

COMMON COUNCIL MEETING

JANUARY 4, 1995

Meeting to be called to order at 7:30 P.M. by Mayor Eriquez

PLEDGE OF ALLEGIANCE
PRAYER

ROLL CALL

Levy, Scalzo, Falzone, Yamin, Arconti, Boynton, Dennehy, Gallagher,
Machado, Outlaw, DaSilva, Esposito, Coladarci, Charles, Gomez,
Beck, Nolan, Scozzafava, Setaro, Trocolla, Valeri

16 Present 5 Absent

PUBLIC SPEAKING

MINUTES - Minutes of the Common Council Meeting held December 6, 1994 and the Special Common Council Meeting held December 14, 1994

CONSENT CALENDAR - The Consent Calendar was presented by Mr. Esposito

- ✓1 RESOLUTION - Danbury Adult Care Center Program - Title IIIB Grant
- ✓2 COMMUNICATION - Appointment to the Environmental Impact Commission
- ✓3 COMMUNICATION - Reappointments to the Library Board of Directors
- ④ COMMUNICATION - Demolition Debris Agreement(s)
- ✓5 COMMUNICATION - Donations to the Department of Elderly Services
- ✓6 COMMUNICATION - Donation of Travel and Housing Expenses to the Police Department
- ✓7 COMMUNICATION & CERTIFICATION - Request for Funds for Registrars of Voters
- ✓8 COMMUNICATION & CERTIFICATION - Security Gate - Airport
- ✓9 COMMUNICATION - Request for Reallocation of Funds - Civil Service Fees
- ✓10 COMMUNICATION - Request for Water Extension - 201 Middle River Road
- ✓11 COMMUNICATION - Request for Water Extension - 204 Middle River Road
- ✓12 COMMUNICATION - Request for Sewer Extension - Old Shelter Rock Road

- ✓ 13 COMMUNICATION - Solid Waste & Recycling Budget Adjustment

- ✓ 14 COMMUNICATION - Assessment of Homeowner's Benefits - Pleasant Acres

- ✓ 15 COMMUNICATION - GC Services Collection Agency Fees

- ✓ 16 COMMUNICATION - Thermotrex, Inc. v. City of Danbury

- ✓ 17 DEPARTMENT REPORTS - Fire Chief, Fire Marshall, Parks and Recreation, Engineering, Health and Housing, Public Utilities

- ✓ 18 REPORT - Proposed J Bridge over White Turkey Road

- ✓ 19 REPORT - Hazardous Substance Ordinance

- ✓ 20 REPORT - Renumbering of North Nabby Road

There being no further business to come before the Common Council a motion was made at ___ by _____ for the meeting to be adjourned.

CONSENT CALENDAR

JANUARY 4, 1995

- 2 - Approve the appointment of Marcia Fox to the Environmental Impact Commission
- 3 - Approve the appointments of John Hoffer and Edward Moore, Sr. to the Library Board of Directors
- 7 - Approve request by the Registrars of Voters for \$13,000
- 8 - Approve request for security gate at the Danbury Airport for \$1,400
- 9 - Approve request for reallocation of \$12,500 for the Civil Service Commission
- 15 - Approve appropriation of \$25,000 to GC Services Collection Agency
- 18 - Approve the J Bridge project over White Turkey Road Ext.
- 19 - Approve report and recommendation regarding proposed Hazardous Substance Ordinance
- 20 - Approve renumbering of North Nabby Road



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

(203) 797-4652
FAX: (203) 796-1526

December 28, 1994

MEMO TO: Hon. Gene F. Eriquez
via the Common Council

FROM: Dominic A. Setaro, Jr.
Director of Finance

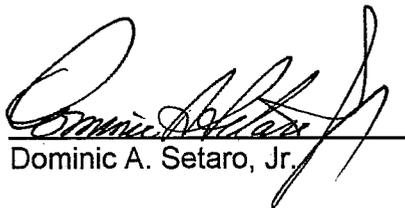
RE: Danbury Adult Care Center Program CERTIFICATION #22
Title III-B Grant

Attached is a resolution for your consideration that will allow the Department of Elderly Services to apply for and accept Title III-B funds from the Western Connecticut Area Agency on Aging in the amount of \$18,882.00 for the period of January 1, 1995 through September 30, 1995. This grant is to be used for the cost of operating the Danbury Adult Day Care Center. The City's match to this grant is \$25,782.00.

I hereby certify the availability of \$25,782.00 to be transferred from the Contingency account to the Commission on Aging line item entitled "Contributions-Grants", Account No. 02-05-167-072800. I would also recommend that the Common Council approve the attached resolution.

Should you need any additional information, feel free to give me a call.

