

A regular meeting of the Board of Representatives of the City of Stamford, Conn. was held on Monday, August 5, 1957, in the Cafeteria of the Walter Dolan Jr. High School Toms Road, Glenbrook. The meeting was called to order by the President, Mr. George Connors, at 8:25 P.M.

INVOCATION was given by Rabbi Joseph Joseph H. Ehrenkranz, of Congregation Agudath Sholom.

ROLL CALL was taken by the Clerk. There were 31 present and 9 absent at the calling of the roll. However, Mr. Georgoulis arrived later, changing the roll call to 32 present and 8 absent. The absent members were: William Brett, Clifford Waterbury, Esther Mitchell, Paul Plotkin, Eugene Barry, Anthony Kolich, Jr., George Russell and John Lilliendahl, Jr.

ACCEPTANCE OF MINUTES - Meeting of July 1, 1957

MR. FREDERICKS MOVED for acceptance of the Minutes. Seconded by Mrs. Bankowski.

Mr. Baker called attention to page 1650, 2nd paragraph, remarks by Mr. Topping in regard to a letter being written to petitioners. He asked that this be corrected to read that this matter was tabled.

Mr. Rybnick called attention to page 1657, middle of page: "Mr. Raiteri moved". He stated that the Personnel Committee has no right to go into the background of any recommended appointment by the Mayor.

MR. RAITERI: "At that time the thought was that you had a letter from the firemen stating that they had a grievance on that particular appointment. Those names were not both before the Mayor and we wanted to know the reasons why this name was not recognized." (meaning the name of the Fireman)

VOTE taken on acceptance of Minutes and approved unanimously.

REPORTS OF COMMITTEES

Steering Committee:

Mr. Connors, Chairman, read the following report of the Steering Committee:

STEERING COMMITTEE REPORT Meeting held July 22, 1957

The Steering Committee of the Board of Representatives met in the Mayor's Office, City Hall, at 8:20 P.M. on Monday, July 22, 1957.

The following members were present: George V. Connors, Chairman; John Macrides, Alanson Fredericks, Norton Rhoades, Helen Peatt, Rutherford Huizinga, Clement Raiteri, Jr., Robert Lewis, William Kaminski, George Georgoulis, Vincent Vitti and Stephen Kelly. Thomas Topping and Ellis Baker also were present, but not as members of the Committee.

The absent members were: Joseph Milano and Joseph Iacovo.

The following matters were acted upon:

- (1) Letter dated July 19, 1957 from Mayor Quigley re pension for John P. Reilly, former Probation Officer of the City Court.

Referred to Fiscal Committee.

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- (2) Research Drive - Petition for road acceptance approved by Board of Representatives April 2, 1956.

Mr. Connors explained it was brought to his attention that there had been some discrepancy in the length of the road in the original petition for road acceptance, as it was accepted by the Board on April 2, 1956, the length being 980 feet, while the actual length of this road as shown on Map #5416, Block 319, filed June 30, 1955 in the City Clerk's office, is 1,480 feet.

Referred to Planning & Zoning Committee.

- (3) Memorandum dated July 22, 1957 regarding interpretation of Charter on number of votes necessary for passage of additional appropriations after adoption of budget for current fiscal year.

Mr. Connors read a memorandum concerning his conversation with the Corporation Counsel. To be placed on Agenda under Communications.

- (4) Letter dated July 19, 1957 from Mayor Quigley regarding request for a transfer of \$15,000 for GROUP INSURANCE from the Special Insurance Fund, which was ordered stricken from the Agenda at the July Board meeting.

Referred to Fiscal Committee.

- (5) Petitions for road acceptance referred to the Planning & Zoning Committee.

- (6) Petition for change of name of Eden Avenue to EDEN ROAD from property owners and residents of said street.

Referred to Legislative & Rules and Planning & Zoning Committees.

- (7) North Stamford Congregational Church - Letter dated July 11th requesting permission to hold annual Settlers Day on Sept. 14, 1957 and close street.

Referred to Parks & Recreation Committee.

- (8) The Hubbard Heights Garden Club - Petition requesting permission to use dead end of West North Street for a street Fair on Sept. 12, 1957

Referred to Parks & Recreation Committee.

- (9) Letter dated July 21, 1957 to Mr. Raiteri, 6th District Representative, regarding dangerous conditions existing in the 15th District on Glenbrook Road, from Rose Blois, 522 Glenbrook Road.

Referred to Public Works Committee.

- (10) Letter dated July 11, 1957 from George Georgoulis, 4th District Representative, regarding need of a traffic light at the corners of Division Street and Clinton Avenue. Referred to Health & Protection Committee.

- (11) Mr. Fredericks brought up the question of the setting of dates for the September and November meetings.

It was agreed that because of Labor Day falling on the first Monday in September, that the Board meeting for this month should be held September 9th.

In regard to the November meeting, it was agreed that, because of elections, it would be best to hold the meeting on Friday, November 1st, instead of the first Monday.

