

AUGUST 6, 1951

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A meeting of the Board of Representatives of Stamford, Connecticut, was called to order on August 6, 1951 at 8:00 P.M. at the Burdick Junior High School by President Robert G. Shepherd.

Invocation was given by President Robert G. Shepherd.

Roll call was taken with 35 present and 5 absent. Three members arrived later making a total of 38 present. The two absent members being Theodore Donahue and Leon Staples.

ACTION ON THE MINUTES

Babette Ranshoff requested a change on page 405 of 6/12/51 - next to the last paragraph. Approval of \$1200 was granted for Employees Medical and Hospital Account instead of \$200. as it now reads. ✓

Also on Index of Feb. 13 through May 9, 1951 under G "Gray Farms Road" change to Acceptance Deferred. ✓

On MOTION by Paul Plotkin, seconded and CARRIED, the minutes of June 11 and June 12, 1951 were approved with noted changes.

John Cameron requested the following change and addition to Page 409 of 7/2/51 under Petition #105. 3rd Paragraph, 4th line, second word to read "private" instead of "public". Also add at close of said paragraph "The Question involved was the licensing fee for regular operations other than temporary". ✓

James Mulreed requested the following addition be made on Page 414 of 7/2/51, end of first paragraph. "If requested, Mr. Hunt of the Recreation Department is agreeable to setting up an industrial league within the Recreation Department." ✓

Change spelling of supernumary on page 414 to supernumerary. ✓

On page 414, under item 2 of Health & Protection Committee, change to Catherine Cleary MOVED. ✓

Joseph Carlin requested that the following be added to the minutes on Page 411 of 7/2/51 after the fourth paragraph. "Mr. Knobloch stated that even if an additional appropriation of \$5500 were granted that it would not be used for the Springdale library." ✓

On MOTION by George Lockwood, seconded by Joseph Caputo and CARRIED, the minutes of 7/2/51 were approved with noted changes.

Babette Ranshoff requested that the following Resolution #111A be added to the minutes of May 15, 1951:

That the Clerk of the Board of Representatives is hereby instructed and authorized to include in the minutes of May 15, 1951 meeting the following which was omitted from said minutes:

RESOLUTION #111A

BE IT RESOLVED:

That the next regular meeting of the Board of Representatives be held on June 11, 1951 instead of on June 4, 1951 at 8:00 P.M. at the Auditorium of the Burdick Junior High School, Stamford, Conn.

James Mulreed MOVED that said resolution be adopted, seconded and UNANIMOUSLY CARRIED.

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PETITIONS

Petition #108 - Block Dance and celebration by the North Stamford Congregational Church on September 15 to be known as "Old Settlers Day".

On MOTION by John Cameron, seconded by Webster Givens and CARRIED approval was granted.

Babette Ransohoff asked for Suspension of Rules to add Petition #109 to the Agenda, seconded and CARRIED.

Petition #109 - Permission for the Lions Club of Springdale to sell Firemen's hats on Saturday, August 18, 1951 during the State Firemen's Convention.

On MOTION by John Canavan, seconded and CARRIED, permission was granted.

COMMUNICATIONS FROM THE MAYOR

Suspension of the Rules was requested by Babette Ransohoff to add to the Agenda two letters covering appointments by Mayor Quigley, seconded and CARRIED.

The appointments of James F. Manning as Commissioner of Public Works and Frederick W. Darling as member of the Personnel Commission were referred to the Appointments Committee.

COMMUNICATIONS FROM OTHER BOARDS AND INDIVIDUALS

Helen Peatt reported that she had not been able to contact Sheriff Platt re visit to the Fairfield County Jail but she will contact the Board members about making the visit late in August or early September.

Mayor Quigley's letter re appointment of Mr. Edward C. Czunka as Purchasing Agent was read; also Corporation Counsel Hanrahan's letter stating that he "is of the opinion that the position of Purchasing Agent is not subject to the Civil Service provisions of the charter" and the letter of former Corporation Counsel Wise stating that the "position of Purchasing Agent is within the classified service".