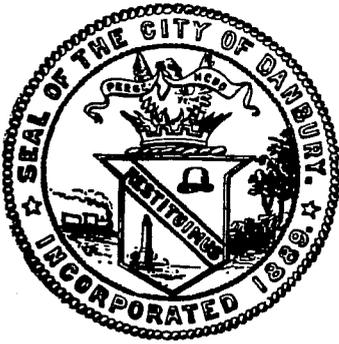
Balance of Contingency	\$393,963.02
Less this request	<u>25,782.00</u>
Balance	\$368,181.02



Dominic A. Setaro, Jr.

DAS/jg

Attach.



RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 19

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Administration on Aging of the United States Department of Health and Human Services in conformance with Title III of the Older Americans Act, through the Connecticut Department of Human Services, Division of Elderly Services, in accordance with Sections 17-137(c)(d) of the Connecticut General Statutes and through the Western Connecticut Area Agency on Aging, Inc. has made available funds to public agencies; and

WHEREAS, the Department of Elderly Services desires to submit a grant application for funds for Interweave, the adult day care center, through the Western Connecticut Area Agency on Aging, Inc. for a grant in the amount of \$18,882.00 under Title III-B (social services) of the Older Americans Act, for the purpose of continuing the operation of Interweave for the project budget period of January 1, 1995 through September 30, 1995; and

WHEREAS, the required City of Danbury cash match is \$25,782.00 with the remaining local match to be made in in-kind services;

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury and Leo McIlrath, Director of the Department of Elderly Services are hereby authorized to apply for said grant, and the Mayor is authorized to execute any agreements/contracts necessary, and any revisions thereof, provided no further local cash match is required, to accept the grant award, if offered, including any additional grant funds which may be offered under this application which do not require additional City funds, and to do all things necessary to effectuate the purposes hereof.



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511
FAX (203) 796-1666

January 4, 1995

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

I hereby submit, for your confirmation, the appointment of Ms. Marcia T. Fox (D) as a regular member of the Environmental Impact Commission for a term to expire December 1, 1996.

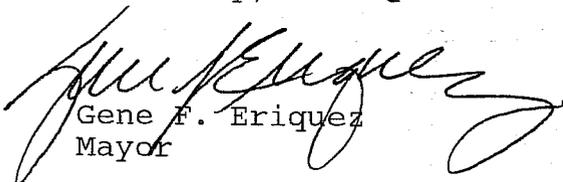
Ms. Fox resides at 27 Crows Nest Lane, #19E, Danbury. She is a Cum Laude graduate of Western Connecticut State University where she majored in accounting. While a student, Ms. Fox was recognized in Who's Who in American Colleges and Universities, served as Class Treasurer and was active in the Student Government Association.

Professionally, she has held positions in accounting and finance. Currently, she is employed as an Accountant for Allen & Tyransky, C.P.A.'s, Danbury and as a member of the Institute of Management Accountants.

Additionally, she has served as President of the Young Democrats in 1993-1994.

Thank you for your consideration of this appointment.

Sincerely,


Gene F. Eriquez
Mayor

GFE/msm



CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

GENE F. ERIQUEZ
MAYOR

(203) 797-4511
FAX (203) 796-1666

January 4, 1995

Honorable Members of the Common Council
City of Danbury, Connecticut

Dear Council Members:

I hereby submit the following reappointments to the Library Board of Directors for your confirmation.

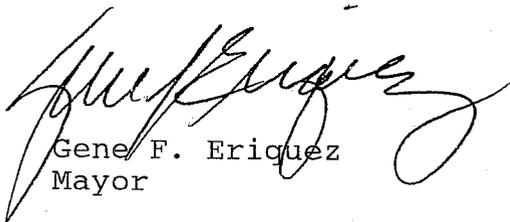
- 1) John Hoffer (R)
10 Oak Ridge Avenue
Danbury, CT
Term to expire: January 1, 1998
- 2) Edward Moore, Sr. (D)
3 Ezra Road
Danbury, CT
Term to expire: January 1, 1998

Both Mr. Hoffer and Mr. Moore have maintained excellent attendance records and have served the Board in exemplary fashion. In addition, Mr. Hoffer has served effectively as Chair of the Board for the past few years.

Their volunteer commitment and leadership have greatly assisted our efforts to make important strides in the development of our library as a community information center.

Thank you for your consideration of these appointments.

Sincerely,



Gene F. Enriquez
Mayor



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

February 7, 1995

Honorable Mayor Gene F. Eriquez
Honorable Members of the Common Council

Re: Proposed Demolition Rates

The Common Council met as a committee of the whole at 7:33 P.M. on January 23, 1995 to review the proposed demolition rates at the City landfill. These rates reflect City action to accept demolition because of the impending closure of the facility.

Mr. Boynton moved to recommend approval of the proposed rates. The motion was seconded by Miss Dennehy as passed unanimously.