- (12) Service Contract for Electric Typewriter in Board of Representatives' office.

It was agreed that it would be advantageous to obtain a service contract on the typewriter, inasmuch as the guarantee period has expired.

- (13) Service Contract for Thermo-Fax Secretarial copying machine in Board of Representatives' office.

After discussion, it was agreed that it might be advantageous to obtain a service contract on this machine, but it would not be advisable to do so until after the guarantee period had expired. (Note: The guarantee period expired in May 1957)

- (14) Mr. Vitti brought up the question of a plaque to be installed in the new Police Building. He said every other City Board was represented there, with the exception of the Board of Representatives and the Board of Finance, and at the time this appropriation was approved, it was intended that these two city Boards should receive the same honor accorded others.

Referred to Health & Protection Committee to investigate and report back.

- (15) Mr. Raiteri brought up the question of the two stop signs at the Bridge Street bridge and questioned the necessity of them, for the reason that no intersections occur at this point.

Referred to Health & Protection Committee to investigate and report back.

- (16) Annual Picnic.

It was announced that the date of August 25th was open for the Board of Representatives to use Webster Givens' place for their annual picnic.

There being no further business before the Committee, upon motion, duly seconded and carried, the meeting adjourned at 9:40 P.M.

Respectfully submitted

vf

George V. Connors
Chairman
Steering Committee

Fiscal Committee:

Mr. K. nski, Chairman, presented the following report of his Committee:

FISCAL COMMITTEE REPORT
August 5, 1957

The Fiscal Committee of the Board of Representatives, met at the Mayor's Office, Wednesday, July 25th at 8 P.M., Mr. Huizinga, Mr. Bradbury, and the Chairman being present.

- (1) \$15,000 transfer to Group Life Insurance - Mayor's letters of 6/5/57, 6/7/57 and 7/19/57.

This item was moved for acceptance by Mr. Kaminski at our meeting of July 1, 1957, but upon motion of Mr. Huizinga, it was stricken from the

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agenda. The Fiscal Committee now agrees that inasmuch as this in actuality constitutes an appropriation for a specific use, namely, for payment of Group Life Insurance, that action by this Board is necessary.

The Fiscal Committee recommends approval of the transfer of \$15,000 from the Self Insurance Fund to Code GG 834, Group Life Insurance.

- (2) Amendment to 1957-1958 Capital Budget, to increase the amount for the item known as "Bridges" from \$50,000 to \$70,000, as approved by the Board of Finance.

This increase is for the Wire Mill Bridge, that needs replacement as soon as possible. The original increase requested was \$23,000. However, the Board of Finance reduced this amount to \$20,000.

The Fiscal Committee recommends approval of the following resolution:

BE IT RESOLVED by the Board of Representatives of the City of Stamford that the 1957-1958 Capital Projects Budget to hereby amended to authorize an increase in the item known as "Bridges" from \$50,000 to \$70,000, and

BE IT FURTHER RESOLVED to approve an additional appropriation in the amount of \$20,000 to cover cost of a new Wire Mill Bridge

WILLIAM C. KAMINSKI, CHAIRMAN
Fiscal Committee

- (1) \$15,000 - Transfer to Group Life Insurance from Self insurance Fund (See Mayor's letters 6/5/57, 6/7/57 and 7/19/57)

MR. KAMINSKI MOVED for approval of the above request. Seconded by Mr. Kelly.

Mr. Macrides said the Education, Welfare and Government Committee concurs in this recommendation for approval.

APPROVED by unanimous vote.

- (2a) \$70,000 - "Bridges" - Amendment to 1957-1958 Capital Projects Budget (See Mayor's letter of 5/28/57) Increase from \$50,000 to \$70,000 to take care of:

- (2b) \$20,000 - New Wire Mill Road Bridge appropriation

MR. KAMINSKI MOVED for approval of the following resolution. Mr. Topping said the Public Works Committee also approved. Seconded by Mr. Milano and CARRIED unanimously.

RESOLUTION NO. 258

BE IT RESOLVED by the Board of Representatives of the City of Stamford that the 1957-1958 Capital Projects Budget be hereby amended to authorize an increase in the item known as "Bridges" from \$50,000 to \$70,000, and

BE IT FURTHER RESOLVED to approve an additional appropriation in the amount of \$20,000 to cover cost of a new Wire Mill Bridge.

MR. KAMINSKI MOVED for Suspension of the rules to consider the following request. Seconded by Mr. Fredericks and CARRIED unanimously

- (3) Urban Redevelopment Commission - (Request in Mayor's letters of 7/11/57 and 7/31/57) \$175,000 - Urban Redevelopment Meadow Street Project, City Area

MR. KAMINSKI: "Mr. Chairman, it is understood that this amendment to the Capital Projects Budget is for the purpose of making payments on the judgements and anticipated judgements in connection with the acquisition of property in the East Meadow Street Project, and a resolution of appropriation will be necessary before this money is appropriated."