Commenting on the appointment of a new Purchasing Agent without compliance with the Merit System of the charter, John Cameron said the letter of the Corporation Counsel regarding the status of that job was inadequate as a legal opinion which might affect the whole operation of the Merit System. He stated that the letter (1) ignored an existing opinion of the former Corporation Counsel, (2) failed to consider section 405 and 736 of the charter, (3) set up a non-existing conflict between sections 484 and 737 instead of resolving only the conflicting part of the two sections, (4) ignored the recent amendment of section 737, and (5) failed to investigate legislative intent before resolving any ambiguity which may exist.

RESOLUTION

WHEREAS the letter of the corporation counsel to the Mayor on the civil service status of the purchasing agent is completely inadequate as a legal opinion in the light of the over-all question of the application of the Merit System to the civil service in Stamford.

BE IT RESOLVED, that the Corporation Counsel be and hereby is requested for a formal opinion on the status of the Purchasing Agent under the merit system and, in addition, an opinion on the application of the merit system to the Civil Service of Stamford, with particular reference to the construction of Section 405, Section 734, Section 736 and Section 737, as amended by Section 2 of the 1951 special act introduced as House Bill 1671, and any other pertinent sections of the charter or general statutes.

On MOTION by James Mulreed, seconded by Patrick Hogan, it was voted 21 - 15 to omit the preamble to the resolution.

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John Cameron MOVED that the Resolution be adopted as amended, seconded and CARRIED by a vote of 23 to 13. The resolution as amended reads as follows:

RESOLUTION #116

BE IT RESOLVED, that the Corporation Counsel be and hereby is requested for a formal opinion on the status of the Purchasing Agent under the merit system, and, in addition, an opinion on the application of the merit system to the Civil Service of Stamford, with particular reference to the construction of Section 405, Section 734, Section 736 and Section 737, as amended by Section 2 of the 1951 special act introduced as House Bill 1671, and any other pertinent sections of charter or general statutes.

Patrick Hogan MOVED that the Board send a letter expressing its best wishes to Dr. Paul Brown in his new position in Maine, seconded by James Mulreed who added that the Board was very grateful to Dr. Brown for his faithful attendance to the meetings of this Board and CARRIED.

On MOTION of Karl Young and seconded, it was voted to refer his letter and photographs of conditions in the Long View Park Development to the Health and Protection Committee.

REPORTS OF COMMITTEES

Fiscal Committee

1. Helen Bromley MOVED that the Emergency Appropriation for \$3810. as salary of traffic mechanic Joseph Gallagher of the Police Department be granted, seconded by George Lockwood and UNANIMOUSLY CARRIED.

Robert Shepherd appointed George Lockwood President ~~pro tem~~ and left the meeting since the next item pertained to the salary of the acting mayor.

2. Helen Bromley MOVED that the Emergency Appropriation of \$1,000. for the salary account of the Acting Mayor be granted, seconded by Joseph Caputo and CARRIED UNANIMOUSLY.

Helen Bromley MOVED that a letter be written to Mayor Quigley requesting that an item of \$500. for the Acting Mayor be set up under a code number in the annual budget hereafter. George Connors amended the motion to read \$1000. instead of \$500. The amended motion was seconded by Joseph Caputo and carried by a vote of 33 - 4.

Upon request of Babette Ranshoff on procedure to be followed for payment to Acting Mayor, reference was made to Resolution #73 of February 8, 1950 which states that the appropriation is "to be used as a fund from which to compensate any acting mayor for services rendered in that capacity. Such person to be compensated after three (3) days continuous service retroactive to the first day of service at the rate of (\$20.00) Twenty Dollars per day and such sums as may be due shall be paid by the Commissioner of Finance upon requisition of the Mayor during any one fiscal year."

The chair was then returned to Robert Shepherd.

3. Re the Emergency Appropriation of \$30,000. for the Belltown-Willard school site, Mr. Reginald Neuwien, Superintendent of Schools, Mr. Terlizzio, a local contractor and Corporation Counsel John Hanrahan were called on to speak during a general discussion.

