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The regular meeting of the Board of Representatives of the City of Stamford was held on Monday, May 3, 1954 at the Burdick Junior High School Auditorium. George V. Connors, President, called the meeting to order at 8:15 P.M.

Invocation was given by Rev. William Paul Hinlicky of the Trinity Lutheran Church.

William Kaminski nominated Mary Bankowski as temporary clerk in Alphonse C. Jachimczyk's absence, seconded by Doris Zückert. Mary Bankowski declined the nomination.

Patrick Fortunato nominated William Murphy as temporary clerk seconded by Helen Bromley.

William Kaminski requested that the Chairman cast one ballot for the nomination of William Murphy as temporary clerk.

William Murphy announced the roll call. There were two absentees - Irving Snyder and Alphonse Jachimczyk, and one resignee, Karl Young, Jr. There were 37 present.

George Connors read the letter of resignation submitted by Karl Young, Jr. as well as the letter from Mayor Quigley stating the resignation had been accepted and had been filed in the City Clerk's Office.

Helen Bromley submitted and MOVED for nomination, Alanson R. Fredericks to fill the vacancy of Karl Young, Jr. in the 18th District. Mrs. Bromley read the letter of endorsement of the Republican Town Committee as well as Mr. Frederick's qualifications. This nomination was seconded by Robert Lewis.

Rutherford Huizinga MOVED that nominations be closed, seconded by Phil Coulter and CARRIED.

William Kaminski MOVED that the temporary clerk be instructed to cast one ballot for the appointment of Alanson R. Fredericks as 18th District Representative term to expire December 1, 1955, seconded by Phil Coulter and CARRIED.

John Hanrahan, Corporation Counsel, administered the oath of office to Alanson R. Fredericks, and congratulations were extended by Corporation Counsel and President George V. Connors.

George Connors presented the minutes of the regular meeting of April 5, 1954 and Special Meeting of April 14, 1954 for acceptance.

Helen Bromley MOVED for correction on page 696, fourth paragraph, second line, deleting "in fast opinion that" and inserting instead "that my curbstone opinion is", seconded by Rutherford Huizinga and CARRIED. *noted*

Rutherford Huizinga MOVED for a correction on page 689, third line, changing the word "Chairman" to "President", seconded by Thomas Topping and CARRIED. *noted*

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Patrick Scarella MOVED that the minutes of April 5, 1954 be accepted as corrected, seconded by Helen Bromley and CARRIED.

notes
Dwight Marshall MOVED that his name be included as one of the absentees of the Special Meeting of April 14, 1954. This will change the roll call to ³¹30 members present, ⁴10 absent.

note
Helen Bromley MOVED that the following wording be added to the first paragraph of minutes of the Special Meeting of April 14, 1954, after "8:00 P.M." by including "which call was delivered to each member of the Board of Representatives at their residence 24 hours prior to the meeting by a Stamford Police Officer".

Helen Bromley MOVED that the minutes of the Special Meeting of April 14, 1954 be approved as corrected, seconded by Hayes Hoyt and CARRIED.

Fiscal Committee

Patrick Scarella, Chairman, stated the Fiscal Committee had no report to submit.

Legislative & Rules Committee

A. School Bus Report

Paul Plotkin, Chairman, stated that several meetings had been held re installations of proper signs on school buses, but that definite negotiations had not as yet been made and therefore, MOVED that this matter be referred back to committee until the June meeting, seconded by Doris Zuckert and CARRIED.

B. Proposed Lease on Jefferson & Canal Streets

Paul Plotkin stated, with the committee's approval, that the proposed lease had been given thorough consideration and, in view of the heavy traffic congestion in the area, MOVED that the proposed lease from the N. Y., N. H. & Hartford Railroad be approved at \$2.00 a month for an indefinite period with the recommendation that the option of purchase of \$500.00 be included in said lease; also that arrangements be made to purchase this property as soon as possible, seconded by George Russell and CARRIED UNANIMOUSLY.

