

JUNE 16, 1952

A SPECIAL MEETING of the Board of Representatives, Stamford, Connecticut was held at the Burdick Junior High School Auditorium on Monday, June 16, 1952 at 8 P.M.

The meeting was called to order at 8:35 by the President.

Babett Ransohoff, Clerk, read the CALL for the Special Meeting:

"Pursuant to Section 202 of the Charter, I, John L. Cameron, President of the Board of Representatives, hereby call a SPECIAL MEETING of the Board of Representatives to be held on Monday, June 16, 1952, at 8 P.M. at the Burdick Junior High School, Stamford, Connecticut for the following purposes:

1. To act on a resolution initially submitted by the Legislative & Rules Committee December 5, 1951 and again submitted June 2, 1952 to approve Act 463 of the Special Acts of the 1951 General Assembly, establishing a retirement fund for certain classified employees of Stamford.
2. To act on a resolution submitted by the Legislative & Rules Committee June 2, 1952 to amend the provisions of said Special Act 463 as provided for in Section 11 thereof.
3. To act on emergency appropriations requested by the Mayor and submitted to the Board of Finance for approval.
 1. \$63,000. Covering Social Security Taxes retroactive from January 1, 1951 through June 30, 1952.
 2. \$19,818.22 requested by the Welfare Department with a breakdown as follows: \$14,818.22 for General Hospitals and \$5,000. for Mental Hospitals.
 3. \$8,511.83 to cover additional costs at Square Acres. **
 4. \$6,231.13 from unanticipated revenue or to cover an equal amount expended by the Board of Education.
 5. \$500. requested by the Marine Corps League for their convention June 6, 7 and 8, 1952.
 6. \$5000. requested by Veterans of Foreign Wars for their convention June 20, 21 and 22, 1952.
 7. \$4000. for storm sewer between Birchwood Road and Woodbury Ave., Springdale. Recommendation is to add this amount to the Capital Projects Program for 1951-1952.
 8. \$1010. to cover additional cost of installing the Flexo-Print System at the Assessor's office.
 9. \$1000. to cover additional expenses for Medical Account Code 488.24.

Very truly yours,
John L. Cameron, President

** Letters have been received recommending adding this to the Capital Projects Budget for 1951-52.

Roll Call was taken with 25 present, 14 absent and 7 resigned. The absent members were Joseph Caputo, Theodore D'Annunzio, Leon Staples, Catherine Cleary, John Canavan, Joseph Zdanowicz, Vito Longo, John Cook, Harold Clark, Karl Young, Dr. Francis Dolan, Joseph Mancusi, John Sandor, Stephen Kelly. John Sandor and Stephen Kelly arrived later.

James Mulreed MOVED to defer action on the first two items of the Agenda and proceed with the emergency appropriations under item 3 of the Call. The motion was seconded and carried unanimously.

FISCAL COMMITTEE

1. Helen Bromley submitted the committee's approval of the request for \$63,000. to cover cost of Social Security Taxes retroactive to January 1, 1951 and

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✓ MOVED its acceptance, seconded by Joseph Carlin and CARRIED UNANIMOUSLY.

2. The Committee agreed that Mr. Laturney should be present at this meeting regarding the emergency appropriation of \$19,818.22 for the Welfare Department and to explain why these monies were required when unencumbered funds as of June 9 showed balances of some \$26,000. From discussions on the floor it would appear that the feeling of most of the Board was that either Mr. Laturney or one of the members of the Welfare Commission should be present at meetings where emergency appropriations for the department are requested, as other departments do.

James Mulreed MOVED approval of the appropriation, seconded by Clifford Waterbury, and DEFEATED by a vote of 5 in favor, 21 opposed.

3. Helen Bromley stated the committee approved the emergency appropriation of \$8511.83 covering additional costs and court costs for the Square Acres project and that same be added to the Capital Projects Program of 1951-1952. Thereupon Helen Bromley MOVED to amend the Capital Projects Budget for 1951-1952 by \$8511.83, seconded by Michael Holahan and CARRIED UNANIMOUSLY.

Ralph Nau spoke against the motion stating that the State had brought about the situation at Square Acres and should be held responsible.