MR. KAMINSKI MOVED for approval of the following resolution. Seconded by Mr. Fredericks and CARRIED unanimously:

RESOLUTION NO. 259

BE IT RESOLVED by the Board of Representatives of the City of Stamford, that the 1957-1958 Capital Projects Budget be amended by adding an item of \$175,000 to be known as "Urban Redevelopment Meadow Street Project, City Area".

MR. FREDERICKS asked Mr. Kaminski the reason why the following request contained in the Mayor's letter of 6/6/57 was not on the Agenda for tonight:

- (4) \$240,435.47 - Transfer from Salary Adjustments Account to various departmental salary accounts. (See page 1639 of 7/1/57 Minutes)

MR. KAMINSKI explained the reason for not putting this on the Agenda was because it was not considered to be within the jurisdiction of the Board, inasmuch as the allocation of funds for this purpose in the 1957-1958 Budget had already been approved by this Board. He explained that transfers of this type had never been brought before this Board in previous years, so it was not considered necessary to do it now - that it had merely been a matter of courtesy to do it this time.

MR. FREDERICKS: "Gentlemen, I think that we have been 'taken'. I would like to have an opinion from the Corporation Counsel on this."

MR. FREDERICKS MOVED this be referred to the Corporation Counsel for an opinion, to be given by the September 9th meeting. Seconded by Mr. Topping.

MR. FREDERICKS called attention to Sec. 402 of the Charter in which provision is specifically made for salary increases for certain city officials. He said he thought the Board should be informed as to whether or not the method followed in granting increases to the city officials specifically referred to under Sec. 402 of the Charter in both the 1956-1957 and the 1957-1958 budgets, were done legally. He said: (referring to the granting of increases to those specific city officials under Sec. 402) "Does it not need the specific approval of the Board of Finance and of the Board of Representatives before any increases can be granted?"

VOTE taken on Mr. Fredericks' motion that an opinion be requested of the Corporation Counsel and CARRIED by unanimous vote.

Legislative & Rules Committee:

MR. RAITERI explained that the Committee had been unable to meet more than once, because of vacations, that the following items on the Agenda be deferred. Seconded by Mr. Iacovo and CARRIED unanimously:

- (1) Petition requesting change of name from Eden Avenue to Eden Road.
- (2) Proposed Ordinance, submitted by Mr. Topping at 7/1/57 meeting.
(See page 1648 and 1649 of July 1st Minutes)

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- (3) Assessment of property owners covering acceptance of private roads, in accordance with Sec. 641 of Charter
- (4) Grade of Private roads to be established.
- (5) Final adoption of proposed Housing Ordinance regulating supplied facilities, maintenance and occupancy of dwellings and dwelling units. (Prepared in accordance with Resolution No. 225, adopted 6/4/56)

MR. RAITERI MOVED for adoption of the following amendment to the above ordinance, which would add a Section 6.9 to Section 6 on page 17 of the proposed ordinance. Seconded by Mr. Kelly and CARRIED by a vote of 21 in FAVOR and 10 OPPOSED:

Sec. 6.9 All house numbers shall be at least two and one-half (2½) inches in height and shall be located at either of the following locations:

- (a) On the front wall of the building, within two (2) feet of the knob side of the door and not less than four (4) feet from the bottom thereof nor at a height greater than the height of the door; or
- (b) On the front wall of the building above the door, at the center line of the opening and within two (2) feet of the height of the door. All transoms shall be considered part of the building wall for the purposes of these rules and regulations; or
- (c) Where an entrance door is recessed in excess of three (3) feet from the building line, the house numbers shall be placed on the front wall of the building nearest the front entrance in accordance with either Paragraph (a) or (b) above;
- (d) Where the front building line is more than fifty (50) feet from the front property line, there shall be a sign placed in a conspicuous place, within ten (10) feet of the front property line, showing the house number.

MR. RAITERI MOVED for final adoption of the following ordinance, as amended above; seconded by Mr. Baker and CARRIED unanimously:

ORDINANCE NO. 65 SUPPLEMENTAL

HOUSING ORDINANCE REGULATING SUPPLIED FACILITIES,
MAINTENANCE AND OCCUPANCY OF DWELLINGS AND DWELL-
ING UNITS IN THE CITY OF STAMFORD, CONNECTICUT

AN ORDINANCE establishing minimum standards governing the condition and maintenance of dwellings; establishing minimum standards governing supplied utilities and facilities and other physical things and conditions essential to make dwellings safe, sanitary, and fit for human habitation; establishing minimum standards governing the condition of dwellings offered for rent; fixing certain responsibilities and duties of owners and occupants of dwellings; authorizing the inspection of dwellings, and the condemnation of dwellings unfit for human habitation; and fixing penalties for violation.

NOTE: For the reason that this ordinance covers some 30 typewritten pages, it is not being entered in the Minutes. Also, copies of the original draft, before amendment, were distributed to all members of the Board. The original copy is

in the files of the Board of Representatives.