Respectfully submitted,



JOSEPH DaSILVA, Chairman



5

CITY OF DANBURY

DANBURY, CONNECTICUT 06810
DEPARTMENT OF ELDERLY SERVICES
COMMISSION ON AGING

Danbury Senior Center
80 Main Street
(203) 797-4686

Municipal Agent
80 Main Street
(203) 797-4687

**"Interweave"
Adult Day Care Center**
198 Main Street
(203) 792-4482

December 27, 1994

Mayor Gene F. Eriquez and
Members of the Common Council
City of Danbury
Danbury, CT 06810

Mayor Eriquez and Memebrs of he Common Council:

The following donations have been received by the Department of Elderly Services:

Hughes Optics Employees	-	2,600.00
AARP Chapter 1847	-	50.00
CT Light & Power Company	-	100.00
Senior Network	-	30.00
Danbury Hospital	-	200.00
The O.A. Group	-	50.00
		<hr/>
Total:		3,030.00

The Department of Elderly Services will request a transfer of these monies into appropriate line items at a later date.

Respectfully,

Leo McIlrath
Leo McIlrath



CITY OF DANBURY
DANBURY, CONNECTICUT 06810



DEPARTMENT OF POLICE
120 MAIN STREET

NELSON F. MACEDO, CHIEF
(203) 797-4614

December 13, 1994

MEMO

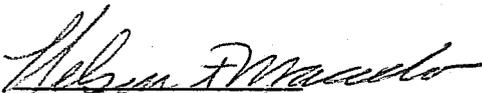
To: Elizabeth Crudginton, City Clerk
Members of the Common Council

From: Chief Nelson F. Macedo

Subject: Donation of Travel & Housing Expenses

Permission is hereby requested to accept the donation of travel and housing expenses from the National Crime Prevention Council to Lt. Kevin Barry, who will be attending the steering committee meeting of the National Crime Prevention Council in Washington, D.C. on January 23, 24, and 25.

Lt. Barry will be representing the entire New England region at this meeting.


Nelson F. Macedo
Chief of Police

NFM:ks
c: Mayor Eriquez
Lt. Barry



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

(203) 797-4652
FAX: (203) 796-1526

December 28, 1994

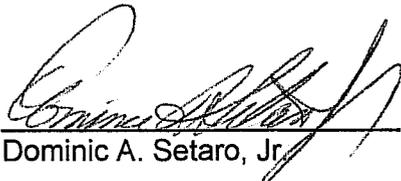
MEMO TO: Hon. Gene F. Eriquez
via the Common Council

FROM: Dominic A. Setaro, Jr.
Director of Finance

RE: Registrars of Voters CERTIFICATION #25

Per the attached request of the Registrars of Voters, I hereby certify the availability of \$13,000.00 to be transferred from the Contingency account to the Registrars of Voters line item for postage, Account #02-01-131-020501.

Balance of Contingency	\$393,963.02
Less pending requests	52,182.00
Less this request	<u>13,000.00</u>
Balance	\$328,781.02



Dominic A. Setaro, Jr.

DAS/jg

Attach.

cc: Registrars



CITY OF DANBURY

ROOM 328 — CITY HALL

DANBURY, CONNECTICUT 06810

REGISTRAR OF VOTERS

TO: THE HONORABLE GENE ERIQUEZ AND
MEMBERS OF THE COMMON COUNCIL

FROM: REGISTRAR OF VOTERS

RE: FUNDS FOR POSTAGE ACCOUNT

DATE: DECEMBER 23, 1994

WE THE UNDERSIGNED RESPECTFULLY REQUEST THE APPROPRIATION OF \$13,000 TO BE PLACED INTO OUR POSTAGE ACCOUNT FOR THE UPCOMING CANVASS BY MAIL OF ALL ELECTORS.

FUNDS PLACED IN OUR ORIGINAL BUDGET FOR 94-95 WHERE DEPLETED IN ORDER TO PAY BILLS INCURRED IN THE PRIMARIES OF SEPTEMBER 13, 1994 AND THE RECOUNT OF THE SECRETARY OF THE STATES OFFICE AFTER THE GENERAL ELECTION OF NOVEMBER 8, 1994.

RESPECTFULLY SUBMITTED,

George F. Schmiechel

GEORGE F. SCHMIEDEL

Marianne E. Dahill

MARIANNE E. DAHILL

7-1



8

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

(203) 797-4652
FAX: (203) 796-1526

December 28, 1994

MEMO TO: Hon. Gene F. Eriquez
via the Common Council

FROM: Dominic A. Setaro, Jr.
Director of Finance

RE: Security Gate - Airport

CERTIFICATION #23

Attached you will find a request from Airport Administrator, Paul Estefan, to replace an electric motor and a PC Board for the automatic security gate at the Miry Brook Firehouse. I hereby certify the availability of \$1,400.00 to be transferred from the Contingency account to the Airport's "Equipment Not Classified" line item, Account #02-13-001-069500.