✓ Joseph Carlin MOVED approval of the emergency appropriation of \$8511.83 seconded by Michael Holahan and CARRIED by a vote of 25 in favor, 1 opposing.

4. Helen Bromley MOVED approval of an emergency appropriation of \$6,233.13 from unanticipated revenue as requested by the Board of Education. This sum covers cost of janitor services, medical supplies, toothbrushes, etc., expended by the Board of Education, and covered by income returned to the General Fund. The motion was seconded by Michael Holahan and APPROVED UNANIMOUSLY.

5. Helen Bromley MOVED approval, seconded by George Connors, to grant \$500. to the Marine Corps League as city assistance on expenses at their convention on June 6, 7 and 8, 1952. CARRIED UNANIMOUSLY.

6. Helen Bromley MOVED approval to grant \$3000. as an emergency appropriation to the Veterans of Foreign Wars toward expenses for their convention June 20, 21 and 22, 1952, seconded by Clifford Waterbury and CARRIED by a vote of 24 in favor, 2 opposed.

Several members spoke against the manner in which this request was handled but discussion was ruled out by the President as not directly related to the appropriation.

7. Helen Bromley stated the committee approved the emergency appropriation of \$4000. for a storm sewer between Birchwood Road and Woodbury Avenue, Springdale, and recommended approval to amend the Capital Projects Budget for 1951-1952 for this sum.

Michael Holahan MOVED, seconded by John Charleson, to amend the Capital Projects Budget for 1951-1952 by \$4000. CARRIED UNANIMOUSLY.

8. Helen Bromley MOVED upon committee's approval to grant the emergency appropriation of \$1000. for additional expense incurred in installation of the Flexo-Print System in the Assessor's Office for printing of the tax books, seconded by George Connors and CARRIED UNANIMOUSLY.

9. Helen Bromley MOVED approval of \$1300. as an emergency appropriation to cover additional expenses for Medical Account, Code 488-24. Some discussion was raised as to whether it was permissible to vote on \$1300. instead of the \$1000. as listed in the "Call" of the Special Meeting. It was agreed to vote on the \$1000. and to vote on the additional \$300., if resubmitted, at the July meeting. Motion to approve \$1000. was seconded by Helen Peatt and CARRIED UNANIMOUSLY.

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LEGISLATIVE AND RULES

James Mulreed MOVED adoption of a resolution approving Act 463 of the Special Acts of the 1951 General Assembly, establishing a retirement fund for certain classified employees of Stamford, seconded by George Russell.

John Cameron, President, read the following letter from Mr. Wahlberg:

"June 4, 1952

Mr. Harry D. Weathers, Jr.
Personnel Director, Department of Civil Service
151 Broad Street, Stamford, Connecticut

Dear Sir:

Confirming our telephone conversation of today, this is to inform you that the Federal Security Administrator signed the modification which includes the City of Stamford under the benefits of the Old-Age and Survivors Insurance Plan on June 3, 1952.

Very truly yours,

STATE RETIREMENT COMMISSION
FRED R. ZELLER, SECRETARY

BY: /s/ J. E. Wahlberg

Supervisor of Retirement Accounts

A standing vote was taken on the motion, with 27 in favor, none opposed, and Resolution #140 was adopted:

RESOLUTION #140

Pension
Be it resolved, that Special Act No. 463 of the 1951 General Assembly, establishing a retirement fund for classified employees of the city of Stamford who are not beneficiaries of other plans be and hereby is approved.

James Mulreed MOVED, seconded by Patrick Scarella, the adoption of the following resolution amending the provisions of Special Act 463, establishing a pension plan for Classified Employees. A standing vote was taken on the motion, with 27 in favor, none opposed, and Resolution #141 was adopted:

RESOLUTION No. 141

Pension
Be it resolved, that in accordance with Sec. 11 of the Special Act No. 463 of the 1951 General Assembly, the Board of Representatives hereby amends the provisions, conditions and terms of said Act to read as follows:

SECTION 1. CLASSIFIED EMPLOYEES' RETIREMENT FUND. There shall be a fund to be known as the "Stamford Classified Employees' Retirement Fund" for the benefit of all full-time employees of the city of Stamford who are members of the classified service as defined in the charter of the city of Stamford, except the members of the police and fire departments and school custodians and any other employees who are beneficiaries of other pension plans partially or fully supported by City taxes or contributions. Coverage under the federal social security act shall not be considered to preclude membership in the Stamford Classified Employees' Retirement Fund.