- (6) Petition with 4,901 signatures relative to members of the Stamford Fire Department seeking a referendum setting up a 42 hour work week, under Public Act #465, "An Act Concerning Home Rule" passed by the 1957 session of the General Assembly.

MR. RAITERI MOVED for suspension of the rules in order to consider the above petition. Seconded by Mr. Nolan.

MR. RAITERI: "The reason for asking for suspension of the rules is because there is so short a time to follow the procedure outlined in the Act and time is of the essence if we are to do anything about this. We have an election coming up in November at which we can expect a large turn out and if we are to bring this up for referendum, we cannot waste any time."

MR. FREDERICKS: "I appreciate the desire to have this particular question brought before the electors of the city in the form of referendum at the next election. I have read Public Act #465. I am very fearful, as much as I am in favor of having a public referendum on it, that there will not be enough time to act if we go ahead and appoint a Charter Revision Commission and public hearings are held, and the procedure as outlined in the Act is followed in respect to doing it this way -- but I believe this Board can act on this in another way -- there is another way of doing this. I think we can arrive at what we want by a simple action of this Board. There are too many 30 day periods and too many waiting periods in this Bill for us to have enough time to carry out the provisions by appointing a Charter Revision Committee. I believe we can handle it in either of two ways -- that a simple resolution of this Board will be sufficient."

MR. HUIZINGA: "There is one point I want to be sure of -- that is, when we are voting on suspension of the rules, it will have nothing to do with this Act."

MR. RAITERI: "It is my feeling that this is the only way of doing it." (By the appointment of a Charter Revision Commission)

VOTE on suspension of the rules. CARRIED unanimously.

MR. RAITERI: "We are the appointing authority and we are to appoint a Charter Revision Commission. It will be their duty to hold hearings and report to this Board. We can appoint this Commission by resolution. The resolution will state when they are to report to this Board. After that report is given to us, we must then hold a public hearing."

MR. RAITERI MOVED for adoption of the following resolution:

RESOLUTION NO. 260

RESOLUTION CREATING CHARTER REVISION
COMMISSION UNDER PUBLIC ACT NO. 465

BE IT RESOLVED by the Board of Representatives of Stamford Connecticut, that there shall be a Charter Revision Commission in said City, whose duty it shall be to revise or amend the Charter of the City of Stamford, in accordance with Public Act No. 465 of the General Assembly of the State of Connecticut, in its 1957 Session; that the Commission, consisting of seven (7) members, shall serve until December 1, 1957, and shall report to the Board of Representatives at its meeting of September 9, 1957 on any proposed amendments or revisions which may be voted upon at the November 1957 General Election.

Mr. Nolan seconded Mr. Raiteri's motion.

MR. RAITERI said there would have to be two public hearings held - one by the Charter Revision Commission and one by this Board. He said he was prepared to offer the names of the four Democratic members of the Commission now.

MR. IACOVU: "Only two members of this Board can serve on the Commission."

MR. FREDERICKS: "There is a very great question in my mind that what Mr. Raiteri proposes follows the provision of this Act."

MR. RAITERI: "It cannot be done under any other set up."

MR. FREDERICKS: "I would like to get an opinion as to whether or not we have the power by Ordinance or by Resolution to direct that this go before the electors as a referendum. If we have that power, it would be a much easier way to do it. I am afraid of the delimitation."

MR. RAITERI: "It tells you in setting up the Commission that the resolution should provide the election date."

MR. FREDERICKS: "Would there be any objection to handling this both ways?"

MR. RAITERI: "The only thing I am interested in is the ultimate goal."

Mr. DiSesa, the Assistant Corporation Counsel, who was present, was asked his opinion.

MR. DISESA: "It is a little too complex for me to try to give a curbstone ruling on this."

The question was asked if the petition had been certified by the Town and City Clerk and Mr. Raiteri replied that it had.

MR. FREDERICKS said he believed that this Board has the power to act by either resolution or ordinance under Sec 40 (7) which provides:

Sec. 40. Corporate powers enumerated.

Stamford shall, in addition to all powers vested in it under general law, have the following powers:

- (7) to provide, organize, maintain and regulate a fire department, provide the necessary apparatus for extinguishing fires and do all other things necessary or desirable to protect the municipality from fire, and to establish fire limits within the municipality;

Mr. Georgoulis arrived at this time, changing the roll call to 37 present and 8 absent.

MR. FREDERICKS said he thought there should be a ruling from the Corporation Counsel on this matter before the next Board meeting.

There followed discussion as to whether or not the Board could act by resolution or ordinance. A recess was called at 9:30 P.M. to resolve the issue.

The meeting was called to order at 9:55 P.M.

MR. RAITERI again read his resolution. (See Resolution No. 260) Mr. Raiteri said the question had been raised as to whether the Charter Revision Commission has

a right to take up other Charter revisions at the same time they consider the one under advisement and it was decided this was possible.

MR. SNYDER MOVED the question.

VOTE taken on Resolution No. 260 and CARRIED unanimously.

