

TO: Mayor Gene F. Eriquez and Members of the Common Council

RE: Minutes of the Common Council Meeting held February 3, 1998.

The meeting was called to order at 7:30 P.M. by Mayor Eriquez. The Pledge of Allegiance and Prayer were recited. The members were recorded as:

Present - Scalzo, McAllister, Arconti, Smith, Boynton, Buzaid, D. Esposito, Machado, Shuler, Adames, Setaro, J. Esposito, Levy, Abrantes, Basso, Falzone, Fox, Gallagher, Moore, Saracino

Absent - Charles

20 present - 1 absent
Mr. Charles was ill

PUBLIC SPEAKING

Lorraine Seder, 224 Great Plain Road; Robin Dann, 6 Third Street.

MINUTES - Minutes of the Common Council Meeting held January 6, 1998. Mr. Setaro made a motion to accept the minutes as presented and waive the reading as all members have copies which are on file in the Office of the City Clerk for public inspection. Seconded by Mr. Boynton. Motion carried unanimously.

CONSENT CALENDAR - John Esposito presented the following items for the Consent Calendar:

- 2 - Approve application and resolution for State Department of Public Health Services AIDS Prevention Grant in an amount not to exceed \$225,794
- 3 - Approve application and resolution for March of Dimes Grant for School Based Health Center Program - \$5,000
- 4 - Receive communication from Office of Corporation Counsel and approve Resolution authorizing Corporation Counsel to acquire interests in real property relating to rotating airport beacon
- 5 - Approve application and resolution on behalf of Regional YMCA Western Connecticut for State DEP Outdoor Recreation Land Acquisition grant
- 6 - Confirm appointment of James Derwin as a regular member of the Commission on Aging
- 7 - Confirm appointment of Michael Pascuzzi as a member of the Parks and Recreation Commission
- 8 - Confirm reappointment of Evelyn Durgy, Ada Humphreville, Helen Masterson and Mel Schwartz as members of the Cultural Commission
- 9 - Confirm appointment of Manny Furtado as a member of the Environmental Impact Commission
- 14 - Approve transfer of \$1,506 from Elderly Services Account to Commission on Aging budget for professional services and office supplies
- 15 - Approve appropriation of \$375,000 to Police Department Special Services Account
- 18 - Receive communication from Corporation Counsel regarding request to purchase property on Deerfield Avenue and take no action pending receipt of property description and title search from petitioner
- 21 - Receive report from Police Chief regarding speed limits at City schools

- 25 - Receive communication from Superintendent of Public Utilities regarding repair of water line on Franklin Street and approve payment to Mr. Joe Rodrigues of \$2,585 pending certification by the Director of Finance
- 33 - Receive report and approve recommendations authorizing Corporation Counsel to acquire certain interests in real property to improve sight lines in the West King Street area
- 34 - Receive report and approve recommendations regarding water and sewer bills for number 4 Division Street
- 35 - Receive report and approve recommendations to take no action regarding request from MCCA to purchase land on Hospital Avenue
- 36 - Receive report and approve recommendations to accept donation of lights for Rogers Park from Bambino Baseball subject to rules of operation outlined by Director of Parks and Recreation
- 37 - Receive progress report and approve recommendations regarding Ordinance defining and regulating breeding of dangerous animals

Mr. Setaro made a motion to accept the Consent Calendar as presented, with items seven and nine removed. Seconded by Miss Fox. Motion carried unanimously.

1 - RESOLUTION - Rehabilitation of Apron at Executive Air Services
RESOLVED by the Common Council of the City of Danbury:

WHEREAS, The Federal Aviation Administration of the United States Department of Transportation and the Bureau of Aeronautics of the Connecticut Department of Transportation make funds available through the Airport Improvement Act of 1987; and

WHEREAS, the City of Danbury intends to rehabilitate the general aviation apron at Executive Air Service, LLC and do a wildlife study at the Danbury Municipal Airport which will improve the safety and efficiency of airport operations; and

WHEREAS, the City of Danbury will make application for a federal and state grant in an amount not to exceed \$1,500,000.00 with a local match of two and one-half percent (2 1/2%) equaling an amount not to exceed \$37,500.00.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor of the City of Danbury, Gene F. Eriquez, is hereby authorized to make application for said grant, and that any and all additional acts necessary to effectuate said program be and hereby are authorized.