Helen Bromley, Chairman of the Fiscal Committee, recommended that the \$30,000. be appropriated but that condemnation proceedings be instituted

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George Lockwood MOVED, seconded and CARRIED that we recommend to the Mayor that condemnation proceedings be instituted.

James Mulreed MOVED that the Emergency Appropriation of \$30,000. be granted. The motion was seconded by Helen Peatt and lost by a vote of 19 to 19.

John Cameron MOVED, seconded by Webster Givens that we grant an appropriation of \$17,750 (the appraisal value given on said property by the Stamford Board of Realtors in March 1950). This motion was amended by Robert Lewis, seconded by Helen Bromley, to appropriate \$20,000.

Upon statement by Corporation Counsel John Hanrahan that unless we could appropriate \$30,000. the Mayor could not proceed with condemnation in good faith, John Cameron withdrew his motion.

Patrick Scarella, who was on the prevailing side, MOVED to reconsider the original motion, seconded by Karl Young and CARRIED.

James Mulreed's original MOTION to appropriate \$30,000. was CARRIED by a rising vote of 37 to 1.

The Fiscal Committee report outlined some details on the collection of fees for licenses and permits which was more fully covered by a letter from Thomas Morrissey, Jr., Commissioner of Finance, read by Robert G. Shepherd.

James Mulreed asked whether licenses and permits had been issued without the fee being paid in previous years?

John Cameron MOVED that we withhold any action on this matter until Mr. Morrissey, Jr. has had time to check into this matter more fully, seconded and CARRIED.

Legislative & Rules Committee

An ordinance concerning the rental or sale of City-owned property was introduced as follows:

AN ORDINANCE CONCERNING THE RENTAL OR SALE OF CITY OWNED PROPERTY

Be it ordained by Stamford that, in conformity with Section 488 of the Stamford Charter, the Code of General Ordinances of Stamford is hereby amended by including as Chapter 31, a new chapter establishing the following procedures and conditions for rental or sale of real property owned by the City of Stamford:

Chapter 31 - Rental or Sale of City Owned Property

Sec. 1 Procedure for Authorizing Rental or Sale -

- a) During the month of October in each year, the Commissioner of Finance shall furnish the Planning Board with a list of all real property owned by the city, excepting from said list such real estate as is being used for schools, public buildings or public parks, and any properties so restricted by deed or otherwise as to preclude rental or sale. Such list shall include a description of each parcel, its assessed valuation, the use to which it is being put, and the income, if any, received from the same by the City during the preceding fiscal year.
- b) The Planning Board, on or before January 15 of the succeeding year shall transmit to the Mayor, the Board of Representatives and the Board of Finance, said list with its recommendations as to present and future use of each parcel on the same. Such use may be stated in general terms.

- c) The Board of Representatives, at its regular meeting in the following March, shall, by a majority vote, authorize the lease or sale of any property on said list which is recommended for lease or sale by the Planning Board. The Board of Representatives, by a two-thirds vote of its entire membership, may authorize the rental or sale of any property on said list which is not recommended for lease or sale by the Planning Board. The Board of Representatives, by a two-thirds vote of its entire membership, may authorize the sale or lease of any property owned by the City of Stamford at any regular or special meeting called for that purpose.

Sec. 2 Negotiation of Rental or Sale -

The Mayor is hereby empowered to negotiate leases of such properties as are authorized for rental in accordance with Sec. 1 hereof, and, subject to the approval of the Board of Finance of the terms and conditions thereof, to enter into such leases on behalf of the City, but no lease extending over a period of more than two years may be made without specific approval by the Board of Representatives.

The Mayor, within two months after authorization by the Board of Representatives, shall sell at public auction but for not less than its assessed value, such of the properties authorized by the Board of Representatives for sale as the Mayor and the Board of Finance shall approve. Notice of the time and place of such sale shall be given by publishing a notice of the same for two consecutive days in a daily newspaper having a general circulation in the City of Stamford, beginning not less than five days nor more than twenty days before the date of said sale.

The Mayor is hereby authorized and empowered to act for the City and to execute all documents necessary to transfer title to such property.