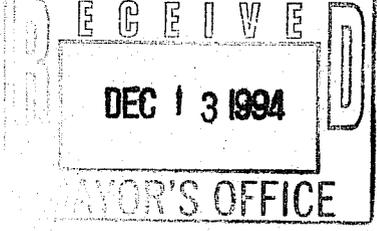
Balance of Contingency	\$393,963.02
Less pending requests	25,782.00
Less this request	<u>1,400.00</u>
Balance	\$366,781.02

Dominic A. Setaro, Jr.

DAS/jg

Attach.

cc: Paul Estefan



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DANBURY MUNICIPAL AIRPORT
P.O. BOX 2299
DANBURY, CT. 06813-2299

AIRPORT ADMINISTRATOR
PAUL D. ESTEFAN
(203) 797-4624

December 13, 1994

TO: Mayor Eriquez
Dominic Setaro, Director Finance

FROM: Paul D. Estefan *P.D.E.*
Airport Administrator

SUBJ: Miry Brook Firehouse security gate

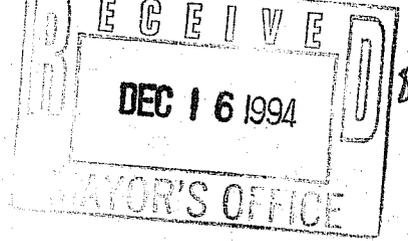
I am requesting \$1,400.00, for replacement of the electric motor and PC Board, in order to put back on line the security gate located at Miry Brook Firehouse.

This gate is important to the Airport, because: Miry Brook Fire Department enters into the airport this way in the event of an incident or crash.

Currently, the funds are not available in the budget to cover this cost. If you have any questions, please call.

Respectfully

cc: file (depts/gateM-B)



CITY OF DANBURY
155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

DANBURY MUNICIPAL AIRPORT
P.O. BOX 2299
DANBURY, CT. 06813-2299

AIRPORT ADMINISTRATOR
PAUL D. ESTEFAN
(203) 797-4624

December 15, 1994

TO: Mayor Eriquez

FROM: Paul D. Estefan *PDE*
 Airport Administrator

SUBJ: Miry Brook Firehouse security gate

Attached is a copy of the letter forwarded on December 13, 1994: concerning funds for replacement of an electric motor and PC Board.

I am requesting the money (\$1,400.00) be taken out of the Contingency account so we can get the gate back on line.

I thank you in advance.

cc: Dominic Setaro, Director Finance
 file (citydept/gateM-B1)



9

CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810

BERNARD PANE, Jr., Chairman
ELLA ROUNTREE
CARMINE BUTERA
NICHOLAS NERO, Chief Examiner

CIVIL SERVICE COMMISSION
(203) 797-4548

TO: DOM SETARO, FINANCE DIRECTOR
FROM: NICHOLAS NERO, CHIEF EXAMINER
RE: RECRUITMENT COSTS
DATE: DECEMBER 19, 1994

CIVIL SERVICE COMMISSION REQUEST THAT MONIES THAT ARE GENERATED FROM FEES COLLECTED DURING RECRUITMENT FOR ENTRY-LEVEL FIREFIGHTER, (APPROXIMATELY \$12, 500), BE ALLOCATED INTO OUR PROFESSIONAL SERVICES ACCOUNT (# 0201183-020100) TO HELP COVER COSTS FOR THIS EXAMINATION.


NICHOLAS NERO, CHIEF EXAMINER

NN/FT





CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

(203) 797-4652
FAX: (203) 796-1526

December 27, 1994

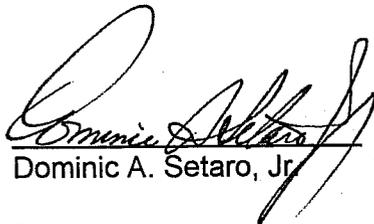
MEMO TO: Hon. Gene F. Eriquez
via the Common Council

FROM: Dominic A. Setaro, Jr.
Director of Finance

RE: Civil Service Fees CERTIFICATION

Attached you will find a copy of a memo that was sent to me from Nicholas Nero, Chief Examiner of the Civil Service Commission requesting that the estimated application fees generated from the fire fighters test in the amount of \$12,500 be reallocated to the Civil Service Commission's Professional Services-Fees account. This request is similar to a request that was made last year, and I would recommend that the Common Council authorize the reappropriation of \$12,500 from testing fee revenue to the Civil Service Commission, Professional Services-Fees Account #02-01-183-020100. I will amend the City's revenue account in a like amount.

Should you need any additional information, feel free to give me a call.



Dominic A. Setaro, Jr.

DAS/jg

Attach.