Definitions. For the purpose of this act the following words and phrases shall have the meanings stated unless the context clearly requires another meaning.

"Fund" shall mean the Stamford Classified Employees' Retirement Fund created by this act.

"Member" shall mean a beneficiary of the fund whether currently in receipt of

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benefits or not. Membership for employees in the service of the city or on authorized leave of absence on July 1, 1952 shall become effective on said date. For employees who shall be employed after July 1, 1952, membership shall become effective one month after date of employment. Membership shall cease upon termination of employment except on account of retirement as provided herein. Membership may be continued for not more than one year during authorized leave of absence without pay, but no credit shall be given for service during such period unless leave of absence shall be due to service in the armed forces of the United States with contributions continued on behalf of such member.

"Service" shall mean full-time service for the city of Stamford while a member, and shall also include, for employees in the service of the city on January 1, 1952, full-time service prior to April 15, 1949 for either the town of Stamford or the city of Stamford and full time service for the consolidated city of Stamford since April 15, 1949 and before this act takes effect. Service shall also include such full-time service on behalf of said town or city as the Board of Trustees shall recommend and the Board of Representatives shall approve, where the employee was directly employed by a federal agency or town or city official in the performance of his official duties. Where there has been a break in service, the service prior to the break shall be accepted as well as that after the break.

"Salary" shall mean regular salary or wages paid to the member by the city and shall include any additional salary or wages such as a cost-of-living adjustment paid to all members or any class or classes of members. It shall not include compensation, if any, paid for special services on an individual basis.

"Average final salary" shall mean the average annual salary for the two fiscal years in which the member's salary was the highest out of the last five years before retirement.

"Social Security Benefit" shall mean twelve times the monthly benefit to which the member would be entitled as an individual under the Old Age and Survivors Insurance provisions of the Federal Social Security Act if he ceased all gainful employment and made application for the benefit.

"Classified employee" shall include an appointed office holder who holds a position in the classified service.

The masculine pronoun shall be considered to include the feminine.

SECTION 2. COMPCSTICN OF FUND. The fund shall consist of all monies received from the following sources:

(a) all appropriations, gifts or bequests made to the fund from public or private sources, and all net income resulting from the investment of the fund;

(b) a contribution by each classified employee of the city of Stamford who is a member, until he shall have attained age 70 or completed thirty-three and one third years of service, of two per cent of any part of his salary on which Federal Social Security taxes are payable by the employee and five per cent of any salary not subject to such taxes, which contribution shall be collected as deductions from pay and transmitted by the controller, at the end of each month, to the fund;

(c) all compensation for services that remain unclaimed by any classified employee for a period of one year after the same shall have become due, but the fund shall return any such amount to the city if the claim to it shall be established by the employee or his legal representative;

(d) an annual appropriation by the city of Stamford, as determined by the Board of Finance and approved by the Board of Representatives on the basis of an actuarial survey made at the direction of the Board of Finance not more than five years prior

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to the date of the appropriation, such appropriation to be at least equal in amount to the sum of the contribution made by members under (b) for the preceding calendar year;

(e) such additional appropriation by the city of Stamford, if any is necessary, sufficient with the balance of the fund at the end of any calendar year to make the fund at least equal to the sum of the contributions previously made by all the then existing members who are not then in receipt of benefits from the fund, plus interest at the rate of two per cent per annum compounded annually on such contributions;

(f) any sum which the Board of Finance, within its discretion, causes to be paid in lieu of the contribution of any classified employee who shall have entered the armed forces of the United States.

