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The regular meeting of the Board of Representatives of the City of Stamford was held on Monday, July 12, 1954 at the Burdick Junior High School Auditorium. George V. Connors, President, called the meeting to order at 8:10 P.M.

Invocation was given by Rev. James F. McGrath, Assistant Pastor of St. John's Catholic Church.

Roll call was taken by Clerk Alphonse Jachimczyk. There were 32 members present and 8 absent. The absent members list as follows: Helen Bromley, Joseph Caputo, Joseph F. Iacovo, Martin H. Cash, Sr., Patrick J. Hogan, Edward G. Ryba, John W. Cook, Thomas J. Topping.

Irving Snyder MOVED for Suspension of the Rules to permit Mayor Quigley to submit his Annual Message.

Mayor Quigley summarized in his annual report to the Board the accomplishments of the administration during the fiscal year 1953-1954. A copy of his message is on file in the office of the Board of Representatives and each member received a copy.

George Connors submitted minutes of June 7, 1954 for acceptances.

William Murphy MOVED that a change be made on Page 718, 1st paragraph under PLANNING & ZONING COMMITTEE be deleting the entire paragraph and inserting the following:

"William Murphy, Chairman, said that Neponsit Street was accepted June 2 1952 with no distance specified. Mr. Murphy MOVED that the acceptance report be amended to show that Neponsit Street extends approximately 160 feet easterly from Dora Street and approximately 170 feet westerly from Dora Street, seconded by John Cook and CARRIED." Motion was seconded and CARRIED.

Irving Snyder MOVED that the minutes of June 7, 1954 be accepted as amended, seconded by Phil Coulter and CARRIED.

Fiscal Committee

Patrick Scarella stated the Fiscal Committee unanimously approved the additional appropriations for 1953-54 appearing on the agenda and that said requests would be submitted individually for approval of the Board.

Patrick Scarella MOVED approval of the additional appropriation of \$230.08, Code 430.12, Radio requested by the Police Department, seconded by Rutherford Huizinga and CARRIED UNANIMOUSLY.

William Kaminski MOVED that the report submitted to him re regulations pertaining to the Board and its meetings be turned over to the Legislative and Rules Committee for review, seconded by Doris Zuckert and CARRIED.

Patrick Scarella MOVED approval of the additional appropriation of \$260.00, Code 430.5, Telephone and Teletype requested by the Police Department, seconded by Doris Zuckert and UNANIMOUSLY CARRIED.

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Patrick Scarella MOVED approval of the additional appropriation of \$1500. for Code 488, Employees' Medical and Hospital Account requested by the Corporation Counsel, seconded by Alphonse Jachimczyk and CARRIED UNANIMOUSLY.

Patrick Scarella MOVED approval of the additional appropriations of \$526.35, Code 550.4 Advertising and \$24.00 Code 550.3 Postage requested by the Zoning Board, seconded by Alanson Fredericks and CARRIED UNANIMOUSLY.

Patrick Scarella MOVED approval of the additional appropriation for \$1,000. for Code 511.16, Plumbing Repairs requested by J. M. Wright Technical School, seconded by Alphonse Jachimczyk.

Rutherford Huizinga amended the motion to the budget of 1954-55, but after Corporation Counsel gave a ruling that it was impossible to make this deviation inasmuch as it was requested for 1953-54 and approved by the Board of Finance accordingly and would require the Board of Representative's approval in the same manner in order that it be correct and legal. Mr. Huizinga withdrew his amended motion.

Question on the original motion was voted upon and CARRIED UNANIMOUSLY.

Patrick Scarella MOVED approval of the additional appropriations requested by the City Clerk for \$1,432.70, Code 470.9a Hunting Licenses and \$150.00, Code 470.9, Statutory fees paid doctors and sextons, seconded by Alanson Fredericks and UNANIMOUSLY CARRIED.

Rutherford Huizinga requested for reconsideration of items 10 and 11 except for the \$500.00, Code 440.22A, New Equipment (not approved by the Board of Finance) which was defeated at the Special Meeting held June 30, 1954.

