

July 6, 1959

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A regular meeting of the Board of Representatives of the City of Stamford, Conn. was held in the Cafeteria of the Dolan Jr. High School, Toms Road, Stamford, on Monday, July 6, 1959.

The meeting was called to order by the President, Mr. Norton Rhoades, at 8:05 P.M.

INVOCATION - Given by Rev. Joseph D. Kucharik of Trinity Lutheran Church.

ROLL CALL was taken by the Acting Clerk, Mr. John Macrides, in the absence (on vacation of the Clerk, Mrs. Doris Zuckert.

There were 33 members present and 7 absent. The absent members were: Joseph P. Milano, Vincent J. Vittf, Peter J. Robertucci, Bernard B. Geronimo, Doris M. Zuckert, Stephen E. Kelly and a deceased member, Patrick J. Fortunato.

Memorial - Patrick J. Fortunato, deceased democratic member from 9th District

MR. RHOADES spoke in tribute to the memory of Patrick J. Fortunato, who died on June 30, 1959. He mentioned the various Committees of which Mr. Fortunato had been a member: Steering Committee, Fiscal Committee, Legislative & Rules Committee, Charter Revision Commission, Special Police Investigating Committee.

A moment of silence was observed in tribute to Mr. Fortunato's memory.

The following resolution was introduced by Mr. Baker who MOVED for adoption. Seconded by Mr. Colatrella and CARRIED unanimously:

RESOLUTION NO. 301

WHEREAS, Patrick J. Fortunato, affectionally known to his friends as "Pat", a native and lifelong resident of Stamford; a two-term member of the Board of Representatives, a Deputy Sheriff of Fairfield County and a former Chairman of the Town Housing Authority, has passed to his eternal rest; and

WHEREAS, Pat's quiet and unassuming manner, his wise counsel, his friendly spirit and his faithful and untiring devotion to the welfare of his native City and of his fellow men, will be deeply missed by all who knew him, and particularly by his associates on the Board of Representatives, to the work of which he gave himself unsparingly;

BE AND IT HEREBY IS RESOLVED that the Board of Representatives is profoundly shocked at Pat's unexpected and untimely passing;

That the Board of Representatives extends to Elizabeth Fortunato, Pat's beloved wife, and to the other members of Pat's family, its sincere condolences on this sad occasion;

That a copy of this Resolution be inscribed on the Minutes of this meeting; and

That a copy of this Resolution be sent to Mrs. Fortunato.

MR. BAKER: "I would like to present a matter which has been agreed upon by the remaining members of the Legislative & Rules Committee. Steps were taken, after having conferred with the members of the Committee, the President of your Board, and Senator Raiteri, who was formerly Chairman, as to the Building Code on which

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Pat spent many highly valuable hours. It so happens that at the time word was received of the unfortunate death of Pat, the Committee was in the process of checking the final proofs of the Building Code, which is on the presses at the moment and will be printed and released within the next fortnight. By action of the Committee, confirmed by the others to whom I have spoken, and having also conferred with other members of the Board, the following has been included on the reverse of the title page of the Building Code: 'For his most faithful and untiring devotion to the preparation of the City of Stamford Building Code, the Code is respectfully dedicated to the memory of the late Patrick J. Fortunato.'

At this time a great many members of the Board spoke in tribute to the memory of Mr. Fortunato.

MR. RHOADES suggested that in addition to the resolution, a copy of these Minutes also be sent to Mrs. Fortunato.

MR. RHOADES: "He had considered very seriously postponing this meeting, out of respect to Pat. Unfortunately, some items, particularly fiscal items, must be handled tonight; otherwise the City will be, at least, embarrassed. Pat would certainly not have wished this to happen. However, the President wishes to request that tonight's discussions be limited to those items which need to be passed tonight and that Committee Chairmen will keep in Committee those items which can properly be postponed until the August meeting."

"One matter which cannot be postponed, is the replacement of Pat as a member of this Board. We have conferred with the Assistant Corporation Counsel, with the hope that it might be possible to postpone this matter until the August meeting. Under the very clear language of the Charter, this cannot be done. There will be no swearing in ceremonies tonight, or any replacement on committees. The President will now recognize Pat's associate in the 9th District, which is customary in these matters, and who will suggest a name in nomination for election to this Board."

Mr. John Fahey (D), 26 Hundley Court, Stamford - 9th District, as replacement for Patrick J. Fortunato

MR. NOLAN submitted the Name of JOHN FAHEY as Representative to this Board from the 9th District. Seconded by Mr. Kolich.

MR. RHOADES: "Mr. Nolan, will you testify to the fact that Mr. Fahey is a registered Democrat and that he resides in the 9th District at this time?"

MR. NOLAN: "I do."

MR. RHOADES: "Are there any other nominations?" There being none, a vote was taken on the election of Mr. Fahey as a member of the Board from the 9th District, and CARRIED unanimously.

MR. RHOADES: "There being no opposition, the Chair rules the election of Mr. Fahey to be unanimous. Mr. Fahey will be sworn in as a member of this Board at the August meeting."

Mayor's Annual Message - Fiscal Year 1958-1959:

MR. RHOADES: "We are in receipt of a letter from the Mayor, which reads as follows:

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CITY OF STAMFORD, CONNECTICUT

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Mr. Norton Rhoades, President
Board of Representatives

Dear Mr. President:

I am delivering 43 copies of my Annual Message (as required under the City Charter) to your Board.