C. Proposed Lease by Parking Authority of Taylor Reed Property in Glenbrook

Paul Plotkin stated that this matter had been referred to George Russell for Special Report. George Russell MOVED that the matter be referred back to the Legislative & Rules Committee for action at the June meeting inasmuch as the sketch supplied did not conform to the map on file in the City Clerk's Office; the question of assessment had not been determined against the proposed annual rental of \$1800 for five years; the cost of preparation; and no option for purchase was included in said lease. The motion was seconded by Robert Lewis and CARRIED.

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D. NAACP Report

requesting (per minutes 6/7/54)
Paul Plotkin stated the committee recommended that the secretary write NAACP requesting that they bring their charges before the proper law enforcing body and so MOVED, seconded by Patrick Scarella and CARRIED.

E. Proposed Ordinance regarding Electrical Installations

Paul Plotkin MOVED for Suspension of Publication of the proposed ordinance to avoid loss of time in the alterations of a local factory and an apartment dwelling under construction, explaining that this type of electrical installation is prevalent in many Connecticut cities and adjoining communities, seconded by Stephen Kelly and CARRIED.

Paul Plotkin read the ordinance as proposed, and MOVED for its adoption seconded by Thomas Topping and CARRIED UNANIMOUSLY, 38 members voting yea.

ORDINANCE #34 SUPPLEMENTAL - AN ORDINANCE CONCERNING ELECTRICAL INSTALLATIONS

BE IT ORDAINED BY THE CITY OF STAMFORD that Sections 1500-2 and 1500-3 of Article XV of the Building Code of the City of Stamford are hereby repealed and the following is substituted therefore:

Section 1500 - 2

In addition to the requirements of the National Electric Code, the wiring for supplying light, heat or power to any electrical equipment within or in private buildings or premises, shall be installed in either Rigid Iron Conduit, Electrical Metallic Tubing, Flexible Metallic Conduit, in Wire Mold or Raceway, or Steel Armored Cable. Armored Cable may be used only in wood framing members enclosed so as to prevent mechanical injury to the cable.

Section 1500 - 3

In all public buildings, institutional buildings, tenements, multi-family houses, hotels, lodging houses, dormitories, convents, commercial buildings, office buildings and storage buildings as defined and classified in the building code, all such wiring shall be installed in Rigid Iron Conduit or Electrical Metallic Tubing except that in wood framing members enclosed so as to prevent mechanical injury to the cable; Armored Cable may be used for regular lighting circuits only. Cellar work and risers to panel boxes shall be in Rigid Iron Conduit or Electrical Metallic Tubing. All outlet boxes installed in new work, additions to old work or alterations, where plaster is removed, must have a minimum depth of 1½". Exception to the above rule may be made in the case of reinforced concrete or stone construction, where it is not possible to get the required depth, in which case, boxes approved by the National Electric Code for that purpose may be used, subject to the approval of the Electrical Inspector.

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

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George V. Connors, President and William D. Murphy, Temporary Clerk, hereby certify the foregoing ordinance was duly adopted by the Board of Representatives at its regular meeting held on May 3, 1954 with 2/3 of the entire membership of the Board voting same an emergency and in accordance with provisions of Section 204.1 of the Charter dispensed with the introduction and publication of said ordinance, prior to adoption.

F. Proposed Ordinance Regarding Boilers and Furnaces

Paul Plotkin MOVED for postponement of action of said proposed ordinance until the June meeting in order to include flue installations and one or two minor changes, seconded by William Murphy and CARRIED.

Paul Plotkin stated that Mr. Robert Richardson had withdrawn his offer of \$840.00 for a piece of city-owned property known as Lot #16, Rockledge Private Drive, but that a similar offer had been received from the law firm of Gordon & Perell for an interested client. Mr. Plotkin stated the committee felt that it should not be sold for less than the assessed valuation which is \$1140.00 in accordance with adopted ordinances. No action was taken.

Paul Plotkin stated the committee had reviewed a request for an ordinance re the obstruction of passage of fire department and/or police department vehicles on continuing streets of single or different ownership. The committee had no recommendation inasmuch as some of this property is private property, for example Crystal Lake Road.

Rutherford Huizinga MOVED, seconded by Helen Bromley, that this matter be referred to the Public Works Committee for review. CARRIED.