Rutherford Huizinga Moved for Suspension of the Rules to add these items, to the Agenda, seconded by Norton Rhoades and CARRIED.

Rutherford Huizinga MOVED for consideration of these items, seconded by Phil Coulter and CARRIED.

Rutherford Huizinga MOVED approval of the additional appropriation of \$6400. for Code 414B.15, Power and Water Account at the Treatment Plant requested by the Public Works Department, seconded by Alanson Fredericks and UNANIMOUSLY CARRIED.

Rutherford Huizinga MOVED, seconded by Phil Coulter, for approval of the additional appropriations of \$520. for Code 440.12A Maintenance of Fire Alarms, \$170. for Code 440.18 General Repairs to Buildings and \$75.00 for Code 440.5 Telephone being requested by the Fire Department. Motion CARRIED UNANIMOUSLY.

George Connors read a letter dated July 6, 1954 received from Commissioner of Finance Thomas Morrissey, Jr. requesting the various departments to use the word "additional" instead of the word 'emergency' in the future. It also asked that this measure be applied in wording resolutions adopted by the Board of Representatives.

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Legislative & Rules Committee

Paul Plotkin, Chairman, stated that conferences re Ordinance re "Door to Door Solicitors for Future Deliveries" had been held and had been thoroughly considered. The committee recommends that this ordinance be approved as published with the deletion of Item 6, covering PERMIT FEE and so **MOVED**; seconded by Rutherford Huizinga.

Hayes Hoyt Amended the Motion requesting that the ordinance be referred back to the Legislative & Rules Committee for further consideration for several reasons not necessarily to do with the subject of the fee, but to do with out-of-town solicitors and ~~earnestly~~ **MOVED** that this ordinance go back for more intensive study; seconded by Dwight Marshall. Motion Carried by a vote of 22 in favor, 8 opposed.

James Mulreed stated that this ordinance had received full approval of the Corporation Counsel with exception of the Section covering Permit Fee and urged reconsideration for approval of the ordinance this evening. However, the Chairman ruled the amended motion was in order and requested the next order of business.

William Kaminski **MOVED** for a two minute recess, seconded and Carried.

George Connors recalled the meeting to order advising that Helen Huben and Vincent Vitti had asked permission to leave early.

Paul Plotkin, Chairman, **MOVED**, inasmuch as a request had been received from Attorney Maurice Buckley acting for the Stamford Advocate re advertising on the proposed Ordinance re Going-Out-of Business Sales, for referral back to Committee, seconded by Doris Zuckert and **DEFEATED** by a vote of 8 in favor, 22 opposed.

James Mulreed **MOVED** for adoption of the Ordinance re Going out of Business Sales as published, seconded by Wardham Collyer.

Paul Plotkin **MOVED** to amend the Motion requesting that the following sentence be added to Section 1. of this Ordinance reading "The provision of this Section does not indicate any violation on the part of any public media which accepts for publication an advertisement of the nature mentioned above, seconded by Hayes Hoyt.

Rutherford Huizinga further amended the motion that said sentence be inserted subject to the approval of the Corporation Counsel.

Paul Plotkin and Hayes Hoyt accepted this amendment to his amended motion. Question on the amended motion was voted and **CARRIED** by 29 members voting yea, and one member voting nay.

Ordinance #37 Supplemental - re Closing Out Sales City of Stamford

BE IT ORDAINED BY THE CITY OF STAMFORD

Section 1. License Required. It shall be unlawful for any person, partnership, firm or corporation to conduct at retail, within the City of Stamford, any sale of, or advertise or offer for sale any goods,

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wares and merchandise of any and all descriptions which is set forth by the seller as anticipatory to the termination, closing, liquidation, windup, discontinuance, conclusion or abandonment of the business, or in any other manner to reasonably convey to the public that upon the disposal of the stock of goods on hand the business will cease and be discontinued, without first obtaining from the Controller of the City of Stamford a license to be known as a "Closing Out Sale License". The provision of this section does not apply to any public media which accepts for publication an advertisement of the nature mentioned above.