The President announced the names of the following members of the Charter Revision Commission:

Democrats

Leo Kivell
322 Main Street

Joseph J. Toohar
48 Hillside Avenue

Bernard Geronimo
17 Paragon Lane

William C. Kaminski (Board member)

Republicans

Mrs. Mary Richardson (Mrs. W
59 Rogers Road

Robert R. Hume
100 Toms Road

Alanson R. Fredericks
(Board member)

MR. RAITERI MOVED that the above persons be appointed as members of the Charter Revision Commission and that the Secretary cast one ballot. Seconded by Mr. Nolan and CARRIED unanimously.

MR. SNYDER MOVED that the President of the Board call a meeting of the Commission to select their own Chairman. Seconded by several members and CARRIED unanimously.

MR. FREDERICKS MOVED for adoption of the following resolution, which was seconded by Mr. Topping and Mr. Hearing and CARRIED unanimously:

RESOLUTION NO. 261

BE IT HEREBY RESOLVED by the Board of Representatives of the City of Stamford, Connecticut:

That at a regular Town meeting which shall be held in the City of Stamford on the first Tuesday after the first Monday in November of 1957, which meeting shall be warned, held and conducted in accordance with the provisions of the General Statutes governing elections, the electors of said City shall vote by voting machines in the several districts, upon the question of the adoption of an Act to establish a forty-two hour work week for the permanent paid members of the uniformed fire force of the City of Stamford, computed over a period of one fiscal year, based on the schedule of three tours of days of ten hours each, followed by three days off, followed by three tours of nights of fourteen hours each, followed by three days off, followed by three tours of days, and so on, and to provide that all authorized extra duty, in excess of the forty-two hour schedule, other than time spent in an emergency or any other act of duty classified as an act of mercy, shall be compensated for as overtime at the same rate of pay received by the member of the Fire Department for work done during the regular established hours, and to provide that there shall be no diminution in the weekly earnings of the members of the Stamford Fire Department as a result of the adoption of this amendment and there shall be no lessening of the existing

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right and privileges of the members of said Department, and to provide that this Act shall take effect on the first day of the fiscal year next following its approval.

Those electors favoring the adoption of the Act shall cast a vote bearing the words: "For the Act to establish a forty-two hour work week for the permanent paid members of the uniformed fire forces of the City of Stamford". And, those opposing the adoption thereof, shall cast a ballot bearing the words: "Against the Act for the establishment of a forty-two hour work week for the permanent paid members of the uniformed fire forces of the City of Stamford".

If the majority of the votes cast shall be in favor of the adoption of this Act, the Act shall thereupon take effect as provided herein, and a Certificate, showing the result of such election, signed by the Town and City Clerk, shall, within one week thereafter, be filed in the office of the Secretary of the State.

If the majority of such votes shall be against the adoption of this Act, this Act shall not take effect.

MR. FREDERICKS MOVED that this Board request an opinion from the Corporation Counsel as to whether or not this Board has the power, by either resolution or ordinance, to have the question of the forty-two hour work week for the uniformed fire forces of the City of Stamford, placed on the ballot in the forthcoming election to be held in November of 1957. Also, that a copy of this opinion be furnished to the Charter Revision Commission. Seconded by Mr. Topping, and CARRIED unanimously.

Public Works Committee:

MR. TOPPING, CHAIRMAN, presented the following report of his Committee:

REPORT, PUBLIC WORKS COMMITTEE
August 5, 1957

Meeting held at 28 Lenox Avenue, on July 31, 1957. The members present were: Alan Ketcham and Thomas Topping.

Item 2 (a) on Fiscal Committee report, as referred to the Public Works Committee was discussed and it was voted to recommend to the Board of Representatives our approval of this item.

Item 2 (b) was also approved, although, as stated in the Agenda, it should be considered as an appropriation and not as a resolution.

Letter from Rose Blois, referred to this Committee by the Steering Committee, was also discussed and the Public Works Committee would like this matter to be recommitted to Committee for further action, and I so move.

Respectfully submitted,

Thomas J. Topping, Chairman
Public Works Committee

MR. BAKER moved the report be approved. Seconded and CARRIED unanimously.

Planning & Zoning Committee:

2577

In the absence of the Chairman of the Committee, Mr. Murphy presented the following committee report:

REPORT, PLANNING & ZONING COMMITTEE

A meeting of the above committee was held at 8 P.M. Thursday, July 25, 1957 at Avignone's restaurant and the following items were considered:

1. Change of name of Eden Avenue to Eden Road.
2. Research Drive acceptance - question of length accepted.
3. Proposed specifications for road pavements.
4. Referral of letters of residents of Arrow Head Drive and Smoke Hill, concerning expiration of performance bonds.
5. Acceptance of new roads.

Item 1 - Re change of name of Eden Avenue. Asked to be held in Committee so as to be submitted at the September meeting with other necessary proposed road name changes.