Public Works Committee

Thomas Topping, Chairman, stated the committee had reviewed the Public Works Budget and had approved it.

Robert Lewis MOVED that the report be accepted, seconded by John Cook and CARRIED.

Health & Protection Committee

Joseph Caputo, Chairman, submitted the committee report stating that the monthly training progress reports from the Police and Fire Departments had been received; also that stop signs and a school guard had been assigned for the intersection of Hubbard Ave. and West North Street. The committee recommends that the Police Dept. warn the Boat Basin Operators to refrain from renting boats to minors, inasmuch as minors have been found to go beyond the breakwaters and it was necessary to tow them in.

Joseph Iacovo stated the stop signs at Hubbard Ave. had not been made to date; that the stop signs on West North Street had been there for sometime. He asked that this change be made in the report.

Thomas Topping MOVED the acceptance of the corrected report, seconded by John Cook and CARRIED.

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Welfare & Recreation Committee

Stephen Kelly, Chairman, submitted the committee report stating that the request by the Military Order of the Purple Heart, Inc. had been referred to the Better Business Bureau of the Chamber of Commerce for further information; an ordinance re banning of non-residents on Stamford beaches is under consideration.

Robert Lewis MOVED that the report be accepted, seconded by Hayes Hoyt and CARRIED.

Steering Committee

George V. Connors, Chairman, submitted the Committee report. Helen Bromley MOVED acceptance of the report, seconded and CARRIED.

COMMUNICATIONS FROM THE MAYOR

George Connors read a letter from Mayor Quigley dated May 3, 1954 nominating Joseph Kinsella as Police Chief, which requested that Mr. Kinsella again be reviewed by the Appointments Committee.

Helen Bromley MOVED for Suspension of the Rules to act upon this nomination, as this is the third time his name has been submitted and has had the previous approval of the Appointments Committee, seconded by Wardham Collyer.

Robert Lewis asked that the Corporation Counsel be asked if this is legal procedure, but motion was not carried.

The original motion for suspension of rules was brought to question and was defeated by a vote of 21 for and 16 against.

Norton Rhoades questioned if suspension of rules to act on this matter is not granted tonight, will Mr. Kinsella's name be presented again at the next meeting. The answer from the Chair was, "I presume so".

Rutherford Huizinga MOVED that this request from the Mayor nominating Mr. Kinsella being presented for the third time be referred to the Steering Committee for placement on the Agenda for the June Meeting, seconded by Alanson Fredericks.

Mr. Huizinga and Mr. Fredericks withdrew the motion.

Wardham Collyer MOVED that this nomination of Mr. Kinsella for the third time be referred to the Appointments Committee for report at the June Meeting, seconded by John Cook and CARRIED.

George Connors read a letter dated May 3, 1954 submitting the name of Thomas F. Richardson, 44 Sherwood Road to be considered for the position of Chief of the Fire Department.

Rutherford Huizinga MOVED that this be referred to the Appointments Committee, seconded by Norton Rhoades and CARRIED.

George Connors read a letter from the Mayor dated April 29, 1954 submitting the name of Hugh J. Mathews, 42 Gurley Road for reappointment to the Parking Authority for a three year term.

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expiring January 1, 1957.

Doris Zuckert MOVED that this item be referred to the Appointments Committee, seconded by Dwight Marshall and CARRIED.

Patrick Scarella MOVED for a five minute recess, seconded and CARRIED.

George Connors recalled the meeting to order. The following members left after the recess -- Robert Lewis, Mary Bankowski, Edward Ryba and Katherine Kaminski -- changing the total present to 34.

George Connors read a letter from Mayor Quigley dated April 26, 1954 re Building Lines on Summer and Bell Streets in reply to our letter of April 19, referring to our original request for action dated February 5, 1954.

Hayes Hoyt MOVED that this matter be referred to the Steering Committee asking that they ask for legal counsel on this matter; that possibly our letter did not amply clarify our demand for an explanation; further that another letter be sent to the Mayor in terms that are correctly within our rights and in terms so that he will act in one way or another, seconded by George Russell and CARRIED.

