions to the items which have already been cut.

Robert Shepherd, 9th District, said the Charter provides that there be a public hearing after the capital budget is presented by the Mayor to the appropriate boards. He said it seems it is not up to this Board to decide if a hearing will serve a useful purpose. The public expressions and desires as to what they want and what they are willing to pay for are provided for in the Charter. It seemed to him that in the first year of the Charter it is poor policy to shrug off the important functions of the public in participating in both the planning and appropriating stages of the budgets. He said he thought that in view of the requirements that it be done, we have no right to take any action until Section 616 is complied with and a certification is subsequently received from the Board of Finance.

James Mulreed, 4th District, said now that the budget has been cut, and we have no power to restore it, it seems the only sentiment of expression by the public hearing would be requesting relief from poor streets and in proper sanitation. Yet this Board has no power to give such relief. Our only function is to accept or cut the budget as presented to us.

Michael Wofsey, 1st District, said that the Board of Finance has not acted

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legally on the capital budget because Section 616 had to be satisfied. He went on to say that the joint meeting of the Board of Finance and Board of Representatives was restricted to the operating budget. At that time the capital budget was not passed on to the Board. Had it been, they would have been able to have the public hearing at the same time. So far, he said, the public has not been heard in the capital budget except before the Planning Board. He said he thought it of vital importance, and agreed with Mr. Shepherd, as to whether or not the Board of Finance actually passed a legal capital budget. He suggested it be a matter which should be discussed with the Corporation Counsel immediately. He thought the meeting should be called by the mayor, and whether the Board of Finance thought they had to be there or not, they had to be if the mayor called it.

John Cameron, 20th District, called attention to the fact that most of the items in the capital budget were to be obtained by bond issue and that the certifying companies are usually rather technical. He thought we should be careful to see that all formalities are complied with.

Robert Shepherd, 9th District, MOVED that we defer action on the capital budget until the matter could be discussed with the Corporation Counsel as to whether or not the capital budget as passed by the Board of Finance is a legal budget, seconded by Babette Ransohoff, 15th District, and PASSED.

Michael Wofsey, 1st District, suggested an amendment to the motion that, if necessary, the Mayor be asked to call a joint meeting of the Board of Finance and the Board of Representatives at the earliest possible date for the purpose of hearing the public on the capital budget.

Michael Laureno, 3rd District, said he would like to ask the Corporation Counsel for a ruling as to whether or not we could vote on the capital budget without another hearing since from a practical standpoint, it didn't seem to him, to be necessary. The Planning Board is the controlling board on that budget. They had a hearing on the budget where the public was actually heard in full. He noted that we overlooked the deadline, so we can overlook this unless we feel the budget will be illegal. He noted that the Board of Finance did have department heads come in to speak regarding the budget and that may cover the public hearing point.

Michael Wofsey, 1st District, said the Charter says "a public hearing", and not selected people. He pointed out when the joint hearing of the Board of Finance and Board of Representatives was held, the chairman said it was on the operating budget.

Babette Ransohoff, 15th District, noted that there were no members of the Board of Finance present at the hearing held by the Planning Board on the capital budget.

Michael Wofsey, 1st District, brought out that prior to our further action in this connection, he thought it highly important that we have before us the information which is prescribed in Section 612, particularly the section which reads "an estimate of the amount of money required to be raised by taxes and service charges, with revenue from other sources, to meet the proposed expenditures". He therefore MOVED that the Chair consult with the Commissioner of Finance to get the following information (1) What the tax rate would be (as provided by the Charter) for the operating budget and the capital budget as submitted by the Mayor (2) What the tax rate would be for the budgets as submitted to the Board of Representatives by the Board of Finance. The tax rates are to be for all three tax districts.

Mr. Wofsey pointed out that without these figures the Board would be working

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in the dark, and he thought it extremely important that this information be available. He said that while working on the budget, we should think in terms of the ultimate tax burden and he thought, that was the reason the section was included.

The motion was seconded, and CARRIED.

At this point, Michael Wofsey asked permission to leave the meeting. Permission was granted by the President.

Robert Shepherd, 9th District, called attention to the salary issue. He said it was his understanding these were appropriated item by item. He asked whether the department head was allowed to use any salary appropriation as he saw fit, or if it was the job of a Board to show exactly how the money was to be distributed.

Samuel Pierson gave his opinion. He said he thought where the Board of Finance made a cut in the appropriation, it was up to the head of the department to determine how the entire appropriation was to be distributed. He pointed out however, that he didn't know whether that was proper or permissible.

Helen Bromley, 20th District, asked for the breakdown in salaries of the Welfare Department.