I have decided not to appear in person, as it would take quite awhile to read this report, and I feel that your Board has sufficient business in front of it tonight to not be overburdened as long as this is going to appear in the press and is in written form.

If there are any questions in the future regarding same, I will be only too happy to confer with you.

Best wishes.

Sincerely,

(signed) Webster C. Givens,
Mayor

WOS:et

MR. RHOADES: "There will be no discussion of this report tonight. If anyone wishes to discuss it, they will be given an opportunity to do so at the August meeting."

ACCEPTANCE OF MINUTES - Meeting of May 5, 1959
Meeting of May 7, 1959
Meeting of June 1, 1959

There being no corrections to the above Minutes they were all APPROVED by unanimous vote.

COMMITTEE REPORTS:

STEERING COMMITTEE

MR. RHOADES: "Mr. Macrides, who very kindly took charge of the last meeting of the Steering Committee on June 22, 1959, reports that all items from that meeting have been placed on the Agenda and that no further report needs to be made."

Note: A meeting of the Steering Committee was held in the Mayor's Office, City Hall, at 8 P.M. on Monday, June 22, 1959, with the following members present: John Macrides, Chairman, pro tem; William Murphy, Ellis Baker, Robert Lewis, Thomas Topping, Patrick Fortunato; and the following (not Committee members): George Russell, Joseph Milano and Stephen Kelly.

VF

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APPOINTMENTS COMMITTEE:

MR. LEWIS announced the receipt of a letter from the Mayor, offering the name of LOUIS GREENBAUM Republican, for membership in the URBAN REDEVELOPMENT COMMISSION, for a five year term starting August 8, 1959, to be acted upon at the August meeting.

FISCAL COMMITTEE:

MR. HUIZINGA, Chairman, presented the Committee report. He stated that a meeting had been held on June 15, 1959. Those present were Messrs. Topping, Cummings, Fortunato, Wynn and Huizinga. Absent were Mrs. Zučkert and Mr. Robertucci.

Note: Matters were not taken up in their order on the Agenda.

- (1) \$1,600.00 - July rent, 303 Main Street, for City offices, 1959-1960 Budget
(Item #3 on Agenda)

Code 100.2 -----	\$135.00
Code 575.2 -----	980.00
Code 571.2 -----	485.00
	<u>\$1,600.00</u>

MR. HUIZINGA MOVED for approval of the above items. Seconded by Mr. Topping and CARRIED unanimously.

- (2) \$10,120.00 - Urban Redevelopment Commission - 1959-1960 Operating Budget
Salary and Social Security for 1 year for Executive Director
(Mayor's letter June 3, 1959) (Also referred to URC Committee)
(Item #4 on Agenda)

MR. HUIZINGA MOVED for approval of the above request. Seconded by Mr. Nolan (Chairman of URC Committee) who said his committee concurred in the approval of this item. CARRIED by unanimously vote.

- (3) \$1,500.00 - Wright Technical School property - Appraisal - 1959-1960 Budget
(Item #5 on Agenda) (Mayor's letter June 4, 1959)

MR. HUIZINGA MOVED for approval of the above request. Seconded by Mr. Topping and CARRIED unanimously.

- (4) \$2,000.00 - Department of Public Works - Code 414B.1 - Incinerator-Salaries
(Item #2 on Agenda) (Mayor's letter May 12, 1959) 1958-1959 fiscal year
(Also referred to Public Works Committee)

Note: This item was REDUCED from \$4,000 by the Board of Finance on May 26, 1959.

MR. HUIZINGA: "There is an item here on the Agenda for \$2,000 for the Department of Public Works. It is also referred to the Public Works Committee. I don't recall that that has been referred to our Committee, was it? I'm very sorry that it was left off of my Fiscal Committee report. I don't see how I overlooked it."

MR. TOPPING: "I would like to be heard on this, as it concerns the Incinerator, and additional money needed for its operation. They originally asked for \$4,000 and the Board of Finance cut it to \$2,000. When they have overtime, as they do have quite frequently, this additional money is needed in the salary account."

MR. ROCHE urged that this matter be handled tonight, if at all possible. He was informed that it was on the Agenda and could therefore be voted on.

MR. RHOADES: "The simple facts would seem to be that there is a difference of opinion among the members of the Fiscal Committee as to whether they did, in fact, cover this item at their meeting. Now, the Public Works Committee obviously did and if the Fiscal Committee did too, and Mr. Huizinga's memory is being refreshed by other members of the Committee, then we have no problem."

MR. HUIZINGA: "I don't recall that this was referred to our Committee at all and I don't think that it was. If it was referred to our Committee, then it didn't get there for some reason, I don't know why. However, I can see no reason why it cannot be voted upon tonight."

MR. FREDERICKS: "Let's move for suspension of the rules to get around the proposition of referral to two committees, as long as Fiscal is in doubt whether or not it was referred to it." Seconded by Mr. Connors and CARRIED unanimously.

MR. TOPPING MOVED for approval of item No. 4 (No. 2 on the Agenda). Seconded by Mr. Huizinga and CARRIED unanimously.