Section 2. Application for License. Every person, partnership, firm or corporation requiring a "closing out sale license" shall make application in writing to the Controller of the City of Stamford by filing with the said Controller an application in the form provided by him and attached thereto an inventory containing a complete and accurate list of the stock of goods, wares and merchandise on hand to be sold at such sale and shall have attached thereto an affidavit by the applicant for such license or his, their or its duly authorized agent, from which it shall appear that the information set forth in said inventory is true and correct to the knowledge of the person making such affidavit. Said affidavit shall contain the true name of the owner of the goods to be offered for sale, the name of the operator of the sale if a person other than the true owner, the method by which the applicant for the license, or the true owner of the goods if a different person, acquired title to the same and the reason for the urgent and expeditious disposal thereof. Said inventory shall contain a listing of all goods which have been in stock for a period of fifteen (15) days or longer prior to the application for the license and a listing of all goods received in stock within fifteen (15) days immediately preceding the application for the license.

Section 3. Issuance and Duration of License. The controller of the City of Stamford shall, upon application as set forth above, issue, for a period not to exceed sixty (60) days, a "closing out sale license" provided no defect appears in the title to the goods, no false representation is made in such application, or no taxes previously levied or assessed by the City of Stamford against the goods, wares and merchandise offered for sale remain unpaid.

Section 4. License Fee. The Controller of the City of Stamford shall receive a fee of twenty-five (25) dollars for each "closing out sale" license.

Section 5. Violations. Each article of goods sold not listed in the inventory filed or sold without a license or after a license shall have expired or otherwise sold in violation of the provisions hereof shall constitute a separate offense under this ordinance and any false or misleading statement in said inventory or application shall constitute a violation of this ordinance.

Section 6. Exemptions. The provisions of this ordinance shall not apply to sales conducted by public officers, sales conducted under judicial process or to duly licensed auctions.

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Section 7. Penalty. Any person violating the provisions of this ordinance, as set forth in Section 5 above, shall be subject to a fine of not less than one hundred (100) dollars or thirty (30) days in jail or both.

Section 8. This ordinance shall take effect upon the date of its enactment.

James Mulreed stated the committee had carefully reviewed the regulations submitted by the Board of Recreation re Parks, Bathing Beaches and Recreational Areas and after a round table discussion, it was agreed that certain changes be made so that the regulations would conform with existing ordinances in the Code of General Ordinances.

The Following Changes are recommended:

1. Section 1. After the words, "any public park", second line of Section 1 delete "or without the permission of the Board of Recreation". Third from last line of Section 1, after the words "Bureau of Parks" delete the words "or Board of Recreation".
2. Section 7. First line, Section 7, after "for sale in" insert "any park, beach or recreation area".
3. Section 9. Insert after "upon the grounds", third line last few words "of any park". Delete fourth line after "consent of the" the following "Board of Recreation, and the".
4. Section 11. Fifth line, after "Board of Recreation" insert "and the Bureau of Parks".
5. Section 13. Second line, first word, change the word from "floating" to "inflated".

Rutherford Huizinga MOVED that the regulations for Parks, Bathing Beaches and Recreational Areas be approved and adopted as corrected, seconded by Paul Plotkin and CARRIED UNANIMOUSLY.

Paul Plotkin submitted two proposed ordinances for consideration of publication and adoption at the August 2, 1954 meeting, seconded by Irving Snyder and CARRIED UNANIMOUSLY, 30 members voting yea.

ORDINANCE RE PERMIT FEE FOR GAS-FIRED BURNER

BE IT ORDAINED by the City of Stamford that Ordinance #8, Supplemental Paragraph 1 amending the Building Code of the City of Stamford be and hereby is amended to read as follows:

1. By including in Appendix E, Construction Permits and Fees, a fee of \$2.00 for a permit for installation of an oil burner or a gas-fired burner.