APPLICATION FOR EXTENSION OF SEWER/WATER

Sewer _____

Water X

Name of Applicant: KEVIN J FRIEL

Address: 201-MIDDLE RIVER ROAD
DANBURY CN 06811

Telephone: 203-790-8243

The undersigned submits for consideration an application for extension of sewer and/or water facilities for property

Located at: 201-MIDDLE RIVER ROAD.

Assessors's Lot No. C08048

Zone: RA-40

Intended Use:	Retail _____	Single Family Residential <u>X</u>
	Office _____	Multiple Family Development _____
	Mixed Use _____	
	Industrial _____	

Number of Efficiency Units _____

Number of 1 Bedroom Units _____

Number of 2 Bedroom Units 1

Number of 3 Bedroom Units _____

Total Number of Units 1

Kevin J. Friel
SIGNATURE

12/20/94
DATE

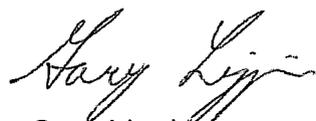
GARY LIPPIN
204 Middle River Road
Danbury CT., 06811
December 2, 1994

Town Clerk, City of Danbury
155 Deer Hill Ave.
Danbury CT. 06810

To the Common Council:

This is a petition by Gary Lippin to connect my residence at 204 Middle River Road, Danbury CT. 06811, to the Danbury CT. Water Supply. Please consider this request.

Sincerely,


Gary Lippin

RECEIVED

DEC 21 1994

**TOWN CLERK'S OFFICE
DANBURY, CT.**

APPLICATION FOR EXTENSION OF SEWER/WATER

Sewer X

Water _____

Name of Applicant: FRANK M PROVENZANO

Address: 87 CANDLEWOOD MT ROAD.

NEW MILFORD, CT. 06776

Telephone: 203-350-9587. 203-270-1214.

The undersigned submits for consideration an application for extension of sewer and/or water facilities for property

Located at: 9 Old Shelter Rock Road.

Assessors's Lot No. K 13208

Zone: RA-8

Intended Use: Retail _____ Single Family Residential X

 Office _____ Multiple Family Development _____

 Mixed Use _____

 Industrial _____

Number of Efficiency Units _____

Number of 1 Bedroom Units _____

Number of 2 Bedroom Units _____

Number of 3 Bedroom Units X

Total Number of Units _____

Frank M Provenzano
SIGNATURE

12-23-94
DATE



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

(203) 797-4652
FAX: (203) 796-1526

December 28, 1994

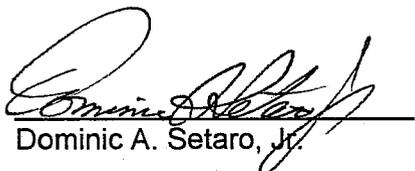
MEMO TO: Hon. Gene F. Eriquez
via the Common Council

FROM: Dominic A. Setaro, Jr.
Director of Finance

RE: Solid Waste & Recycling Budget Adjustment

CERTIFICATION

Attached you will find a copy of a memo from William Buckley, Superintendent of Public Utilities, requesting additional funds. This request is a result of the ordinance change which allows the City to now accept mechanically processed demolition material. I recommend that the Common Council approve the appropriation of the funds in the amount of \$97,300 to the accounts referenced in Mr. Buckley's memo, and we will amend the City's appropriate revenue line item in a like amount.


Dominic A. Setaro, Jr.

DAS/jg

Attach.

December 27, 1994

RECYCLING AND SOLID WASTE 1994-95 LINE ITEMS

ADJUSTMENTS FOR MECHANICALLY PROCESSED DEMOLITION

<u>DEPT. or EXPENSE CODE</u>	<u>RSW 94-95 ADD REQD</u>
<u>03-126 RECYCLING & SOLID WASTE</u>	
010100 Regular Salaries	\$11,300
010500 Overtime Services	\$18,720
011001 Part Time Services	\$ 6,080
022000 Printing & Binding	\$ 2,500
022500 Legal & Public Notices	\$ 500
024501 Leased Equipment	\$25,000
035400 Maintain Office Eq. Frntur.	\$ 5,000
040100 Office Supplies	\$ 250
047005 Fill	\$ 8,000
049500 Mtls-Supplies not listed	\$ 200
063000 ² Communication Eq.	\$ 2,250
062000	\$79,800
<u>03-117 EQUIP. MAINT.</u>	
042500 Motor Fuel	\$ 7,500
035100 Maintain Auto Equip.	\$10,000
TOTAL.....	<u>\$97,300</u>