(5) \$30,000.00 - Belltown Fire Department (Mayor's letter March 12, 1959)
(Item #1 on Agenda) (Also referred to Health & Protection Committee)

MR. HUIZINGA: "There was also referred to this Committee a request for an additional appropriation of \$30,000 additional funds for the construction of the Belltown Fire House. Mr. Julius Wilensky, President of the Belltown Volunteer Fire Department, made available to our Committee detailed information on the construction of this new building, including a detailed blueprint of the actual construction plans.

"He also gave us a schedule of detailed estimated costs. On the basis of an estimate which was made in March 1959, it was determined that the entire cost would be \$134,895.00. At that time, it was planned to finance this \$134,895.00 as follows:

Previous appropriations -----	\$ 47,500.00
Funds from 1958 drive -----	10,400.00
Sale of present fire house -----	20,000.00
Anticipated fund drive in 1959 -----	27,000.00
This special appropriation -----	30,000.00
Total -----	\$134,900.00

"The Committee was also advised that the plans and specifications had been put out to bid, and that the lowest bid was a good deal more than they had anticipated, and therefore it now looks as though the cost for the new fire house will be \$151,895.00, rather than \$134,900.00

"Your Committee spent a great deal of time and discussion on this request for the additional \$10,000.00. We also secured a great deal of statistical information on all of the volunteer fire departments' property. It was unanimously voted by the Committee that the type and size of the proposed building far exceeded the needs of the particular vicinity which this particular organization served. We therefore do not approve of this additional appropriation of \$30,000.00."

Mr. Huizinga continued with his explanation as to why the Committee came to the conclusion not to approve the appropriation. There was considerable debate at this point.

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MR. RHOADES: "The Charter provides in matters of this kind that there must be a two-thirds affirmative vote of the members present, but not less than 21. Mr. Macrides tells me that two-thirds of the members present would be 22."

MR. WILENSKY MOVED for approval of item #5 - \$30,000 for the Belltown Fire Department. Seconded by Mr. Baker.

MR. WILENSKY spoke in favor of this appropriation.

MR. LEWIS said the Health & Protection Committee concurs with the Fiscal Committee.

Several members spoke in favor of this appropriation and a few opposed it.

MR. RHOADES vacated the Chair to Mr. John Nolan, Majority Leader, in order to speak in favor of this appropriation.

After a great deal of further debate on this question, a rising VOTE was taken on the requested appropriation of \$30,000 for the Belltown Fire Department and was CARRIED unanimously in favor of granting the request.

- (6) Urban Redevelopment Commission, Meadow Street Project, City Area - Request for renewal of note for one year - bank loan in amount of \$175,000 - In letter dated July 1, 1959 from Mayor Givens (Sec. 633 of Charter requires only approval of the Board of Representatives)

Note: See page 1929-31, Minutes of June 2, 1958 - Resolution No. 277. Also see page 1665, Minutes of August 5, 1957, Resolution No. 259.

MR. HUIZINGA MOVED for suspension of the rules to consider the above item, not on the agenda for tonight. Seconded by Mr. Topping and CARRIED unanimously.

MR. HUIZINGA: "About a year ago we passed Resolution No. 277 which authorized the Mayor of the City of Stamford to borrow \$175,000 on a temporary basis, for a term of one year, or less, to be paid by proceeds of a bond issue or proceeds from the sale of Urban Redevelopment Meadow Street property. We had hoped in this 12 months to sell the East Meadow Street property in order to repay the loan, but as of this date this has not been accomplished. The loan is now due and it is therefore necessary for this Board to pass a resolution to renew the loan."

MR. HUIZINGA MOVED for approval of the following resolution. Seconded by Mr. Nolan, who said the Urban Redevelopment Committee concurred in the recommendation. CARRIED by unanimous vote:

RESOLUTION NO. 302

CONCERNING AUTHORIZATION TO RENEW LOAN OF
\$175,000 - URBAN REDEVELOPMENT COMMISSION
MEADOW STREET PROJECT, CITY AREA

BE IT THEREFORE RESOLVED by the Board of Representatives of the City of Stamford, under the authority granted by Section 633 of the Charter, that this Board hereby authorizes the Mayor of the City of Stamford to renew the loan of \$175,000 authorized by Resolution No. 277, on a temporary basis, for a term of one year, or less, to be repaid by proceeds of a bond issue or proceeds from the sale of Urban Redevelopment Meadow Street property, or both.

LEGISLATIVE & RULES COMMITTEE:

MR. BAKER presented his Committee report.

MR. BAKER: "Meetings of the Committee were held on June 11 and 18 and July 2. The meetings of June 11 and June 18 were devoted to proof reading the galley proofs of the Building Code and to the consideration of the Street Opening Performance and Maintenance Bond.

"The meeting of July 2 was given over to the consideration of other agenda items. In addition, the evenings of June 29 and 30 were spent by the Chairman, together with Mr. Benevelli and Mr. George Cohen of the United Printing Company in checking the final proofs of the Building Code. The Chairman wishes to express appreciation to Mrs. Baker for invaluable assistance in the proof reading effort.

"In respect to Mr. Fortunato, the Committee will report out only those items requiring action at this meeting."

- (1) Swampscott Road - Resolution to bring road up to acceptable condition by City
(Referred to L & R Committee at June 1st meeting by Public Works Committee -
See page 2592 of Minutes - Also see page 2519, May 4th Minutes)

MR. BAKER said the Committee recommends action by the adoption of the following resolution and so MOVED.