PETITIONS

Petition #166 - Stephen Kelly MOVED that the request by the Central Committee of Associated Polish Societies for holding a parade on May 23, 1954 (Sunday) from 3:30 to 4:30 be approved with the provision that the Police Department give their O.K. to the route of the parade, seconded by Vincent Vitti and CARRIED.

Petition #167 - Stephen Kelly MOVED that the request from B'nai Brith to hold a children's fair on Sunday, June 13, 1954 on the Stamford Museum grounds to include games, prizes, pony-rides, refreshments and, if feasible, a merry go-round be approved with the provision that all ordinances are complied with and that a bond be issued for the protection of the City of Stamford and be acceptable to the Corporation Counsel, seconded by William Murphy and CARRIED.

COMMUNICATIONS FROM OTHER BOARDS AND INDIVIDUALS

George Connors submitted a letter from Mayor Quigley dated April 27 asking that the resolutions re application for State Aid by the Board of Education be adopted by the Board of Representatives.

William Murphy MOVED for adoption of Resolution #171 re State Aid for Roxbury Elementary School, seconded by Norton Rhoades and UNANIMOUSLY CARRIED, 33 members voting yea.

Resolution #171 - State Aid Application for Roxbury Elementary School by Board of Education

BE IT RESOLVED BY THE BOARD OF REPRESENTATIVES OF THE CITY OF STAMFORD THAT:

It does hereby approve the application of Thomas F. J. Quigley,

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Mayor of the City of Stamford, for a grant for public school building project under provisions of Chapter 77, Section 341b of the accumulative supplement of the General Statutes Revision of 1949 for assistance in financing the public school building for the Roxbury Elementary School as described in said application.

Helen Bromley MOVED for adoption of Resolution #172 re State Aid for Westover Elementary School, seconded by Rutherford Huizinga and UNANIMOUSLY CARRIED, 33 members voting yea.

Resolution #172 - State Aid Application for Westover Elementary School by Board of Education

BE IT RESOLVED BY THE BOARD OF REPRESENTATIVES OF THE CITY OF STAMFORD THAT:

It does hereby approve the application of Thomas F. J. Quigley, Mayor of the City of Stamford, for a grant for public school building project under provisions of Chapter 77, Section 341b of the accumulative supplement of the General Statutes Revision of 1949 for assistance in financing the public school building for the Westover Elementary School as described in said application.

Stephen Kelly MOVED for adoption of Resolution #173 re State Aid for the Katherine T. Murphy Elementary School Addition, seconded by Thomas Killeen and UNANIMOUSLY CARRIED, 33 members voting yea.

Resolution #173 - State Aid Application for the Katherine T. Murphy Elementary School Addition by Board of Education

BE IT RESOLVED BY THE BOARD OF REPRESENTATIVES OF THE CITY OF STAMFORD THAT:

It does hereby approve the application of Thomas F. J. Quigley, Mayor of the City of Stamford, for a grant for public school building project under provisions of Chapter 77, Section 341b of the accumulative supplement of the General Statutes Revision of 1949 for assistance in financing the public school building for the Katherine T. Murphy Elementary School Addition as described in said application.

George Russell MOVED for adoption of Resolution #174 re State Aid for the Springdale Elementary School Addition, seconded by Jack McLaughlin and UNANIMOUSLY CARRIED, 33 members voting yea.

Resolution #174 - State Aid Application for the Springdale Elementary School Addition by Board of Education

BE IT RESOLVED BY THE BOARD OF REPRESENTATIVES OF THE CITY OF STAMFORD THAT:

It does hereby approve the application of Thomas F. J. Quigley, Mayor of the City of Stamford, for a grant for public school building project under provisions of Chapter 77, Section 341b of the accumulative supplement of the General Statutes Revision of 1949 for assistance in financing the public school building for the Springdale Elementary School Addition as described in said application.

George Connors read a reply from Corporation Counsel John Hanrahan dated April 26 re an interpretation of Section 401.2 of the Charter calling attention to Section 452 which limits opinions to "any question of law involving their respective powers and duties".