SECTION 3. TRUSTEES. The trustees of said fund shall be the mayor, who shall be chairman, the chairman of the Board of Finance, the president of the Board of Representatives, and two representatives of the classified employees' association, elected biennially, except that initially one shall be elected for a one year term, and one for a two year term. No action shall be taken by said trustees except upon a majority vote of all of said trustees. They shall serve without compensation, shall have charge of the general direction and management of said fund, and shall select one or more trust companies or banks authorized to do a trust business in this state to invest the funds for which service they shall be authorized to pay the usual fee. Any portion of the said fund may be invested in bonds of Stamford or in any securities authorized by the laws of the state as investments for trust funds or may be deposited in any savings banks or trust companies or state or national banks in this state or used to purchase life insurance or endowment policies or annuity contracts issued by a life insurance company authorized to transact business in this state. Full discretion in investing the funds in accordance with the foregoing provisions shall be with the trust company or bank selected by the trustees for the purpose of investing the funds. From said retirement fund the trustees shall, from time to time, appropriate and cause to be paid to the beneficiaries of the fund such sums as may be needed for paying pensions herein provided for. All payments due after July 1, 1952 on account of pensions granted by the city prior to July 1, 1952, and not payable from the Policemen's, Firemen's or Custodian's retirement funds, shall be paid from the fund, and such payment shall discharge the city from liability for said payment. The city shall furnish such clerical, legal, actuarial or medical assistance as the trustees shall consider necessary to carry out the purposes of this act, subject to such appropriations as shall be made in the manner provided for other city appropriations and subject to the provisions of Chapter 73 of the Stamford Charter. The Personnel Director shall act as Executive Secretary to the trustees but shall have no vote as a trustee.

If the Chairman of the Board of Finance or the President of the Board of Representatives shall decline to serve as trustee, the Board of Finance or the Board of Representatives, as the case may be, shall elect a trustee from their membership.

SECTION 4. TREASURER. The controller of the city of Stamford shall be the treasurer of said fund and all monies and other assets belonging to said fund shall be deposited with him. All orders on said fund shall be signed by him and co-signed by the Chairman of the Board of Trustees, but the trustees may delegate said power in the absence or inability of the Controller or the Chairman to act provided two signatures, at least one of which shall be that of a trustee, are required and may authorize use of a check-signing machine as provided in the Stamford Charter for orders on city funds. The auditor selected by the Board of Finance to audit the city accounts shall include in such audit an audit of the accounts of this fund.

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SECTION 5. RETIREMENT. (a) the trustees may retire, upon recommendation of the personnel commission, any member who shall have completed ten years or more of service and who shall have reached the age of seventy, such retirement to be effective at the end of the fiscal year of the city within which the trustees shall have taken such action.

(b) The trustees shall retire any member upon his written request, who shall have completed fifteen years or more of service and who shall have attained the age of sixty-five, such retirement to be effective one month after receipt of such written request for retirement.

(c) The trustees shall retire any member upon his written request, who shall have completed twenty-five years or more of service, and who shall have attained age sixty, but no pension shall be payable from the fund unless and until the retired member becomes eligible for an old age benefit under the Federal Social Security act, nor shall any pension be due for any period between the date of retirement and the date of eligibility for such social security benefit.

(d) The trustees shall retire any member who shall have completed fifteen or more years of service if he shall submit evidence satisfactory to the trustees that he has become totally and presumably permanently disabled from performing any work for the city before becoming eligible for a pension under (a), (b) or (c). Total disability shall not be presumed to be permanent until it has existed for six months unless caused by an injury the nature of which is such as to cause a disability which the trustees consider to be obviously permanent. It shall be the duty of the trustees to review each such case at least once a year to determine continuance of total disability.

SECTION 6. PENSIONS. (a) Service Retirement. Any member who is retired under the provisions of Section 5 (a), (b) or (c) of this act shall receive annually from said fund, for the remainder of his natural life, a sum which when added to any social security benefit available to the member at the time each payment becomes due will produce a total income equal to one-fiftieth of his average final salary multiplied by the number of years of his service. In no event shall such pension payment be an amount which when added to the social security benefit available to the member will produce a total income which will be more than two-thirds his average final salary or, if he has had more than twenty-five years of service will, when added to said social security benefit produce a total income which will be less than one thousand dollars annually.

(b) Disability. Any member who shall be retired on account of disability under Section 5 (d) shall receive a pension commencing when such disability is presumed to be permanent and payable during continuance of such disability, equal to one-half his average final salary but in no event shall such pension be more than the amount he would have received if he had remained in service until age sixty-five or, subject to the foregoing limit, less than one thousand dollars annually. When and if the member shall become eligible for a social security benefit, the amount of the payment hereunder shall be the amount which, when added to the social security benefit, will produce a total income in the amount provided in the preceding sentence.