RESOLUTION NO. 303CONCERNING SWAMPSCOTT ROAD - TO BRING
ROAD UP TO ACCEPTABLE CONDITION

Pursuant to the provisions of Section 641 of the Stamford Charter:

BE IT RESOLVED AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford that said Board of Representatives respectfully requests the Mayor of said City of Stamford to cause a report to be made concerning such work as may be necessary to put SWAMPSCOTT ROAD in condition to be accepted as a City street in accordance with the provisions of Ordinance No. 79 Supplemental. The cost of such work is to be assessed in full against the owners of the property on Swampscott Road.

MR. TOPPING called attention to a letter from the Board of Finance, to whom this matter had been referred (as per Sec. 640.1 of Special Act No. 297, 1957 Session of General Assembly) in which they deferred action on this matter at their June 5, 1959 meeting. He said: "This matter should be deferred, pending receipt of the approval of the Board of Finance."

MR. RHOADES: "The whole position of the Board of Finance and this Section 640, or whatever section of the Charter this we're operating under, disturbs me considerably. The language quoted by Mr. Topping seems to indicate that the Board of Finance feels that its action should be prior to action by this Board, but the amended sections of the Charter don't say that. It merely states that the approval of the Board of Finance is necessary, but doesn't say when. It would appear to me that either interpretation can be followed by this Board. I know that some members feel that we have to initiate the thing, get it going, and that the action of the Board of Finance takes place later."

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MR. BAKER said he believed the Board should act and not wait until the approval is forthcoming from the Board of Finance. He said: "This is a petition to us from the property owners and according to the Charter, we initiate the action. We hope that the Board of Finance will approve it. Certainly in order for them to either approve or deny it, they would want to know the amount of money involved, and this resolution is what would find out the amount of money involved."

MR. RHOADES: "That is quite correct and is generally my feeling at the moment."

MR. TOPPING seconded the motion, and MOVED the question.

VOTE taken on adoption of Resolution No. 303. CARRIED unanimously.

(2) Ordinance to control private garbage collectors dumping out-of-town garbage in Stamford

The above matter was DEFERRED to the August meeting.

(3) Proposed Ordinance for publication re Street Opening and/or Excavation, Performance and Maintenance Bonds. (Also referred to Public Works Committee)

MR. BAKER: "Copies of this proposed Ordinance have been furnished to all members. I MOVE the adoption of the proposed Ordinance for publication."

Seconded by Mr. Blois.

MR. FREDERICKS: "I would like to AMEND Chapter 28, Section 34, by eliminating the last sentence which reads:

'Such bond shall remain in force for a period of one year from its date, unless sooner cancelled by the Board of Representatives.'

"The proposed Performance and Maintenance Bond provides for a five year maintenance. It is poor policy to have a provision of cancellation in an Ordinance itself. The whole purpose and function of this Performance and Maintenance Bond is: (1) street opening and when that has been approved by the City Engineer and closed and its maintenance for a period of 5 years automatically takes care of the cancellation of the bond. I think if you keep this particular sentence in, that you are going to have difficulty.

MR. BAKER accepted the amendment.

VOTE taken on approval of the following proposed Ordinance for publication and CARRIED unanimously:

PROPOSED SUPPLEMENTAL ORDINANCE

AMENDING CHAPTER 28 OF THE CODE OF GENERAL ORDINANCES, 1956

CONCERNING STREET OPENING AND/OR EXCAVATION, PERFORMANCE AND MAINTENANCE BOND

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

1. The title of Chapter 28, Section 34, which now reads: "Bond required; conditions; amount, etc." be and the same is hereby amended to read: "Indemnity Bond required; conditions; amount, etc."

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- 2. Chapter 28, Section 34, be and the same is hereby amended by the deletion in their entirety of the last two sentences of said Section so that the same shall now read:

"No permit required by this article, except as hereinafter specified, shall be issued until the person applying therefor shall have filed with the City Engineer a bond, approved by the City Engineer, in the penal sum to be decided by the City Engineer; such bond being conditioned to indemnify and save harmless the City from all damage to any street or sidewalk on the surface thereof, to public sewers, or to any public or private property, or to persons, caused by any such opening or excavation, or by the unlawful or negligent act or omission of the person applying for such permit, or his agents or employees, in making or refilling any such opening or excavation, or in working in or guarding such opening or excavation or objects or materials taken therefrom or used in connection therewith, or in erecting, maintaining or removing any passageway over or around any obstructions to public travel caused by such opening, excavation, objects or materials.

- 3. Chapter 28, Section 35, be and the same is hereby repealed in its entirety and replaced by a new Section 35, reading as follows:

"Section 35, Performance and Maintenance Bond required; conditions; amount, etc.

"No permit required by this Article shall be issued until the person applying therefor shall have filed with the City Engineer a Performance and Maintenance Bond in the following form and in the Penal sum set forth therein:

STREET OPENING AND/OR EXCAVATION
PERFORMANCE AND MAINTENANCE BOND

KNOW ALL MEN BY THESE PRESENTS that we _____

_____ as PRINCIPAL and _____

_____ as SURETY, are held and firmly

bound unto the CITY OF STAMFORD in the penal sum equal to one

hundred percent (100%) of the estimated cost of the work

to be performed, but in no case less than One Thousand (\$1,000.00)

Dollars, to be paid to the said CITY OF STAMFORD, its agents or

assigns, for which payment, well and truly to be made, we bind

ourselves and our heirs, excutors, administrators, successors and

assigns, firmly by these presents.