James Mulreed, 4th District, speaking in regard to the distribution of the salary appropriation, said he believed that the department head could do it. He also said, however, that he didn't believe the Board of Finance or any other body could cut salaries under the merit system. A cut in salary appropriation to him, meant that something was eliminated.

Patrick Scarella, 3rd District, showed where a specific salary was cut--in the Zoning Board and Zoning Board of Appeals, the salary request for \$2400, which was the same as in 1949-50, was cut to \$2100.

Hunt Sutherland, 17th District, said perhaps in this instance the Board of Finance was adopting the suggestion of the Citizens Committee and was thinking in terms of a secretarial pool.

Stephen Kelly, 12th District, spoke regarding job evaluation which was presently contemplated by the Personnel Director. It was his thought that the suggestion of the Citizens Committee, for a secretarial pool, should not be taken until such time as the evaluation was complete.

James Mulreed MOVED that the President be authorized to contact the Corporation Counsel, the Personnel Director, and the Board of Finance in order to determine whether the cuts in salary items are in conflict with the provisions of the Charter, seconded by Patrick Scarella, 3rd District.

John Cameron, 20th District, pointed out that most of the salaries were not cut--they are failures to grant an increase as requested in the appropriation. Salaries were classed in three categories: (1) Increases requested and not granted (2) Pool arrangements which really didn't cut a salary but would probably eliminate a job (3) A cut where the appropriation actually was cut below last year.

Mr. Mulreed's motion was put to a vote and PASSED.

Daniel Miller, 16th District, questioned the salary of the Registrar of Voters. He noted the Fiscal Committee recommendations was less than that recommended by the Board of Finance.

Louise Seeley, Chairman of the Fiscal Committee, said the Committee recommended the Registrars be kept at the present salary until April 1951, and after that time the salaries be increased,

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Robert Shepherd, 9th District, MOVED that a sufficient number of salary break-down sheets for the Welfare Department be made available to the Board members, duly seconded.

Helen Bromley, 20th District, offered the amendment that this be made available by the Welfare Department since they should have submitted the break-down as previously requested, seconded by Babette Ransohoff, 15th District.

A vote was taken on the motion as amended, and PASSED.

Edward Wojciechowski, 2nd District, made the motion the meeting be adjourned until 8 p.m., May 17, 1950, seconded and PASSED.

MAY 17, 1950

An adjourned meeting of the Board of Representatives was held at the Burdick Junior High School, May 17, 1950. The meeting was called to order at 8:15 p.m. by President, Samuel F. Pierson.

A roll call was taken with the result of 36 present, 4 absent.

The President asked the Corporation Counsel if he was ready to give an opinion on the matters brought before him concerning the budget.

Corporation Counsel Wise reported he was prepared to give his report orally for the time being as to whether or not Section 616 has been fully complied with. "It is my understanding," he said "that the Capital Budget was not ready for the joint hearing of the Board of Finance and Board of Representatives. Predicated on that assumption, I would say that, under the Charter requirements, it is mandatory for the Board of Finance and Board of Representatives to hold a public hearing jointly on the budget proposed by the mayor and the budget of the Board of Education. And, of course, it is understandable why that should be--to give the public an opportunity to be heard. While it may be, and it is true, that the public will have no vote on the matter, they still have a right to be heard. In Section 612 the Mayor's budget is outlined--that is what the mayor's budget must consist of. And, in that section it provides... 'the mayor shall submit his budget to the board of finance. The budget shall include the proposed capital projects program and the proposed current operating expenses, the fixed charges and the estimated tax rates which will be necessary therefor'. Section 612 must be read together with Section 616, and if the budget then presented at the public hearing was not complete, in that it did not include in that particular capital projects program, it would be, in my opinion, that the opportunity that Section 616 gives to the public was not effected, and that the term in Section 616 'budgets' as proposed by the mayor and the Board of Education refers to the complete mayor's budget and since it was not complete in that respect, I would say that provisions of Section 616 have not been complied with.

Whether holding a public hearing on a partial budget is going to be questioned, is a question I cannot answer. Whether the time element has not been complied with from the first time they were submitted will raise a question, I cannot answer--and when I say I can't answer, I say it with the thought in mind that the requirements in a special act may be upheld in the non-compliance, or it may prove futile in its entirety. I was so concerned about it I took the liberty of calling counsel of the Bonding Company in Boston. He thought the question was so technical and so important that he hesitated to actually express even an opinion, and might even insist on legal action to clear it up. In the course of discussion with him, he felt definitely that the provisions of Section 616 were mandatory and that the budget presented at that time was not the budget contemplated by Section 616, and therefore there was not in effect a hearing of the Board on the budget.