Sec. 3 Procedure if no Acceptable Bid -

If there shall be no acceptable bid for any particular parcel or real estate, the City shall continue to hold it and it shall be included on the list to be submitted by the Commissioner of Finance in the following October unless, prior to submission of such list the Board of Representatives shall again authorize sale by a two-thirds vote of those present at a regular meeting or a special meeting called for the purpose.

Sec. 4 Effective Date -

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

John Cameron MOVED that the ordinance be properly published and acted on at the next meeting, seconded and UNANIMOUSLY CARRIED.

PENSION PLAN

John Cameron MOVED that an opinion be asked of the Corporation Counsel as to the effect of the special act of the legislature regarding pensions for classified employees on the powers previously available under the Charter. Four points have been raised for question and are submitted in the Legislative & Rules Committee report.

"Your committee also considered further the question of a pension plan for city employees and recommends that the Corporation Counsel be formally requested for an opinion as to the effect of the special act of the legislature regarding pensions for classified employees on the powers previously available under the Charter. We should like the opinion to cover the following points which have been raised:

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- (1) If no action is taken by the Board to adopt the special act, can the Board act under the provisions included in the Charter without restriction;
- (2) If action is taken on the special act but it fails of adoption, does the special act continue until repealed by the legislature and to what degree, if any, does it limit the power of the Board to act under the provisions of the Charter;
- (3) If the special act is approved by the necessary two-thirds vote, does the provision giving the Board the right to make changes apply before the act takes effect or must the act become effective before the power to make changes granted in the act becomes effective; i.e. must changes wait until July 1st after its adoption.

Your committee is also investigating the effect of recent state legislation on the possibility of having all or some groups of city employees not now covered by a pension plan, covered under Federal Social Security in accordance with amendments to the social security law made last year. If permitted, this might be both the most economical and most satisfactory method of providing benefits for the weekly-paid employees and other groups who may not have had twenty-five years service when they reach age 65.

The MOTION was seconded and CARRIED.

John Cameron advised that this committee will check with other near-by towns on how they are handling excavations of land and will report at the next meeting.

John Cameron submitted for record House Bills affecting the City of Stamford which had been passed as well as those which had not been passed. A copy of same is filed with the report from the Legislative & Rules Committee.

Appointments Committee

George Connors read the report approving the appointment of Ralph Rich to the Planning Board.

Patrick Hogan MOVED that action be postponed until Mr. Rich expressed his attitude on the Cove Power Plant and acquisition of Cove Island, seconded by Stephen Kelly. The MOTION was DEFEATED.

A secret ballot, taken and counted by Tellers Karl Young and Vito Longo, approved Ralph Rich's appointment to the PLANNING BOARD, term expiring 1955, by a vote of 35 for, 3 against.

Planning & Zoning Committee

Joseph Zdanowicz submitted a progress report from the Board of Design re police and court building.

Joseph Zdanowicz MOVED that the following streets or portions thereof be accepted, seconded and UNANIMOUSLY CARRIED:

865' of Hartswood Road
 Helen Place
 High Clear Drive, Unity Road, Moran Avenue and Kijek Street
 Matthew Street from Seaside Avenue running easterly to Waterbury Ave.

The following streets were not accepted for reasons stated in their report which is on file:

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NOT ACCEPTED

Leroy Avenue - River Place and Columbus Place
Portion of Matthews Street, Houston Terrace
Portion Waterbury Avenue and Cambridge Road - 135' Hartswood Road

The President appointed Babette Ransohoff and Paul Plotkin as a liaison sub-committee of the Planning and Zoning Committee for the purpose of establishing a closer working relationship with the Urban Redevelopment Commission, the Town Housing Authority and the City Housing Authority.

Health & Protection Committee

Letter of resignation from Leon Staples as Chairman and member of the Health & Protection Committee was read and accepted by Robert Shepherd.

John Cook was appointed as Chairman of this committee by the President and Edward Hogan was appointed to replace Mr. Staples as a member of the Committee.

Public Welfare & Recreation Committee

Ralph Nau requested an investigation of the Welfare Department re dispensing with services of Mr. Robert Turl who has been employed at the Welfare Department for 13 years.