Signed with our hands and sealed with our seals this

3141

_____ day of _____ 19 .

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NOW THE CONDITION OF THIS OBLIGATION is such that whereas the said PRINCIPAL has applied for and received a permit for street openings and/or excavations in the CITY OF STAMFORD.

NOW, IF THE SAID PRINCIPAL shall well and faithfully perform all work for which said permit was issued, in accordance with specifications for such work as set forth by the City Engineer of the CITY OF STAMFORD, and have such work approved and accepted by the said City Engineer of the CITY OF STAMFORD, and

IF THE SAID PRINCIPAL shall maintain as directed by, and within the time limits specified by, and subject to the approval of the Commissioner of Public Works, any street, alley or public ground in which said street openings and/or excavations have been made for a period of Five (5) years after the approval and acceptance of said work by the City Engineer of the CITY OF STAMFORD, and

IF THE SAID PRINCIPAL shall indemnify the said CITY OF STAMFORD for all damages to any City property resulting from his work operations, regardless of whether such damage is done by himself, his agents, employees, or subcontractors, then this obligation shall be void, otherwise it shall remain in full force and effect.

Signed, sealed and delivered in the presence of

(PRINCIPAL)

(WITNESS)

By _____

(SURETY)

3142

(WITNESS)

By _____

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AFFIDAVIT

STATE OF CONNECTICUT)
) ss.
COUNTY OF FAIRFIELD)

_____ being first duly sworn, on oath
deposes and says that he is an Attorney-in -fact of the _____
_____ Company, surety on the attached Bond,
executed by _____
(CONTRACTOR)

Affiant further deposes and says that no officer, official or
employee of the CITY OF STAMFORD has any interest directly, or indirectly,
or is receiving any premium, commission, fee or other thing of value on ac-
count of the sale or furnishing of the policy, bond, undertaking or contract
of indemnity, guaranty or suretyship in connection with the above mentioned
contract.

Subscribed and sworn to before me this _____ day of _____
19 .

Notary Public

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

(4) Building Code:

MR. BAKER: "The Building Code is now on the presses and will be completed early this
week. Copies will be available through the City Clerk at \$5.00 per copy. The Com-
mittee requests authority to write the Mayor, calling his attention to the Boards
that are to be appointed and to other matters covered by the Code which became
effective July 1. The Committee would like to have permission to write to the Mayor,
calling his attention to these matters and I so MOVE."

Seconded by Mr. Sileo and CARRIED unanimously.

(5) Lease for Halloween Yacht Club (Also referred to Parks & Recreation Committee)

MR. BAKER: "The Committee recommends that a letter be written to the Park Com-
mission, with copies to the Mayor and the Corporation Counsel, inquiring as to the
status of this project in view of the Charter requirement that all leases be approved
by this Board, and I so MOVE."

Seconded by Mr. Roche and CARRIED unanimously.

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(6) Proposed Ordinance re use of Plastic Bags

The above matter was DEFERRED until the August meeting.

(7) License Ordinance

The above matter was also DEFERRED until the August meeting.

- (8) Lease - Magae Avenue Naval Reserve Station - For 1 year, from July 1, 1959 to June 30, 1960, at annual rental of \$1.00 for 9.2 acres of City-owned land (Requested in Mayor Quigley's letter of Oct. 14, 1957 and deferred by Board of Finance, with approval given at their May 26, 1959 meeting)

MR. BAKER: "This lease was proposed by the then Mayor Quigley in his letter of October 14, 1957 to the Board of Finance and the Board of Representatives and has been held in Committee by the Board of Finance since that date. It was approved by them on May 26, 1959. Your Committee recommends the approval of the proposed lease and I so MOVE."

Seconded by Mr. Hearing and Mr. Colatrella. CARRIED unanimously.

- (9) Lease - Stamford Museum & Nature Center - For 1 year, for bird sanctuary, at annual rental of \$1.00 for strip of City-owned land (Mayor's letter of November 4, 1958) Note: This was deferred by the Board of Finance, with approval given at their May 26, 1959 meeting.

MR. BAKER said the Committee recommends approval of the lease and MOVED for approval. Seconded by Mr. Fredericks and CARRIED unanimously.

- (10) Agreement with Stamford Water Company - For fire protection, area north of Merritt Parkway (University of Conn. Water Supply - Mayor's letter of May 13, 1959) (Approved by Board of Finance May 26, 1959) (Also referred to Public Works Committee)

MR. BAKER said the Committee recommends the approval of this agreement and MOVED for approval. Seconded by Mr. Marciano. Mr. Ketcham requested abstention from voting for the reason that he is associated with the Water Company. Granted.

MR. RHOADES: "The Board is in receipt of a letter from Harry Bennett and Associates urging the approval of this item on our Agenda."

MR. TOPPING said the Public Works Committee Approved this request.

VOTE taken on the above matter and CARRIED with one abstention. (Mr. Ketcham)

PUBLIC WORKS COMMITTEE:

MR. TOPPING gave his Committee report. He said a meeting was held the night of June 24, 1959. Present were Anthony Marciano and Thomas Topping.