(c) Service-caused death after fifteen years. When any member will receive an injury, after serving fifteen years, arising out of and in the course of his employment which results in death within six months of the injury, a pension equal to one half of his annual salary, and in no event less than one thousand dollars annually, shall be paid to the surviving spouse if said spouse is determined by the trustees to be substantially dependent upon the deceased employee, until his

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death or remarriage, and thereafter such part of the pension as the trustee shall find reasonable shall be paid to the children of such deceased employee who are under the age of eighteen years. Said pension shall be reduced by the amount of any payment received by said dependents under the provisions of the workmen's compensation laws or as the result of legal liability of the city on account of said injury.

(d) Other deaths. When a member shall die before retirement, a refund of contributions paid to the fund by such employee with interest at the rate of two per cent per annum compounded annually shall be made to his estate or to those persons determined by the trustees to be his dependents. If a member shall die after retirement, but before he or his spouse shall have received from the fund an amount equal to his contributions with interest at the rate of two per cent per annum to the date of retirement, the excess shall be paid to his estate or those persons determined by the trustees to be his dependents.

(e) All Pensions payable hereunder shall be paid in monthly instalments and shall cease with the payment preceding the death of the person entitled to receive the payment, except that a member may elect, within thirty days prior to his application for retirement, to accept, in lieu of any pension to which he would be entitled from the fund, a reduced pension with a provision that two-thirds of the reduced pension be continued, after his death, to his spouse for the remaining lifetime of said spouse. The reduced pension shall be computed to be the actuarial equivalent of the pension provided for in Section 5 on such assumptions as to mortality and interest rates as the Board of Trustees shall adopt.

(f) If any person entitled to a pension hereunder is entitled to receive a pension or other benefit or payment arising from city contributions or taxes paid to another pension plan or as a result of workmen's compensation, the amount of any pension due hereunder shall be reduced accordingly.

SECTION 7. When a member shall leave the service other than by retirement or his service is terminated for any cause, a refund of the contributions paid by him with interest at the rate of two per cent per annum compounded annually shall be made. In the event an employee who has terminated his employment seeks to be reinstated after re-employment by the city before he shall be eligible to receive the benefits of the pension plan herein established for service prior to said reinstatement, he shall repay all sums refunded to him on his prior termination of employment together with interest at the rate of three per cent per annum. No such reinstated employee shall be eligible for any benefit hereunder until he shall have completed five years of service since his last reinstatement except the right to a refund of his contributions with interest as set forth in this section.

SECTION 8. No retired member shall ^{have} the right to pledge, assign, transfer or create and charge any lien upon his pension, nor shall such pension be subject to any process of attachment, nor shall such pension be paid to any person except such employee, his surviving spouse or dependent named in this act.

SECTION 9. The trustees are authorized to make such interpretations of this act and such rules not inconsistent with the provisions hereof as they may deem necessary or convenient for the administration of said retirement fund, and to change the same from time to time as they may deem necessary or expedient.

SECTION 10. Said trustee shall file with the Board of Finance of the city of Stamford and the Board of Representatives, on or before the first day of July in each year, a statement of said retirement fund for the preceding calendar year showing the amount thereof and all payments and disbursements made therefrom and the securities in which said fund has been invested.

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SECTION 11. This act shall take effect on the first day of July in the year following its passage, namely on July 1, 1952, having been approved by a two-thirds vote of the membership of the Board of Representatives, after due notice and public hearing. The Board of Representatives shall have power, by two-thirds vote of its members, to change any of the provisions, conditions and terms of this act, in which event no member or other person claiming through such member shall be entitled under this act to more than the contributions made by such member with interest at the rate of two per cent per annum compounded annually, provided pensions vested by retirement shall be paid in accordance with this act. If any provision of this act shall be found to be invalid, such finding shall not invalidate or otherwise affect any of the remaining provisions hereof.

Patrick Hogan MOVED that a vote of thanks be given to the Legislative and Rules Committee for all the time that was spent in drawing up the Supplemental Plan, for their consideration to recommendations submitted by many groups in Stamford, and for the final drafting of what seems to be a satisfactory plan to almost everyone.

The meeting was adjourned at 9:45 P.M.

Respectfully submitted,
Babette S. Ransohoff
Clerk