

COMMON COUNCIL - SPECIAL MEETING

February 21, 1989

Meeting to be called to order at 8:00 P.M. by the Honorable Mayor Joseph H. Sauer, Jr.

PLEDGE OF ALLEGIANCE

PRAYER

ROLL CALL

Bourne, Connell, Gallo, Moran, Renz, Esposito, Farah, Flanagan,
Zotos, Cresci, Nimmons, Fazio, Shaw, Cassano, Charles, Bundy,
Butera, Danise, DaSilva, Eriquez, Regan,

19 Present 2 Absent

NOTICE OF THE SPECIAL MEETING - To be held on the 21st day of February, 1989 at 8:00 P.M. in the Common Council Chambers in City Hall for the purpose of acting upon the following:

1. REPORT - Acceptance of Landfill Material by the Department of Public Works.
2. REPORT - Downtown Redevelopment Project.

PUBLIC SPEAKING SESSION

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

B

CITY OF DANBURY

To: Members of the Common Council

A special meeting of the Common Council _____ of the City of Danbury will be held on the 21st day of February 1989 at 8:00 o'clock p.m., at the City Hall in said Danbury.

For the purpose of

1. REPORT - Acceptance of Landfill Material by the Department of Public Works.
2. REPORT - Downtown Redevelopment Project.

Dated at Danbury, this 16th day of February 1989.

James P. Purman Acting Mayor
Clyde W. Mudgett Clerk

To the sheriff or any policeman of the City of Danbury:

You are hereby required to notify the above named member _____ of the Common Council of the City of Danbury of the special meeting of said board by leaving with or at the usual place of abode or place of business of such member not less than 24 hours before the hour specified for said meeting, a notice in form annexed, and to make due return thereof at the time of said meeting.

James P. Purman Acting Mayor

RETURN OF SERVICE

By virtue of the within warning, I have served Notice on each of the members of the Common Council of the City of Danbury, of the Special Meeting of said Board, each Notice duly signed by the Mayor and City Clerk, by leaving such written Notice with each of the following members of said Common Council, to-wit:

	<u>NAME</u>	<u>TIME</u>
1.	James J. Farah	1724 hrs
2.	Ed Clarke	1733 hrs
3.	left at back door on porch.	
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Each Notice so served upon each member, all having been done by me on this date _____.

Attest: _____
Policemen of the City of
Danbury

Have member sign for, + time + date. If not at home, Officer shall leave envelope, giving time + date, then sign. To be delivered by 2400 hrs, 02-18-89.

RETURN OF SERVICE

By virtue of the within warning, I have served Notice on each of the members of the Common Council of the City of Danbury, of the Special Meeting of said Board, each Notice duly signed by the Mayor and City Clerk, by leaving such written Notice with each of the following members of said Common Council, to-wit:

	<u>NAME</u>	<u>TIME</u>
1.	H M [signature] (FATHER)	11:30
2.	Not Home, left in Mail box	5:30 460 1640
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Each Notice so served upon each member, all having been done by me on this date 2/17/89.

Attest: J. Fe T. FRINTON
Policemen of the City of
Danbury

Have member sign for, + time + date. If not at home, Officer shall leave envelope, giving time + date, then sign. To be delivered by 2400 hrs, 02-18-89.

RETURN OF SERVICE

By virtue of the within warning, I have served Notice on each of the members of the Common Council of the City of Danbury, of the Special Meeting of said Board, each Notice duly signed by the Mayor and City Clerk, by leaving such written Notice with each of the following members of said Common Council, to-wit:

	<u>NAME</u>		<u>TIME</u>
1.	JOSEPH DASILVA	Linda De Silva	1625
2.	MICHAEL FAZIO	Michael Fazio	1635
3.	ROGER BUNDY	IN FRONT DOOR NO ONE HOME	1642
4.	JAMES NIMMONS JR	James Nimmons	1647
5.	LOUIE BOURNE	IN MAIL BOX NO ONE HOME	1659
6.	ARTHUR PEGAN	Arthur D Pegan	2055
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Each Notice so served upon each member, all having been done by me on this date 02/17/89.

Attest: PO Modara
 Policemen of the City of
 Danbury

Have member sign for, + time + date. If not at home, Officer shall leave envelope, giving time + date, then sign. To be delivered by 2400 hrs, 02-18-89.

RETURN OF SERVICE

By virtue of the within warning, I have served Notice on each of the members of the Common Council of the City of Danbury, of the Special Meeting of said Board, each Notice duly signed by the Mayor and City Clerk, by leaving such written Notice with each of the following members of said Common Council, to-wit:

	NAME	TIME
1.	<i>[Signature]</i>	2150 hrs 2-17-89
2.	BARRY CROWLEY P.O. NEWBURY	32 OSBORNE ST. LEFT IN MAILBOX 7200 hrs 2-17-89
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Each Notice so served upon each member, all having been done by me on this date _____.