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

WATER, SEWER, RECYCLING & SOLID WASTE DEPARTMENTS (203) 797-4539 FAX: (203) 796-1590

WILLIAM J. BUCKLEY JR., P.E. SUPERINTENDENT OF PUBLIC UTILITIES

December 27, 1994

TO: Mayor Gene F. Enriquez FROM: Mr. William J. Buckley, Supt. of Public Utilities RE: REQUEST FOR ADDITIONAL APPROPRIATION OF FUNDS - SOLID WASTE AND RECYCLING BUDGET

Separator line of asterisks

Dear Mayor Enriquez:

Now that the Ordinances and contracts are in place for the handling of the mechanically processed demolition at the City of Danbury Landfill, we need to address some of the line items in our budgets to accommodate the expenses associated with the handling and processing of this demolition waste. Attached you will find a breakdown of the appropriate line items and the additional amounts of monies that are necessary for those accounts in order to allow us to operate through the end of the fiscal year, June 30, 1995. The source of funding for these items will be the monies that we generate by receiving and disposing of the demolition material. Thank you for your consideration and as always I would make myself available to you or any members of the Common Council to address this issue.

WJB:bds ENCLOSURE cc: Mr. Dominic Setaro

RECEIVED stamp

DEC 27 1994 stamp

Finance Dept.



14

PINNEY, PAYNE, VAN LENTEN, BURRELL, WOLFE & DILLMAN, P.C.

ATTORNEYS AT LAW

LEE FARM CORPORATE PARK

83 WOOSTER HEIGHTS

POST OFFICE BOX 3499

DANBURY, CONNECTICUT 06813-3499

(203) 743-2721

FAX (203) 792-4759

RIDGEFIELD OFFICE

4 PROSPECT STREET

RIDGEFIELD, CONNECTICUT 06877

(203) 438-3726

A. SEARLE PINNEY
BOBBY S. PAYNE*
THOMAS W. VAN LENTEN
HUGH A. BURRELL
ROBERT J. WOLFE
JOHN M. DILLMAN
WILLIAM S. STEELE, JR.
SHELDON A. ROSENBAUM
TED D. BACKER**
JOSEPH DIMYAN
RICHARD A. O'CONNOR
JACKIE CHAN
CHRISTOPHER G. WINANS
MELINDA S. MONSON
WENDY A. GRISPIN

*ALSO ADMITTED IN VA

**ALSO ADMITTED IN D.C. AND NY

December 28, 1994

REPLY TO:
Danbury

Betty Crudgington
City Clerk
155 Deer Hill Avenue
Danbury, CT 06810

Dear Ms. Crudgington:

Please schedule on the Danbury Common Council, January Agenda, the request of the Homeowners of Pleasant Acres for a nonbinding study to determine the individual property owners assessment of benefits with respect to a potential acquisition and upgrading of the Pleasant Acres Water System as set forth in the Petitions attached.

Very Truly Yours,



TED D. BACKER



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DOMINIC A. SETARO, JR.
DIRECTOR OF FINANCE

(203) 797-4652
FAX: (203) 796-1526

December 28, 1994

MEMO TO: Hon. Gene F. Eriquez
via the Common Council

FROM: Dominic A. Setaro, Jr.
Director of Finance

RE: GC Services Collection Agency Fees CERTIFICATION #24

Approximately one year ago, the Common Council authorized the City to enter into an agreement with GC Services to collect delinquent taxes for the City. Through November, they have collected approximately \$120,000.00 and our fees have been in the neighborhood of \$36,800.00. For the 1994-95 budget, an appropriation of \$10,000.00 was established in the Tax Collector's budget to offset the fees for collection. The State of Connecticut recently approved a change in the statutes which would allow for a portion of the fees to be passed on to delinquent taxpayers. Effective January 1, 1995, the City has elected to do so.

Because of the success of this program to date, I hereby request that \$25,000.00 be appropriated from the Contingency account so that we may turn over additional accounts to the collection agency in hopes that we will continue to collect additional delinquent taxes. These delinquent taxes are primarily in the area of personal property, including automobile taxes.

I, therefore, certify the availability of \$25,000.00 to be transferred from the Contingency to the Tax Collector's, "Outside Services" line item, Account #02-01-147-029500. Should you need any additional information, feel free to give me a call.

Balance of Contingency	\$393,963.02
Less pending requests	27,182.00
Less this request	<u>25,000.00</u>
Balance	\$341,781.02

Dominic A. Setaro, Jr.

DAS/jg

cc: Catherine Skurat



CITY OF DANBURY

155 DEER HILL AVENUE
DANBURY, CONNECTICUT 06810
OFFICE OF THE CORPORATION COUNSEL

PLEASE REPLY TO:

December 13, 1994

DANBURY, CT 06810

Hon. Gene F. Eriquez, Mayor
Hon. Members of the Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, Connecticut

Re: Thermotrex, Inc. v. City of Danbury
(Tax Appeal)

Dear Mayor and Members of the Common Council:

The above-entitled matter is a tax appeal brought by Thermotrex against the October 1, 1993 assessment list regarding its property at 36 Apple Ridge Way. This matter has been reviewed by the Assessor, together with this office, and the Assessor has determined that a beneficial settlement should be considered. In that regard, please schedule your consideration of this proposal in executive session at the January regular meeting.