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

ORDINANCE RE: HORIZONTAL DISTANCE AROUND BOILER, WARM AIR FURNACES OR OTHER HEATING DEVICES

BE IT ORDAINED BY THE CITY OF STAMFORD that Article XI Section 1101, paragraph 1., sub-section (b) of the Building Code of the City of Stamford be and hereby is amended to read as follows:

(b) The horizontal clear distance from combustible material, including plaster on combustible base, for all types of boilers, furnaces and heaters, shall be not less than a minimum of eighteen inches in all directions from such boiler. All wood lath and plaster and other combustible ceilings and beams, over and for a minimum distance of eighteen inches in all directions from such boiler shall be shielded with approved metal or other approved fire resistive materials. The distance from the top of the boiler, furnace or heater to the said shield shall not be less than eighteen inches and shall be well ventilated.

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

Paul Plotkin MOVED for Suspension of the Rules to consider a Resolution re public hearing re recently included sewage areas and changing of tax district because of sewage service, seconded by Alanson Fredericks and CARRIED.

Paul Plotkin submitted Resolution re: Extension of First Tax District and MOVED its approval, seconded by Phil Coulter and CARRIED.

RESOLUTION #181--EXTENSION OF FIRST TAX DISTRICT

BE IT RESOLVED by the Board of Representatives of the City of Stamford that pursuant to Section 620.2 of the Charter of the City of Stamford, it is hereby directed that a public hearing be held regarding the inclusion of areas recently serviced by sanitary sewers in the "A" Sub-Tax District and that public notice be given thereof.

Paul Plotkin Moved adoption of an Ordinance Authorizing Sale of a Fifty (50') Foot Strip of City-Owned Property to Mary R. Smith similar to wording of Ordinance 22 Supplemental adopted 6/6/53 but deleting the following words from the third to the last line of the first paragraph "provided the Mayor and the Board of Finance approve within ninety days of the date hereof." Paul Plotkin further Moved that previous publication not be required, in accordance with Section 204.1 of the Charter, inasmuch as this was merely a re-enactment of an ordinance already adopted but because of default of action by the Board of Finance had become invalid. Question on the motion was voted and CARRIED UNANIMOUSLY, 30 members voting yea.

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ORDINANCE #22A SUPPLEMENTAL

AN ORDINANCE TO AUTHORIZE SALE OF A FIFTY (50') FOOT STRIP OF CITY-OWNED PROPERTY TO MARY R. SMITH

BE IT ORDAINED BY STAMFORD THAT in conformity with Section 488 of the Stamford Charter and notwithstanding any provision of Chapter 31 of the Code of General Ordinances of Stamford, the sale to Mary R. Smith residing at East Hunting Ridge Road of the following property, viz; a strip of approximately fifty feet starting at Rockrimmon Road where the property of the City of Stamford joins the property of the Rock Rimmon Development Company proceeding southerly along Rockrimmon Road for approximately 86 feet, thence generally westerly to the property of Mary R. Smith, all as set forth on a map by L. Bromfield, Jr. dated October 3, 1951 and filed with the Town and City Clerk, March 2, 1953, as Map 4637, entitled Proposed Purchase of Land belonging to the City of Stamford from Rockrimmon Road to land of Mary R. Smith of Stamford, for a consideration to be determined jointly by the Commissioner of Finance and the Assessor but in no event less than five hundred dollars, is hereby authorized.

The Mayor is hereby authorized and empowered to act for the City to acknowledge receipt of the consideration required hereunder and to execute any and all documents necessary to transfer title to said property.

This ordinance shall take effect upon its passage.

Steering Committee

George Connors read the Steering Committee report. The following changes in committees were placed on record. Alanson Fredericks was appointed to the Appointments Committee replacing Karl Young. Martin Cash was transferred from Health & Protection Committee to Public Works Committee. Thomas Killen was transferred from Public Works Committee to Health & Protection Committee.

Irving Snyder MOVED that the building permit fee of \$129.00 be waived and refunded to the Springdale Fire Department, as was granted the Glenbrook Fire Department, re the building of a new firehouse in Springdale, seconded by George Russell and CARRIED UNANIMOUSLY.

Alanson Fredericks MOVED for Suspension of the Rules to Consider a similar request from the Turn of River Fire Department, seconded by Alphonse Jachimczyk and CARRIED.

Alanson Fredericks MOVED that the building permit fee for the construction of a new firehouse by the Turn of River Fire Dept., known as Roxbury Fire Station, be waived, seconded by Alphonse Jachimczyk and CARRIED.