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Mr. Hanrahan requested the board to pose their question within the limits of this section with reference to a particular matter or question.

agreed (per minutes 6/7/54)
 Dwight Marshall MOVED to refer this letter to the Legislative & Rules Committee with power to ~~reverse~~ the question within the limits defined under Section 452, resubmitting same to the Corporation Counsel for opinion.

James Mulreed stated that first it is important for us to know what type of information the board desires.

Hayes Hoyt referred to the case of John Sotire who was not re-appointed by this Board but who is still actively serving in an official capacity because no other name has been placed in nomination to take his place. I remember Mr. Hanrahan saying a nominee shall be named within "reasonable time" and I think we should have clarified "reasonable time"; also clarify as to how long a man should serve after failing to succeed in an appointment.

James Mulreed referred to the Charter stating there is a section stating that the incumbent holds office until someone else has been approved by the Board of Representatives.

Rutherford Huizinga believed the Board would like clarification of Section 401.2 particularly, "The Mayor's nominee shall be submitted by him to the Board of Representatives at its next regular meeting", as to what is meant by "the next regular meeting".

Dwight Marshall withdrew his motion in favor of one presented by Phil Coulter.

Phil Coulter MOVED that the Board of Representatives ask the Corporation Counsel in writing, which authority they have under Section 452, for an opinion as to whether or not the Mayor was not in violation of Section 401.2 in not submitting to this Board a nomination for the Chief of the Fire Department at the next regular meeting after the vacancy occurred, seconded by Rutherford Huizinga and CARRIED.

George Connors read a reply from Corporation Counsel John Hanrahan re a lot on Seaside Avenue which backs into Neponsit Street, stating in summation that, with the exception of a possible right of the Monjos or their assigns to use this property, stated in the original deed, no right of way exists over the property in question to the general public.

Patrick Hogan MOVED that this Board request the Mayor to initiate proceedings to acquire this property, negotiations to be made if possible or by condemnation, if necessary, seconded by James Mulreed and CARRIED.

Helen Bromley MOVED that a letter of thanks be sent to Karl Young acknowledging his efforts and time devoted to the Board of Representatives, seconded by Rutherford Huizinga and CARRIED.

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William Kaminski MOVED that a letter be sent to Alphonse C. Jachimczyk, Clerk of the Board, who is ill in the hospital, extending the Board's wishes for a speedy recovery, seconded by Patrick Scarella and CARRIED.

Wardham Collyer submitted a report on John E. Sotire, who is still serving on the Zoning Board although his appointment was rejected January 4, 1954 by a vote of 19 to 15.

Rutherford Huizinga MOVED that this report be placed on record as part of the minutes and requested that the Clerk address a communication to the Mayor presenting him with a record of this report, seconded by Wardham Collyer.

Hayes Hoyt MOVED to amend this motion to include that another name be suggested as promptly as possible.

James Mulreed MOVED to further amend this motion to include that this request be sent to the Legislative & Rules Committee with the request that it be incorporated in the letter requested in a previous motion at this meeting.

Amended motion accepted by Mr. Huizinga and Mr. Collyer and CARRIED.

On Dec. 7, 1953 the Mayor submitted to this Board the name of John E. Sotire for appointment to the Zoning Board. The Appointments Committee reported on this nomination at our meeting of Jan. 4, 1954 and the confirmation was rejected by a vote of 19 to 15.

Although Section 504 of the Charter and House Bill No. 1780 provide that members of appointive boards shall continue to serve until their successors have been nominated and approved, it was clearly not the intent of the Charter or of those who framed it that rejected appointees continue to serve indefinitely.

In the absence of any nomination by the Mayor at this meeting for a new member of the Zoning Board, Mr. Sotire will have served at least six months beyond the date when his confirmation was refused.

In view of the intent of the Charter, the expressed sentiment of this Board and the fact that failure to replace Mr. Sotire casts serious doubt on the legality of actions taken by the Zoning Board since January 4, 1954, I respectfully urge the Mayor to submit a nomination for this post without further delay.

Thomas Killeen MOVED to adjourn the meeting, seconded and CARRIED. The meeting was adjourned at 11:50 P.M.

Respectfully submitted,

William D. Murphy
Temporary Clerk