The absent members were Bernard Geronimo, Vincent Vitti, John Maffucci, Lew Nilan and Alan Ketcham (absent because of a leg injury).

Mr. Topping said he had already discussed the fiscal matters referred to his Committee.

Re: Pepper Ridge Place (Also referred to Planning & Zoning Committee)

MR. TOPPING asked that this matter be recommitted, which was agreed upon.

Re: Trash piled in streets

MR. TOPPING: "It is with increasing concern to the Public Works Department and to this Committee, that the residents of our City are using our streets as a public dumping ground for their lawn clippings, tree trimmings and general trash.

"Those of us who have some pride in our City are seeing it turned into a Pilot City - you pile your trash in the street and hope it will disappear. This practice is leading to a complete stoppage of our storm waters, catch basins and drains.

"The Public Works Department is not required to remove this trash. According to the Charter, and I quote: 'Chapter 41, Sec. 412 - Bureau of Highways and Maintenance-----: 'The Supervisor of the Bureau of Highways and Maintenance shall be the head of the Bureau. He shall be responsible for: (1) The construction and maintenance of bridges, the operation, maintenance and use of storm sewers, the removal and disposition of street sweepings and the maintenance and inspection of all highways and sidewalks.....'

"Such trash as lawn cuttings, tree trimmings, trimmings from shrubs, etc., do not fall in the category of street sweepings, and when placed in the gutters cause considerable damage by clogging our catch basins and storm drains, besides looking unsightly.

"In our Code of General Ordinances there is a section that prohibits the disposal of trash upon our streets and sidewalks and I quote from Chapter 28, Sec. 5:

'Sweeping or depositing trash, etc., upon sidewalks and streets.

No person shall sweep, throw or deposit any paper, waste, sweepings, boxes, cardboard, trash or debris upon any sidewalk or street in the City.'

"There is one week in the spring and one week in the fall when the Public Works Commissioner may designate that the Public Works trucks will pick up trash deposited on the curb, but that is the only time when such material may be placed on the street without penalty.

"We hope that this will clear up any misunderstanding of the duties of the Public Works Department as far as the removal of trash is concerned."

HEALTH & PROTECTION COMMITTEE:

Mr. Milano, the Chairman being absent, Mr. Lewis requested that the following matters on the Agenda be recommitted. This was done:

- (1) Parking Authority - (Recommitted at June meeting - Request for 11 metered stalls under Conn. Turnpike on South Street - Letter dated May 12, 1959 - See page 2592 of 6/1/59 Minutes)
- (2) Swimming in unprotected areas (Note: This has already been covered with the Ordinance on Harbor Protection - #82)
- (3) Obstruction of street corners by shrubbery (Enforcement of Ordinance No. 47)

PLANNING & ZONING COMMITTEE:

3145 MR. RUSSELL: "The Committee wishes to present for final adoption and I MOVE for

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adoption of Ordinance which was previously adopted for publication, and published on June 10, 1959. Seconded by Mr. Topping and CARRIED unanimously:

ORDINANCE NO. 83 SUPPLEMENTAL

CHANGING THE NAMES OF CERTAIN CITY STREETS

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

The following street names shall be changed as shown below:

Change that portion of Crystal Lake Road, from High Ridge Road to Warchal Lane, and existing stone barrier, a distance of approximately 625 feet, to BRANDT ROAD:

Change Marcy Road to FOX RIDGE ROAD.

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

Petitions for acceptance of streets:

MR. RUSSELL: "The following have met with the Committee's approval and have also been certified for acceptance by the City Engineer (on July 6, 1959) and I MOVE for acceptance of these roads." Seconded by Mr. Topping and CARRIED unanimously:

GARY ROAD - Extending from Old Logging Road southerly to property of the House of Gaines, Inc. Length, approximately 143 feet, width 26 feet, as shown on Map #6307 on file in the City Clerk's office.

OLD LOGGING ROAD - Extending from Katydid Lane easterly, southerly and easterly. Length, approximately 1,285 feet, width 26 feet, as shown on Map #6307 on file in City Clerk's office.

PERNA LANE - Extending from High Ridge Road easterly to and including a permanent turnaround. Length, approximately 750 feet, width 30 feet, as shown on Map #5905 on file in the City Clerk's office.

Note: All other items listed on the agenda for this meeting were held in Committee.

PARKS & RECREATION COMMITTEE:

In the absence of Mr. Kelly, Mr. Wynn, Vice Chairman MOVED for approval of the following petition. Seconded by Mr. Sileo and CARRIED unanimously:

PETITION NO. 259 - North Stamford Congregational Church; Old Settlers' Day
September 12, 1959

EDUCATION, WELFARE & GOVERNMENT COMMITTEE:

MR. MACRIDES said his committee had no report to give at this time.

MR. RHOADES: "There are two items which have been referred to the Education, Welfare & Government Committee with which the members may not be familiar. Neither of them concerns us directly."