Attest: _____
Policemen of the City of Danbury

Have member sign for, + time + date. If not at home, Officer shall leave envelope, giving time + date, then sign. To be delivered by 2400 hrs, 02-18-89.

RETURN OF SERVICE

By virtue of the within warning, I have served Notice on each of the members of the Common Council of the City of Danbury, of the Special Meeting of said Board, each Notice duly signed by the Mayor and City Clerk, by leaving such written Notice with each of the following members of said Common Council, to-wit:

	<u>NAME</u>	<u>TIME</u>
1.	Shaw (left in front door)	43 Olympic 1619 PM
2.	Enriquez (side door)	78 Starrs Plain 1630 PM
3.	Flanagan	1 Willow Lane 2155 AM
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Each Notice so served upon each member, all having been done by me on this date 02/17/89.

Attest: [Signature]
Policemen of the City of Danbury

Have member sign for, + time + date. If not at home, Officer shall leave envelope, giving time + date, then sign. To be delivered by 2400 hrs, 02-18-89.

RETURN OF SERVICE

By virtue of the within warning, I have served Notice on each of the members of the Common Council of the City of Danbury, of the Special Meeting of said Board, each Notice duly signed by the Mayor and City Clerk, by leaving such written Notice with each of the following members of said Common Council, to-wit:

- | | <u>NAME</u> | <u>TIME</u> |
|-----|------------------|-------------------|
| 1. | Louis T. Charles | 4:30 PM 2-17-89 |
| 2. | Miller (unclear) | 5:30 p.m. 2-17-89 |
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Each Notice so served upon each member, all having been done by me on this date _____.

Attest: _____
Policemen of the City of
Danbury

Have member sign for, + time + date. If not at home, Officer shall leave envelope, giving time + date, then sign. To be delivered by 2400 hrs, 02-18-89.

RETURN OF SERVICE

By virtue of the within warning, I have served Notice on each of the members of the Common Council of the City of Danbury, of the Special Meeting of said Board, each Notice duly signed by the Mayor and City Clerk, by leaving such written Notice with each of the following members of said Common Council, to-wit:

	<u>NAME</u>	<u>TIME</u>
1.	<i>Anthony J. ...</i>	<i>9:45 PM</i>
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Each Notice so served upon each member, all having been done by me on this date _____.

Attest: _____
Policemen of the City of
Danbury

Have member sign for, + time + date. If not at home, Officer shall leave envelope, giving time + date, then sign. To be delivered by 2400 hrs, 02-18-89.

By virtue of the within warning, I have served Notice on ^{ONE} ~~each~~ of the members of the Common Council of the City of Danbury, of the Special Meeting of said Board, ~~each~~ Notice duly signed by the Mayor and City Clerk, by leaving such written Notice with ~~each~~ ^{each} of the following members of said Common Council, to-wit: A RELATIVE OF

NAME	TIME
1. <u>Louis Butler FOR JANET BUTLER</u>	1032 HRS 02-18-89
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^{each} Notice so served upon ~~each~~ ^{each} member, ~~and~~ ^{and} having been done by me on this date Feb 18, 1989.

Attest: Robert Shub
Policeman of the City of
DANBURY

RETURN OF SERVICE

By virtue of the within warning, I have served Notice on each of the members of the Common Council of the City of Danbury, of the Special Meeting of said Board, each Notice duly signed by the Mayor and City Clerk, by leaving such written Notice with each of the following members of said Common Council, to-wit:

	<u>NAME</u>	<u>TIME</u>
1. X	<i>Al Froytes</i> <i>Hank Moran</i> <small>(as vacated)</small>	1830
2. X	<i>[Signature]</i> <i>Gary D. Renz</i>	1900
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Each Notice so served upon each member, all having been done by me on this date _____.

Attest: *M. Williams*
Policemen of the City of Danbury

Home member sign for, + time + date. If not at home, Officer shall leave envelope, giving time + date, then sign. To be delivered by 2400 hrs, 02-18-89.