Item 2 - Committee members, George Russell and Bill Murphy, who personally inspected and checked Research Drive in March, 1956, both agreed that, although they did not measure the exact length of the road, they did feel that the road, as completely finished to city specifications at that time, was what they were presenting to the Board for acceptance. Their reasons were: (1) the turnaround was at the terminus of the finished road and the road WOULD NOT have been approved if this turnaround was not considered as a part of the road being accepted; (2) no developer completes a road surface and then asks for only a part of the road to be accepted; (3) the turnaround was part of the city's specifications and was built by the developer only because it was made a part of the condition for acceptance.

It was therefore agreed that Research Drive had, in the intent of the members of the Committee, been presented to the Board at its April 1956 meeting for acceptance of its ENTIRE LENGTH.

Item 3 - A meeting was held in the office of the City Engineer on Tuesday morning, July 23, 1957 at 9:30 A.M., to consider the proposed specifications for road pavements. Attending were: Walter Wachter, Aaron Chase, Charles White, William Brown and Kirk Watrus (both the last being road construction engineers) and George Russell of Planning & Zoning Committee. After considerable discussion on this subject, it was agreed that the new specifications proposed by C. White should have some minor changes and effort would be made to have same ready for Board's August meeting. If not, then not later than the September meeting.

Item 4 - After checking complaints of residents on Arrow Head Drive and Smoke Hill Drive and also after checking on the bond status, the committee agreed that a letter be drafted and sent by the Board to the Corporation Counsel, Mr. John Hanrahan, requesting immediate calling in of bonds. (Present letter with committee report at this time)

Item 5 - Acceptance of new roads. See attached report.

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PLANNING & ZONING COMMITTEE REPORT
ON ROADS - Aug. 5, 1957

The following roads have certified by the City Engineer to be constructed in accordance with the requirements of the Planning Board and the Engineering Department.

They have been inspected and have received favorable approval by the Committee. The Committee recommends their acceptance. All maps referred to are filed in the office of the Town Clerk.

JESSUP STREET - Approximately 650 feet - Located on Map #1336

FOXWOOD ROAD - Approximately 2,500 feet - Located on Map #5530

LANCER LANE - Approximately 651 feet - Located on Map #4998

* MILL LANE - Approximately 550 feet, to Brookhollow Lane -
 Located on Map #5385

** PHAIBAN LANE - Approximately 650 feet - Located on Map #5488

TODD ROAD - Approximately 880 feet - Located on Map #5499

WOOD RIDGE DRIVE - Approximately 1,018 feet - Located on Map #4906

* The name of Mill Lane conflicts with that of Mill Road, about five miles away, and for reasons of public welfare and safety, will have to be changed in the near future.

** Phaiban Lane was re-surfaced by developer after rejection, in January, by this Committee for poor surface.

The following road did not meet requirements when inspected and was disapproved by the Committee because of poor road surface:

EDEN LANE

The Committee requests the Board to recommend the Planning Board not to release the bond on this road until it has been brought up to requirements.

PLANNING & ZONING COMMITTEE

(1) Change of name - Eden Avenue to Eden Road

MR. MURPHY MOVED that this petition be referred back to Committee. Seconded by Mr. Czupka and CARRIED unanimously.

(2) Research Drive - Question as to length accepted on April 2, 1956

MR. CZUPKA, previous Chairman of Planning & Zoning Committee at the time this road was first presented for acceptance as a City street, at the April 2, 1956 Board meeting, spoke briefly. Mr. Czupka stated that at the time this street was accepted and the committee recommended it for acceptance, it was their intent that the road be accepted up to the turnaround. He said they did not measure the length of the road, but it had been their intent to accept the road in its entirety. (See Committee report for further details)

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It was agreed that it had been the intent of the Board to recommend the acceptance of RESEARCH DRIVE in its ENTIRETY, up to the turnaround.

It was MOVED by Mr. Murphy, seconded by Mr. Kelly and CARRIED by unanimous approval that the following roads be accepted as city streets:

JESSUP STREET - Approximately 650 as shown on Map #1336

FOXWOOD ROAD - Approximately 2,500 feet, as shown on Map #5530

LANCER LANE - Approximately 651 feet, as shown on Map #4998

MILL LANE - Approximately 550 feet, to Brookhollow Lane, as shown on Map #5385

PHAIBAN LANE - Approximately 650 feet, as shown on Map #5488

TODD ROAD - Approximately 880 feet, as shown on Map #5499

WOOD RIDGE DRIVE - Approximately 1,018 feet, as shown on Map #4906

MR. MURPHY MOVED that EDEN LANE be denied acceptance for the reason that the road surface was in poor condition. Seconded by Mr. Czupka and CARRIED unanimously.

Personnel Committee:

Re: Circumstances involved in selection of employee representative to Personnel Commission

MR. RYBNICK: "At a meeting held with Mr. Bosen and Mr. Burke of the Firemen's Committee who were delegated to meet with the Personnel Committee of the Board of Representatives we discussed the entire meeting held at Burdick Junior High School, held in reference to electing a member to the Personnel Commission. It was the opinion of the firemen that this meeting was held legally and therefore one of their nominees should have been selected as a member of the Personnel Commission.