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The following letters are the ones to which Mr. Rhoades refers in the above material:

- (1) Letter from Mayor dated June 22, 1959 - Requesting whether or not the Board wishes the Mayor to comply with an attached request from David B. Karrick, Acting President of the Board of Commissioners, D.C., concerning resolution supporting municipal self-government for Washington, D.C.
- (2) Letter from Mayor dated June 23, 1959 - Requesting the Board's views on an attached questionnaire from the Metropolitan Regional Council, which has been sent under date of June 17, 1959 to all members of the Council

MR. RHOADES explained the two letters as to what they concerned. He stated that both letters have been reverred to the EDUCATION, WELFARE & GOVERNMENT COMMITTEE. A report will be brought in at the August Board meeting.

SPECIAL HOUSING COMMITTEE:

MR. RUSSELL: "The Committee has received the report of the Stamford Fire Prevention Bureau. This report is the 14th in a series of monthly inspection tours of the Southfield Village Project by this Bureau.

"The Committee wishes to make public note at this time of the fact that Ordinance No. 65 Supplemental, pertaining to the correction of various types of infractions in housing as to health, safety and sanitation becomes effective on August 30th of this year. The Committee wishes to alert the Health Department, since they will be the enforcement agency of this Ordinance."

CHARTER REVISION COMMITTEE:

Re: Final action on Charter Amendments to be submitted for referendum at the November 1959 Election:

MR. MACRIDES: "It is necessary at this time to have a motion passed which will permit these four items to go on the ballot at the November election."

MR. MACRIDES MOVED that the proposed Charter amendments which were approved at the June 1, 1959 Board meeting (see page 2597 of Minutes) and which were published in the newspaper on June 8, 1959, be submitted to the electors for approval or rejection at the general election to be held on November 3, 1959."

Seconded by Mr. Huizinga and CARRIED unanimously by the 33 members present.

The following are the Charter amendments previously approved by the Board of Representatives on July 6, 1959, in accordance with Public Act #465 of the General Assembly, Session of 1957: (Note: These are repeated here for clarification)

- (1) Amend Section 706 of the Charter to read:

"Sec. 706 Qualifications.

Every person elected or appointed to office shall be and remain a resident elector of the City of Stamford and if such officer shall cease to be such a resident elector his office shall be deemed vacant, except in such specific cases as the Board of Representatives may suspend this requirement for appointive offices."

- (2) Amend the Second sentence of sub-section (e) of Sec. 731 to read:

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"The other two members of the Commission shall be known to be in sympathy with the merit principle as applied to Civil Service, shall not be members of the same political party, shall neither hold nor be a candidate for any other political office or position, and shall not be a member of any local, state or national committee of a political party or an officer in any political partisan club or organization."

- (3) Amend Section 553.2 to read, by changing the third from the last sentence of said section, as follows:

"The number of signatures required on any such written petition shall be one hundred, or 20% of the owners of privately owned land within 500 feet of the area so zoned, whichever is least, if the proposed amendment applies to only one zone."

- (4) A new section to be added, to read:

"Sec. 206 Funds for Investigation.

The Board of Representatives shall have authority, by a two-thirds vote of its entire membership, to incur any expenses which it deems necessary or advisable, in connection with any investigation authorized under Sec. 204.2 of this Charter. Expenses so incurred shall be paid by the Department of Finance on warrant issued by the Mayor and countersigned by the Clerk of the Board of Representatives. The Board of Representatives may, by a two-thirds vote of its entire membership, appropriate funds to cover expenses incurred pursuant to this section without request for such appropriation by any officer of any department of the Stamford government, other than the Board of Representatives."

SPECIAL COMMITTEE ON HARBOR SAFETY:

MR. LEWIS, Chairman, spoke of the efforts of the Committee in getting the Ordinance adopted to regulate water safety (Ordinance No. 82 Supplemental). He said copies of this Ordinance have been forward to every interested group in the City of Stamford and had been well publicized. He said: "We hope to meet with the Park Commission and the Board of Recreation as well as the Police Department, for tighter and stricter enforcement of this Ordinance."

URBAN REDEVELOPMENT COMMITTEE:

Re: Proposed Resolution on Southeast Quadrant

MR. NOLAN MOVED for suspension of the rules to consider a proposed resolution which was suggested by the Urban Redevelopment Commission in the following letter:

June 27, 1959

Committee on Urban Renewal
Board of Representatives
City Hall
Stamford, Connecticut

Subject: Proposed Resolution on the Southeast Quadrant

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Gentlemen:

Enclosed herewith please find the attached resolution which will have to be adopted by the Board of Representatives before application of the planning advance can be made to the Housing and Home Finance Agency.

The planning advance will provide funds to start planning the Southeast Quadrant. A similar resolution was passed on August 6, 1956 by the * Board of Representatives, but the Housing and Home Finance Agency deems that too much time has elapsed since the action.

We hereby respectfully request your Committee to consider this matter so it can be acted upon at the next meeting of the Board of Representatives.

Very truly yours,

Harry E. Terhune, Chairman
Urban Redevelopment Commission

HEI/rp
Enclosure: Resolution

*Note: See pages 1307-1311, Minutes of August 6, 1956
and Resolution No. 231

Mr. Nolan's motion was seconded by Mr. Connors and CARRIED unanimously to consider the resolution referred to in the above letter.

MR. NOLAN read the following resolution for the reason that it had not been possible to prepare copies for the members of the Board. He MOVED for adoption of the following resolution. Seconded by Mr. Baker and CARRIED unanimously:

RESOLUTION NO. 304

REQUEST FOR RESERVATION OF CAPITAL GRANT FUNDS, APPROVING THE UNDERTAKING OF SURVEYS AND PLANS FOR AN URBAN RENEWAL PROJECT, AND THE FILING OF AN APPLICATION FOR FEDERAL ADVANCE OF FUNDS.