Appropriate backup documentation will be provided to you at that time, and the Assessor and this office will be available in the event that you have any questions.

Very truly yours,

Laszlo L. Pinter
Assistant Corporation Counsel

LLP:r

c: Ms. Nita Drakatos, Paralegal
Levy and Droney, P. C.

Robert F. Coyne
Tax Assessor



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

January 4, 1995

Honorable Mayor Gene F. Eriquez
Honorable Members of the Common Council

Re: Proposed J Bridge over White Turkey Road Ext.

The Common Council Committee appointed to review the proposed J Bridge over White Turkey Road Ext. met on December 20, 1994 at 4:00 P.M. in City Hall. In attendance were committee members Arconti and Scalzo. Also in attendance were City Engineer Jack Schweitzer, Corporation Counsel Eric Gottschalk and several representatives of the Berkshire Industrial Corporation.

Berkshire Industrial Corporation is currently constructing a bridge and roadway to serve the new Duracell building in Bethel. The bridge will cross over White Turkey Road Ext. and a portion of the railroad owned by Danbury Terminal Railroad Company. Berkshire Industrial Corporation has negotiated an easement for air rights over the railroad which ultimately has to be transferred to the City. Because the railroad company requires a commitment from Berkshire Industrial Corporation before the end of 1994, Berkshire Industrial Corporation requested the City to consider acceptance of the road, bridge and easement at this time.

This new road and bridge will also provide access to approximately 75 acres of industrial zoned land in Danbury. It is the intention of Berkshire Industrial Corporation to develop this land with Class A type office buildings. Berkshire Industrial Corporation is already making substantial private investment in the infrastructure to serve these parcels. Access to these parcels from within Danbury is necessary to enable full development of the area.

Mr. Scalzo moved to recommend that the Common Council accept the easement, bridge and road upon completion of construction provided that they are constructed in conformity with the plans approved by the City Engineering Department. The easement shall be in substantially the same form as Exhibit A attached. Mr. Arconti seconded the motion which passed unanimously.

Respectfully submitted,

JOSEPH SCOZZAFAVA

THOMAS J. ARCONTI

HARRY W. SCALZO



19

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

January 4, 1995

Honorable Mayor Gene F. Eriquez
Honorable Members of the Common Council

Re: Hazardous Substance Ordinance

On December 13, 1994 at 7:00 P.M. the Common Council Committee charged with reviewing the Hazardous Substance Ordinance met in Room 432 in City Hall. In attendance were committee members Gallagher, Levy and Yamin. Also in attendance was Coordinator of Environmental and Occupational Health Services Jack Kozuchowski, Assistant Corporation Counsel Les Pinter and Common Council Members Arconti and Coladarci, ex-officio.

Mr. Kozuchowski began the discussion by explaining the rationale for the proposed revisions to the ordinance. He explained that the current ordinance is limited in its scope and the revisions would provide more complete coverage of facilities utilizing hazardous substances. Additionally, the proposed revisions would expand the definition of "Hazardous Substances", increase the number of facilities to provide hazardous substance inventories. The result of these revisions being greater protection and security for the community. Mr. Kozuchowski also stated that he has worked with the Local Emergency Planning Committee (LEPS) on these revisions.

Mr. Levy stated his concerns regarding the proposed revisions. Of primary concern is the necessity of local control in an area already monitored on the State and Federal levels and the burden to small businesses in our area. Mr. Levy's written comments are included as part of this report. Mr. Yamin also stated concerns regarding additional regulation and its burden on small businesses. It was concluded that Mr. Kozuchowski should gather additional information as to the financial impact on businesses by this regulation.

Mr. Levy moved to take no action at this time and await further information. Seconded by Mr. Yamin and passed unanimously.

Respectfully submitted,

MATTHEW GALLAGHER

WARREN LEVY

ROBERT YAMIN



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

January 4, 1995

Honorable Mayor Gene F. Eriquez
Honorable Members of the Common Council

Re: Hazardous Substance Ordinance

On December 13, 1994 at 7:00 P.M. the Common Council Committee charged with reviewing the Hazardous Substance Ordinance met in Room 432 in City Hall. In attendance were committee members Gallagher, Levy and Yamin. Also in attendance was Coordinator of Environmental and Occupational Health Services Jack Kozuchowski, Assistant Corporation Counsel Les Pinter and Common Council Members Arconti and Coladarci, ex-officio.