#2
 main vote
 change was for
 agreement

COMMON COUNCIL - ROLL CALL

NAME	YES	NO
LOVIE D. BOURNE		✓
BARRY J. CONNELL		✓
BERNARD P. GALLO	✓	
HANK S. MORAN		✓
GARY D. RENZ	✓	
JOHN J. ESPOSITO	✓	
ROBERT D. GODFREY <i>Furak</i>	✓	
STEPHEN T. FLANAGAN		✓
NICHOLAS ZOTOS	<i>ant</i>	
ARTHUR T. CRESCI		✓
JAMES E. NIMMONS, JR.	✓	
MICHAEL S. FAZIO		✓
WILLIAM H. SHAW		
ANTHONY J. CASSANO	✓	
LOUIS T. CHARLES	✓	
ROGER M. BUNDY		✓
JANET BUTERA		
MARI ANN DANISE	✓	
JOSEPH DaSILVA	✓	
GENE F. ERIQUEZ		✓
ARTHUR D. REGAN	<i>ant</i>	✓

*Mayor broke
 the tie
 in favor*

*tie 9
 yes*

9 no

COMMON COUNCIL - ROLL CALL

NAME	YES	NO
LOVIE D. BOURNE		✓
BARRY J. CONNELL		✓
BERNARD P. GALLO	✓	
HANK S. MORAN		✓
GARY D. RENZ	✓	
JOHN J. ESPOSITO	✓	
ROBERT D. GODFREY <i>Farah</i>	✓	
STEPHEN T. FLANAGAN		✓
NICHOLAS ZOTOS	<i>ast</i>	
ARTHUR T. CRESCI		✓
JAMES E. NIMMONS, JR.	✓	
MICHAEL S. FAZIO		✓
WILLIAM H. SHAW		
ANTHONY J. CASSANO	✓	
LOUIS T. CHARLES	✓	
ROGER M. BUNDY		✓
JANET BUTERA		
MARI ANN DANISE	✓	
JOSEPH DaSILVA	✓	
GENE F. ERIQUEZ		✓
ARTHUR D. REGAN		✓

*Mayor
Balle tie
in favor of Amendment*

9

tie vote

9

#1

COMMON COUNCIL - ROLL CALL

NAME	YES	NO
LOVIE D. BOURNE		✓
BARRY J. CONNELL	✓	
BERNARD P. GALLO	✓	
HANK S. MORAN	✓	
GARY D. RENZ		✓
JOHN J. ESPOSITO	✓	
ROBERT D. GODFREY <i>Tarah</i>	✓	
STEPHEN T. FLANAGAN		✓
NICHOLAS ZOTOS	✓	
ARTHUR T. CRESCI	✓	
JAMES E. NIMMONS, JR.	✓	
MICHAEL S. FAZIO		✓
WILLIAM H. SHAW		
ANTHONY J. CASSANO	✓	
LOUIS T. CHARLES	✓	
ROGER M. BUNDY	✓	
JANET BUTERA		
MARI ANN DANISE	✓	
JOSEPH DaSILVA	✓	
GENE F. ERIQUEZ	✓	
ARTHUR D. REGAN	✓	H/
	15	



CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

March 7, 1989

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

Re: Acceptance of Fill Material by the Department of Public Works

The Common Council Committee appointed to review the request to review acceptance of landfill material by the Department of Public Works met on February 14, 1989 at 7:30 P.M. in Room 432 in City Hall. In attendance were Committee Members Danise and Cresci. Also attending were Director of Public Works Dan Minahan and Solid Waste Manager Michael Cech as well as Council Members Roger Bundy and Barry Connell, ex-officio.

Mr. Cech submitted a procedure for evaluating the quality of cover material that is donated to the City. After some discussion, Mr. Cresci made a motion that Director of Public Works Daniel Minahan be given the authority to accept fill and/or soil to be used at the City landfill in accordance with the quality control checklist attached hereto. Seconded by Mrs. Danise. Motion carried unanimously.

Respectfully submitted,

MARI ANN DANISE, Chairman

ARTHUR CRESCI



CITY OF DANBURY

DANBURY, CONNECTICUT 06810

HEALTH AND HOUSING DEPARTMENT
20 WEST STREET

(203) 797-4625

February 14, 1989

TO: Michael Cech, General Manager of Solid Waste

FROM: Jack S. Kozuchowski, Coordinator of Environmental and Occupational Health Services

RE: Procedure for evaluating the quality of cover material that is donated to the City

The Health and Housing Department will conduct an evaluation on landfill cover material that is being offered to the City using the following procedure:

1. An on site inspection of the bank where the soil is to be excavated and taken to the landfill will focus on the following criteria:
 - (a) Proximity of the soil to industrial facilities underground fuel tanks, chemical storage areas or other sources of pollution.
 - (b) Quality of the soil, with regard to texture, moisture content, or any physical evidence of contamination.
 - (c) Homogeneity of the soil - whether it is likely to contain a uniform texture and quality vs. the existence of different veins of soil material.
2. If deemed necessary, samples of the soil will be taken for analysis of texture, moisture or chemical quality.
3. The Department of Environmental Protection will be consulted with regard to any history of oil or chemical spills on or near the site, enforcement actions or groundwater discharges.