WHEREAS, under Title 1 of the Housing Act of 1949, as amended, and the Housing Act of 1954, the Housing and Home Finance Administration is authorized to extend financial assistance to localities in the elimination and prevention of the spread of their slums and urban blight through the planning and undertaking of urban renewal projects; and

WHEREAS, it is desirable and in the public interest that the City of Stamford, Connecticut Urban Redevelopment Commission prepare surveys and plans, presently estimated to cost approximately \$150,000 (One Hundred and Fifty Thousand Dollars), in order to undertake and carry out an urban renewal project of the character contemplated by Section 110(c) of said Title 1, in that certain area, proposed as an Urban Renewal Area, situated in the City of Stamford, County of Fairfield and State of Connecticut, as described as follows:

Beginning at a point in the West side of Atlantic Street where said West side of Atlantic Street is intersected by the Northerly right-of-way of the Connecticut Turnpike;

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Thence Northerly along the West side of Atlantic Street and the extension of the North side of that part of Main Street which lies East of Atlantic Street;

Thence Easterly along the extension of the North side of Main Street and along the North side of Main Street and the North side of Elm Street to the Northerly right-of-way of the Connecticut Turnpike;

Thence Westerly along said Northerly right-of-way of the Connecticut Turnpike to the place of beginning.

WHEREAS, the above cited Federal law requires a condition to the execution of a contract for a loan and capital grant for an urban renewal project that the locality present to the Housing and Home Finance Administrator a workable program, as set forth in Section 101(c) of said Title 1, for utilizing appropriate public and private resources to eliminate and prevent the development or spread of slums and urban blight, to encourage needed urban rehabilitation, to provide for the redevelopment of blighted, deteriorated, or slum areas, or to undertake such other feasible community activities as may be suitably employed to achieve the objectives of such a program, and

WHEREAS, it is recognized that contracts for loans and capital grants for urban renewal projects will require, among other things, (1) the approval of the urban renewal plan by the governing body of the locality in which the project is situated; (2) the provision of local grants-in-aid which may consist of donations of cash, land, demolition or removal work, and the installation, construction, or reconstruction of streets, utilities, parks, playgrounds, or other improvements, or the provision of other public buildings or facilities; and (3) the carrying out of a feasible method for the relocation of families displaced from the urban renewal area.

NOW, THEREFORE, BE IT RESOLVED by the Board of Representatives of the City of Stamford

Section 1. That the proposed Urban Renewal Area described above is a slum, blighted, deteriorated, or deteriorating area, appropriate for an urban renewal project and that the undertaking by the Urban Redevelopment Commission of surveys and plans for an urban renewal project of the character described by Section 110 (c) of the Housing Act of 1949, as amended and supplemented, in the proposed Urban Renewal Area described above, is hereby approved.

Section 2. That the financial assistance provided under said Title 1 to assist urban renewal projects is needed, and that the Housing and Home Finance Administrator is hereby requested to reserve for an urban renewal project in the proposed Urban Renewal Area described above. Federal capital grant funds in an amount sufficient to enable the City of Stamford, Connecticut Urban Redevelopment Commission to finance the undertaking of the project.

Section 3. That it is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal projects with Federal financial assistance under Title 1, including the requirements of said Title 1 respecting the workable program mentioned above, and that it is the sense of this body that a feasible method for the relocation of families displaced from the urban renewal area, in conformity with said

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Title 1, can be prepared, and that local grants-in-aid, consisting of donations of cash, land, demolition or removal work and the installation, construction, or reconstruction of streets, utilities, parks, playgrounds, or other improvements, or the provision of other public buildings or facilities, necessary for carrying out in the Urban Renewal Area the urban renewal objectives of said Title 1 in accordance with the urban renewal plan, can and will be provided in an amount which will not be less than one-third of the net project cost and which, together with the Federal capital grant, will be generally equal to the difference between gross project costs and the proceeds or value of project land sold, leased, or retained for use in accordance with the urban renewal plan.

Section 4. That the filing of an application by the City of Stamford, Connecticut Urban Redevelopment Commission for an advance of funds from the United States of America to enable it to defray the cost of the surveys and plans for an urban renewal project in the urban renewal area described above is hereby approved.

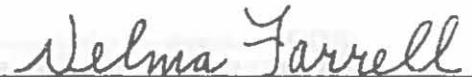
NEW BUSINESS:

MR. RHOADES announced that the next Board meeting would be held on Monday, August 3, 1959, and the next Steering Committee meeting will be held on Monday, July 20, 1959.

ADJOURNMENT:

There being no further business to come before the Board, on motion of Mr. Baker, it was duly seconded and CARRIED that the meeting be adjourned, at 10:20 P.M.

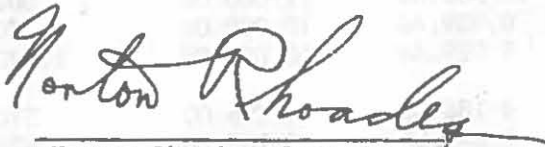
Respectfully submitted,



Velma Farrell
Executive Secretary

vf

APPROVED:



Norton Rhoades, President

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