"This Committee also has a letter from the Personnel Director, who called this meeting and conducted it. He was also called as a witness at the temporary injunction hearing held at Superior Court in Bridgeport. I would like to read the Personnel Director's letter to you at this time."

MR. RYBNICK read the following communications:

CITY OF STAMFORD, CONNECTICUT

July 31, 1957

Personnel Commission

Dear Mr. Rybnick:

In accordance with your personal request, I am attaching hereto a resume of all the circumstances involved in the recent selection of an employee representative to the Personnel Commission.

Very truly yours,

John F. McCutcheon
Personnel Director

Enclosure

The following is the enclosure attached to the above letter:

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August 5, 1957

At a meeting held at the Burdick Junior High School on December 4, 1956, an election was held to select three names to be presented to Mayor Thomas F. J. Quigley for the selection of a person to be nominated as the employees' representative on the Personnel Commission. The results in votes of this election were as follows:

John Hogan, Fire Department-----	86 votes
John Boesen, Fire Department-----	76 votes
Andrew Suchocki, Fire Department-----	57 votes
Andrew Thorpe, Health Department-----	55 votes
Daniel Morelli, Park Department-----	32 votes
Agnes Duffy, Building Department-----	14 votes
Charles Telesco, Custodian-----	11 votes

The names of the candidates receiving the highest number of votes were certified to the Mayor.

On February 4, 1957, I was advised by Mayor Quigley that, in view of the fact that only 147 employees out of a possible 800, voted in the election, he felt that for the good of the merit system, and in fairness to the classified employees, a system of balloting should be used, wherein everyone receives a physical opportunity to cast their vote.

I invited representatives of the Police, Fire and Custodial departments and the Classified Employees Association to meet with me at the Personnel Office. The Mayor's attitude and desires were made known to them. All groups were in favor of holding an election by ballot, with the exception of the Firemen, who would have no part in any other selective process.

In June of this year, Mayor Quigley called for an election of an employee representative and mailed a ballot to each employee at their home address. The ballots were returned to the Personnel Office, where they were checked as to eligibility and counted. The results, as follows, were transmitted to the Mayor:

Peter Phanos, Public Works Department-----	174 votes
Andrew Thorpe, Health Department-----	152 votes
Frank Grabenstein, Board of Education-----	11 votes
Daniel Morelli, Park Department-----	7 votes
Charles Telesco, Board of Education-----	4 votes
John Hogan, Fire Department-----	3 votes
Andrew Suchocki, Fire Department-----	2 votes
Albert Nichols, Health Department-----	2 votes
Walter Birmingham, Police Department-----	1 vote
Margaret Maher, Health Department-----	1 vote
John McInerney, Police Department-----	1 vote
Elaine Sarantos, Board of Education-----	1 vote
Robert Seidl, Police Department-----	1 vote

plus three unsigned ballots, or a total of 363 votes cast

Under date of June 25, 1957, the writer was served with a subpoena to appear in Superior Court for Fairfield County, to testify in an action pending in said Court between Andrew Suchocki of Stamford, plaintiff, and Thomas F. J. Quigley, defendant. This hearing was held on the 27th day of June, 1957, at the County Court House, Bridgeport, Conn. Up to the time of the hearing, I had no contacts with either the plaintiff's attorney or the Corporation Counsel. I was not approached by either attorney as to the nature of my testimony. The Corporation Counsel did meet me in the corridor outside the Court room and inquired only as to the date of the original meeting and the number of votes received by the individual candidates.

Although subpoenaed by the plaintiff's side, I was not called to the stand by their attorney. After the case was under discussion for some time, I was requested to take the stand, by the Corporation Counsel, and questioned regarding my part in the meeting of record. Questioning was then taken up by the Plaintiff's attorney and in response to leading questions, the following truthful information, which was known to the plaintiff, and others, developed.

For weeks prior to calling the meeting of December 4, 1956, I had made known to all concerned, my reluctance to participate in the election of candidates from whose names a person would be selected by the Mayor, to become the employees representative on the Personnel Commission. As the time for the meeting drew closer, considerable pressure was brought to bear, by representatives of the Municipal Employees, Custodians and Firemen, for me to call and preside at a meeting to be held at the Burdick Junior High School on December 4, 1956. My reluctance to participate was based on the feeling it was not ethical for me to take part in the selection of a candidate for appointment to the Personnel Commission, in which event, this person would become one of my immediate superiors. At the urging of the various groups involved, I attended the meeting, but as late as my entrance into the meeting place that evening, I informed the groups the matter should be settled amicably among themselves.