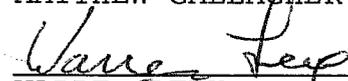
Mr. Kozuchowski began the discussion by explaining the rationale for the proposed revisions to the ordinance. He explained that the current ordinance is limited in its scope and the revisions would provide more complete coverage of facilities utilizing hazardous substances. Additionally, the proposed revisions would expand the definition of "Hazardous Substances", increase the number of facilities to provide hazardous substance inventories. The result of these revisions being greater protection and security for the community. Mr. Kozuchowski also stated that he has worked with the Local Emergency Planning Committee (LEPS) on these revisions.

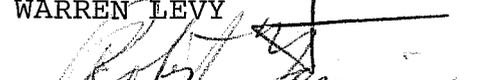
Mr. Levy stated his concerns regarding the proposed revisions. Of primary concern is the necessity of local control in an area already monitored on the State and Federal levels and the burden to small businesses in our area. Mr. Levy's written comments are included as part of this report. Mr. Yamin also stated concerns regarding additional regulation and its burden on small businesses. It was concluded that Mr. Kozuchowski should gather additional information as to the financial impact on businesses by this regulation.

Mr. Levy moved to take no action at this time and await further information. Seconded by Mr. Yamin and passed unanimously.

Respectfully submitted,


MATTHEW GALLAGHER


WARREN LEVY


ROBERT YAMIN

HAZARDOUS SUBSTANCES ORDINANCE NOTES

Should we consider increasing the scope of this Ordinance at a time when regulation on business has helped make this State number 4 on the list of most undesirable states to move into.

The statement in your cover letter regarding Danbury's Ordinance, I quote "has served as a model for the nation" is something that could be viewed by many in business as more anti-business regulations. I don't want Danbury to have the title of being the most regulated City in the USA. I would also like to point out that in your letter you make reference to the business community you have worked with on this. I take exception to that statement. The Chamber of Commerce does NOT represent all business in Danbury and they were the only business group involved in this ordinance and also on the Local Emergency Planning Committee (LEPC). All the members on the LEPC are members of a subcommittee of the Chamber of Commerce. Small business was NOT represented on this ordinance, nor is it represented on the LEPC. Small business means a business entity including its affiliates, as stated in Public Act No.94-179 "independently owned and operated".

THE ORDINANCE

The real reason for the ordinance is said to be to provide for a safer community. All experts in the field of hazardous substance agree that the most danger to the public is not from fixed storage locations, but from hazardous substance in transport. That is controlled by the Federal DOT and we have not control over it. Almost all of Danbury's major problems have come from hazardous substance in transit. It is conjecture to say Danbury is or will be safer because of our ordinance or its expansion.

In general, the most significant concerns I have are aspects of the proposed regulations are inconsistent with the State regulations, the local requirements go far beyond the State requirements. Example: Page 4 9-74(1) It extends the Federal Title III List of List of Chemicals to anything that LEPC may want to add. In other areas it gives the Director of Health or his designee to much discretionary power with no appeal process. From time to time we may have changes in personal at the Health Department with different opinions on what they want for compliance. Example: Regulation should include provision exempting insignificant activities, as is allowed under federal regulations (Paint Stores, Hardware, Nursery's, etc.). If there is such an "extraordinary level of cooperation from industrial facilities" as stated in your cover letter, What justifies making any change such as increasing the amount of the fine?

In 1981 this Ordinance was two pages long, in 1983 it grew to four pages and in 1994 you want it to grow again in length and scope. Are we being mandated by State or Federal Agency to make changes to the Ordinance? In fact, why do we need the ordinance at all when this is a State Law mandating business to report to the DEP and the Fire Marshall's Office? Are we making things more complex than necessary and adding a level of government?



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

January 4, 1995

Honorable Mayor Gene F. Eriquez
Honorable Members of the Common Council

Re: Renumbering of North Nabby Road

The Common Council Committee appointed to review the request to renumber North Nabby Road met at 7:30 P.M. in City Hall on December 13, 1994. In attendance were committee members Arconti, and Coladarci. Also in attendance were Assistant Planning Director Susan Decina, Fire Chief Carmen Oliver, Bill Doran from the Danbury Post Office and several residents of North Nabby Road.

The Planning Department mailed surveys to the 31 residences on North Nabby Road and reported the following results: 55% are in favor of renumbering; 13% opposed and 32% did not respond. Those present at the committee meeting discussed the problems experienced on this road due to the inconsistent numbering of the properties. A consensus was reached that the long term benefits of renumbering the entire street would outweigh the temporary inconvenience associated with a change of address.

Mrs. Coladarci moved to recommend that North Nabby Road be renumbered according to the proposal developed by the Planning Department. Seconded by Mr. Arconti. Motion carried unanimously.

Respectfully submitted,

THOMAS ARCONTI, Chairman

EILEEN COLADARCI

ROBERT YAMIN