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COMMUNICATIONS FROM THE MAYOR

Building Lines Summer & Bell Streets. George Connors read a letter from Mayor Quigley dated June 4, 1954 quoting Section 640 of the Charter which states that the Board of Representatives is empowered with the approval of the Mayor to establish building lines.

Hayes Hoyt MOVED that this matter be referred to the Legislative & Rules Committee and also to Corporation Counsel John Hanrahan as to what our legal action as a Board shall be, seconded by Doris Zuckert and CARRIED.

Petitions

Petition #173 - Hubbard Heights Garden Club. Stephen Kelly MOVED that permission be granted the Hubbard Heights Garden Club to hold a street Fair on the dead end section of West North Street at Rachele Ave. on September 9 from 11:00 to 5:00 P.M., seconded by Wardham Collyer and CARRIED.

Petition #174 - Stamford Recreation Boxing Club. Irving Snyder MOVED that permission be granted the Stamford Recreation Boxing Club to hold an exhibition on the grounds of the Springdale Fire Dept. from July 26 to July 31, 1954, seconded by Stephen Kelly and CARRIED. It was pointed out that permission of the Board was unnecessary as the exhibition is being held on private grounds.

Thomas Killeen MOVED suspension of the rules to consider a request of Chief Kinsella re installing traffic signs, seconded by Samuel Picciallo and CARRIED.

Thomas Killeen MOVED that permission be granted Chief Kinsella to install traffic signs in the parks requested in his letter, seconded by Frank Longo.

Alanson Fredericks amended the motion to include "if permission of the Board be necessary." Amendment accepted by Mr. Killeen and amended motion carried.

COMMUNICATIONS FROM OTHER BOARDS AND INDIVIDUALS

George Connors read letters of thanks from Fred Lione for honor bestowed upon his brother Michael Lione; also letter from Chief Joseph W. Kinsella of the Stamford Police Department and from Chief Thomas F. Richardson of the Stamford Fire Department in re their recent appointments.

George Connors stated a copy correcting pages 5 and 6 of Loan and Grant Contract No. UR Con 4-1 (IG) of the Urban Redevelopment Commission had been forwarded to each member of the Board for revision made and asked that it be inserted in the proper place for future reference.

George Connors read a letter from the Sewer Commission dated June 25, 1954 stating that public hearings cannot be held until all legal details

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are completed and that this is in the hands of the Corporation Counsel of the City of Stamford.

George Connors read Corporation Counsel's letter of May 27, 1954 re Filling vacancies on Zoning Board, stating that after examination of the Charter, same fails to reveal any express duty of the Mayor to ~~submit a new name~~ or resubmit the old name of an appointive board member after rejection of an appointment under the circumstances such as John Sotire. Reference is made to Sections 503 and 504 of the Charter.

Wardham Collyer expressed thanks for this opinion but stated it certainly does not change the major part of his report submitted at an earlier meeting.

Wardham Collyer MOVED, seconded by Phil Coulter, that another letter be sent to the Mayor again requesting that he submit a new name for nomination for the Zoning Board since John Sotire was rejected by this Board several months ago and is still serving on this Board* although ample time has been given the Mayor to submit another name.
*for eight months.

Paul Plotkin Amended the Motion to request the Board to direct Wardham Collyer as a committee of one to meet with the Mayor with regard to this appointment and to report back to this Board at its next meeting, seconded by William Kaminski. A vote on the amended motion was taken and DEFEATED by 6 in favor, 22 opposed.

Question on the original motion brought to vote and CARRIED by a vote of 18 in favor, 11 opposed.

Stephen Kelly suggested that a Picnic Committee be appointed to arrange for a picnic of the Board of Representatives. The following members were appointed: Helen Peatt, Doris Zuckert, John Cook, Joseph Caputo, George Connors and Katherine Kaminski.

Alanson Fredericks MOVED to adjourn, seconded and CARRIED. The meeting adjourned at 12:25 A.M.

Respectfully submitted,

Alphonse Jachimczyk
Clerk