My consent to preside was given, after I was informed that the meeting would be of only about ten minutes duration and called only to formally endorse members of the classified employees. I was further informed that all groups had a gentleman's agreement that each selection would be on a rotating basis, and as the Police, Fire, and Custodians had been represented on the Commission, it was now the turn of other classified employees' groups to put forth names without opposition. I immediately inquired as to what rules, regulations or precedents had been established for a meeting of this kind and was quite surprised to find they were non-existent. When it appeared a contest was developing, I tried to process the meeting to its conclusion in as fair and impartial manner as I knew how.

I again wish to point out that most of the testimony given was brought out through leading questions mainly on the part of the plaintiff's attorney. If each answer was detrimental to their case, there was nothing I could do to control the issue.

I was pressed for an answer to the question; "Did I feel that the meeting was fair and legal?" My answer was, that as far as that evening's events were concerned, in my opinion, they were fair; however, in the absence of any rules or regulations, I was not qualified to answer as to the legality of the meeting. (This is a question I cannot answer as of this day)

The attorney for the plaintiff tried to draw out an answer that the Mayor had instructed me to call and preside at the meeting of record. For your information, at no time prior to the meeting of December 4, 1956, did the Mayor, on the few occasions I had met him, ever discuss this meeting with me.

At the conclusion of the hearing, the presiding Judge refused to grant the "injunction" to prevent the Mayor from nominating a new Commissioner from the names submitted after the balloting of June 25, 1957.

If there are any questions that are not clarified in this resume' of the case, I will be pleased to discuss these points with you at any time.

JOHN F. McCUTCHEON,
Personnel Director

MR. RAITERI: "What is the opinion of the Committee? Is it your conclusion that the first election was not held legally?" Mr. Raiteri called attention to Section 731 of the Charter (See Special Act No. 651, passed by 1955 session of Legislature).

August 5, 1957

MR. IACOVO: 'What is the ratio of the workers in the various departments?' He was informed that there were about 325 in Public Works, 147 in the Fire Department and 183 in the Police Department.

MR. GEORGIOULIS MOVED for acceptance of the Personnel Committee report. Seconded by Mrs. Bankowski and CARRIED unanimously.

PETITIONS

- (1) Petition No. 235 - Hubbard Heights Garden Club - Request for permission to use dead end of West North Street at Rachell Avenue for Street Fair on Thursday, Sept. 12th from 9 A.M. to 5 P.M.

MR. KELLY MOVED for approval of the above petition. Seconded by Mr. Huizinga and CARRIED unanimously.

- (2) Petition No. 236 - North Stamford Congregational Church - Request for permission to hold annual Settler's Day on Sept. 14th at intersection of Cascade and North Stamford Roads on Saunders Corner from 12 noon to 11 P.M. and to close street for 500 feet to hold a Block Dance.

MR. KELLY MOVED for approval of the above petition. Seconded by Mr. Huizinga and CARRIED unanimously.

- (3) Petition No. 237 - United Fund of Stamford, Inc. - Request for permission to place signs in various city areas relative to annual campaign

MR. KELLY MOVED for approval of the above request, subject to the approval of the Park Commission and the Police Department. Seconded by Mr. Huizinga and CARRIED unanimously.

COMMUNICATIONS FROM OTHER BOARDS AND INDIVIDUALS

- (1) Letter from Corporation Counsel dated June 25, 1957 relative to number of votes necessary for voting on appropriations and special appropriations.

CITY OF STAMFORD, CONNECTICUT
OFFICE OF CORPORATION COUNSEL

June 25, 1957

Board of Representatives

Dear Board Members:

Re: Sections 202.2 and §19 of the Charter relative to number of votes necessary for appropriations and special appropriations

In reply to an inquiry of your President as to the number of votes necessary to pass an appropriation, I advised him that an ordinary appropriation required a majority of the entire membership, or 21 votes, but that a special appropriation under Section §19, required two-thirds of those present at a meeting, or 21, whichever was greater, i.e. - if 21 members were present, 21 votes would be necessary; if 40 members were present, 27 votes would be necessary.

Very truly yours,

John M. Hanrahan
Corporation Counsel

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BUSINESS ON THE CALENDAR

MR. NOLAN announced that the forthcoming picnic would be held at Webster Givens' farm, High Ridge Road and that the charges would be \$6.00 for a couple, \$3.00 for an individual and .50¢ for each child.

MR. CONNORS announced that Mrs. Mitchell had been appointed as a member of the Planning and Zoning Committee.

In respect to members of the Board who recently lost their parents, namely Mrs. Mitchell, Mr. Kolich, and Mrs. Zuckert, a moment of silence was observed.

NEW BUSINESS

Election of Selectman as replacement for Harold A. Parsons, deceased.

The name of CHARLES A. GILBERT, Republican, 6th District, 195 Cold Spring Road, was presented to fill out the unexpired term of Mr. Parsons, ending December 1, 1957, and the vote was unanimous in favor of this appointment.

Upon motion, duly seconded and CARRIED unanimously, the meeting was adjourned at 11:55 P.M.

Respectfully submitted,

George V. Connors

George V. Connors,
President
Board of Representatives

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