The attached checklist will be used to conduct this evaluation of the cover material.

The evaluation will be conducted by myself or one of the environmental inspectors when cover material is being offered to the City.

If you have any questions regarding this procedure, please let me know.

LANDFILL COVER MATERIAL:

QUALITY CONTROL CHECKLIST

A. Description/location of cover source.

- 1. Name of organization providing cover: _____
- 2. Location of soil material to be provided (attach map if necessary): _____
- 3. Approximate quantity of fill to be provided (cubic yards): _____
- 4. Name of inspector evaluating cover: _____
- 5. Date of evaluation: _____

B. On-Site Conditions

Evaluation Criteria	YES/NO
1. Is the site where the soil material is available on industrial property? IF YES, Continue. IF NO, skip to #4.	
2. Are there any uncontained outdoor chemical storage areas on the property?	
3. Does the property owner have any existing groundwater discharges:	
4. Are there any underground fuel or chemical tanks on the property? IF YES, Specify age of tank _____ distance to soil bank _____	
5. Is there any evidence of oil or chemical spills on or near the soil bank.	

OTHER COMMENTS ON SITE INSPECTIONS: _____

C. Quality of the Soil

1. By visual examination of the soil bank, characterize the texture:

_____ Sand
_____ Silt
_____ Clay
_____ Mixture

2. In the test holes that were observed, specify how many encountered large rocks (greater than 1' in diameter).

Number of test holes: _____

Holes with boulders: _____

3. Based on surficial appearance and test holes, characterize the homogeneity of the soil material:

_____ Very homogeneous: all material observed is uniform texture and quality.

_____ Moderately mixed: some changes of soil material encountered.

_____ Very heterogeneous: several veins of different types and textures of soil are encountered.

4. Moisture content - visual characterization:

_____ Poorly/very poorly drained.

_____ Moderately well drained.

_____ Well drained.

5. If samples were collected, attach results and indicate conformance to bid specifications:

_____ Falls within quality range.

_____ Fails quality specifications indicate.

D. Regulatory History

1. Does the Oil and Chemical Spill Unit or the local Health Department have any records of accidental discharges of oil or chemical materials on this property? _____
2. Has the Hazardous Materials Management Unit of DEP ever issued an enforcement action against current or former property owners: _____
3. Does the Water Compliance Unit of DEP have any record for groundwater discharge or underground injection wells? _____

E. Conclusions and Recommendations.



2

CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

REPORT

Honorable Mayor Joseph H. Sauer
Honorable Members of the Common Council

Re: Errichetti Downtown Redevelopment Project

The Common Council Committee appointed to review the Downtown Redevelopment Project met on Tuesday, February 14, 1989 at 8:00 P.M. in Room 432 in City Hall. In attendance were committee Members Bundy, Connell, Renz, Flanagan and DaSilva. Also in attendance were Robert T. Resha, Esq., Comptroller Dominic Setaro, Scott Ziegler and Robert Murano of Errichetti Associates, Attorney Ward Mazzucco and Council Members Art Cresci, Mary Ann Danise and Bernard Gallo, ex-officio.

Mr. Bundy distributed a letter addressed to him from Mr. Setaro dated February 7, 1989. In addition to the letter there was a letter from the Bank of Boston to Mr. John Errichetti outlining general collateral requirements for a Letter of Credit. A vigorous discussion ensued concerning collateral requirements for a Letter of Credit as described in the Master Agreement of the Downtown Redevelopment Project. After considerable dialogue, it was determined that Mr. Errichetti has yet to apply for a Letter of Credit nor does he plan to in the future. Mr. Ziegler and Mr. Mazzucco made it quite clear that the Bond offered to the Redevelopment Agency by Mr. Errichetti would be the only form of security made available regarding this project. This Bond (in order to be accepted) necessitates a change in the Master Agreement which must be approved by the Common Council.

Mr. Renz made the following motion:

The committee recommends that the Common Council look at the proposed bond presented by Errichetti Associates to the Redevelopment Agency, as it meets the approval of the Corporation Counsel in that the bond meets the objective and, amend the Master Agreement in order to accept this bond at a Special Meeting of the Common Council to be convened as soon as possible. Motion seconded by Mr. DaSilva and carried with a vote of three to two with Messrs. Renz, DaSilva and Flanagan voting in the

affirmative and Messrs. Bundy and Connell voting in the negative.

A Motion was made and seconded to adjourn and the meeting was adjourned.

Respectfully submitted,

ROGER M. BUNDY, Chairman

GARY D. RENZ

BARRY J. CONNELL

STEPHEN T. FLANAGAN

JOSEPH DaSILVA