Helen Peatt and Dr. Somma attended a meeting of the Welfare Commission and reported that the Commission felt that the cut in their budget required economy and that Mr. Turl's position was the only one that they could possibly dispense with; however, he has been put on a three months leave of absence so if a vacancy occurs he can be called back.

Helen Peatt was requested to contact Mr. Weathers of the Personnel Department to ascertain if Mr. Turl could be placed elsewhere.

Steering Committee

The information on the status of examination for Sewer Inspector requested from Mr. Weathers was read:

On MOTION by John Cameron, seconded and CARRIED, the Corporation Counsel was requested to give his written opinion on the recent appointment of Sewer Inspectors in relation to the merit system. The matter is to be placed on the Agenda of the September meeting.

Leonard J. DeVita submitted his resignation as Fifth District Representative effective August 6, 1951 since his appointment as Assistant Prosecutor would put him in the position of serving on legislative and judicial bodies.

John Cameron stated Leonard DeVita will be a great loss to the Board as well as to the Legislative & Rules Committee and offered thanks from the Board members to Leonard DeVita for all he has done on the Board. The resignation was accepted with regret.

George Lockwood MOVED that the Board resolve that the September meeting be changed to September 10, 1951 because of Labor Day, seconded by Babette Ransohoff and UNANIMOUSLY CARRIED.

Meeting adjourned at 12:15 A.M.

Respectfully submitted,

Babette S. Ransohoff
Clerk

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Fiscal Committee Report
of the Board of Representatives
Stamford, Connecticut
August 6, 1951

At a meeting of the Board of Finance on July 18, 1951 the following items were approved:

1. Emergency appropriation of \$3,810. for salary of traffic mechanic Joseph Gallagher be granted to the Police Dept. for Code PP430.1 Salaries. On February 15 when the Budget for this fiscal year was submitted this was a salary item in it but in some way this was inadvertently omitted in the preparation of the budget and on June 20th a request was sent to the Mayor asking that this be considered an emergency and be restored to their salary account. Your committee favors granting this request.
2. Emergency Appropriation for \$1,000 for salary Account to the Acting Mayor is approved by this committee. We would like to recommend that a letter to the Commissioner of Finance be written suggesting that for next year's budget a request of \$1000 each year be placed in the budget and it be assigned a definite code number; that the Acting Mayor be paid at rate of \$20 per day after a 3 day period retroactive to the first day.
3. Emergency Appropriation for \$30,000 for Sammis and Weed property purchase for the proposed Belltown-Willard Elementary School. The Board of Finance added this sentence to their approval "That approval be granted on Emergency Appropriation for \$30,000 for Sammis and Weed property for the proposed Belltown-Willard Elementary School with recommendations to the Mayor that it is the opinion of the Board that in view of the appraisal of \$17,750 set forth in a letter dated March 9, 1951 by the Stamford Board of Realtors, Inc., the City should proceed immediately to acquire the land through condemnation proceedings". Your committee feels that the Board of Education should investigate alternate sights before we make the appropriation.

Regarding the item referred to the Fiscal Committee by the Steering Committee of this Board at its meeting July 31, 1951 pertaining to one section of the Auditors report of the firm of Hadfield, Rothwell, Soule and Coates dated July 18, 1951 your Chairman and Mr. Patrick Hogan together met with Mr. Morrissey. We found that on the subject of Licenses and Permits he, together with the auditor, Mr. Daley have been compiling a list of establishments that should obtain a license for operation under our system of fees outlined in the City Ordinances adopted January 8, 1951 and effective February 1, 1951. They are planning to mail notices to these establishments and he assured us they would be collected. He also mentioned that he, Mr. Morrissey thought that there were other licenses probably that should be added to our list which would mostly come under the Dept. of Health inspection but of course they would have to be presented to this Board for

approval. I think that the City can expect an increased source of revenue this year from Licenses and Fees, but at this time no one is willing to estimate the probable figure.

Respectfully submitted,

John E. Charleson
Michael J. Holahan
Patrick Hogan
Joseph Carlin
Helen Bromley, Chairman

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John E. Charleson
Michael J. Holahan
Patrick Hogan
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Helen Bromley, Chairman