Miss Fox made a motion to receive the communication, accept the donation, adopt the Resolution and send a letter of thanks. Seconded by Mr. Buzaid. Motion carried unanimously.

2 - RESOLUTION - AIDS Grant Amendment 1997-98
RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Public Health Services, through its AIDS Prevention Program, has made grant funds available to full-time health departments to provide HIV health education information and expanded services for the period of July 1, 1997 through June 30, 1998; and

WHEREAS, grant funds not to exceed \$225,794 requiring no local match, will be made available to the Danbury Health and Housing Department for its AIDS Risk Reduction Outreach Education Program, HIV Counseling and Testing Services, its Needle Exchange Program and its Ryan White Title II Case Management Program, upon approval of a grant application therefore; and

WHEREAS, the Danbury Health and Housing Department will provide these services to the general public with particular attention given to individuals concerned about possible exposure to HIV, serving both residents and non-residents with no restrictions on who may be served.

NOW, THEREFORE, BE IT HEREBY RESOLVED, THAT Gene F. Eriquez, Mayor of the City of Danbury or William J. Campbell, Director of Health, as his designee, is authorized to apply for said grant and to accept the grant award on behalf of the City of Danbury, if such award is made. Any prior actions of the Mayor or the Director of Health regarding this application are hereby ratified.

BE IT FURTHER RESOLVED THAT Mayor Gene F. Eriquez is hereby authorized to make, execute and approve on behalf of the City of Danbury all contracts/agreements or amendments thereof, which do not require expenditure of City funds, with the State of Connecticut Department of Public Health Services regarding said grant, and to take all actions necessary to accomplish the purposes of these programs.

The Resolution was adopted on the Consent Calendar.

3 - RESOLUTION - March of Dimes

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Northern Metro Chapter, Fairfield County Division of the March of Dimes will accept an application from the Danbury Health and Housing Department for a grant in the amount not to exceed \$5,000. for the period of January 1, 1998 through December 31, 1998 with no local cash match required; and

WHEREAS, this funding will enable the Health and Housing Department to pursue its goal of preventing birth defects and to improve pregnancy outcomes through the implementation of a collaborative outreach and education program whose primary beneficiaries will be the students and staff of Danbury High School.

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury or William J. Campbell, Director of Health, as his designee, are hereby authorized to apply for said funding, to accept the grant award, if offered; and

BE IT FURTHER RESOLVED THAT Mayor Gene F. Eriquez is hereby authorized to execute all contracts / documents in connection therewith and to do all things necessary to effectuate the purposes of said grant.

The Resolution was adopted on the Consent Calendar.

4 - RESOLUTION - Airport Rotating Beacon Site - Acquisition of Access Properties

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury holds a permanent easement and right of way over a portion of property off Spruce Mountain Trail (rear) shown and described in a certain easement from Doris Jean Gemza to the Town of Danbury dated July 22, 1963, recorded in Volume 393 at Page 565 of the Danbury Land Records on August 8, 1963 and further depicted on Town Clerk Maps No. 3487 and No. 9036; and

WHEREAS, said easement and right of way permitted the Town of Danbury to erect and maintain a rotating airport beacon light, poles, transmission line structures and other appurtenances over, upon, across and under said property of the Grantor; and

WHEREAS, it is now in the best interests of its successor, the City of Danbury, to acquire permanent ownership of said property and additional property known as Parcels "B-1" and "B-2" as set forth on "Map Showing Land to be Acquired by the City of Danbury from Tancy Jean Gemza and Marcie Elyce Gemza and Peter Priano and Susan Ferraguzzi Spruce Mountain Trail, Danbury, Conn. Scale 1" = 40' January 30, 1991" and which property is further described on the attached Schedules "A" and "B"; and

WHEREAS, eminent domain proceedings will be necessary if the City of Danbury cannot agree with the owners of said property upon the amount, if any, to be paid for the respective rights of each to be taken in and to the real property hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL THAT the Corporation Counsel of the City of Danbury is hereby authorized to acquire by August 3, 1998 the property interests now or formerly of Tancy Jean Gemza and Marcie Elyce Gemza and Peter Priano and Susan Ferraguzzi as set forth on the attached Schedules and map, either by negotiation or by eminent domain through the institution of suits with respect to the aforementioned property and the owners thereof, their successors, heirs and assigns and their respective mortgage holders and encumbrancers, if any.

The Resolution was adopted on the Consent Calendar.

5- RESOLUTION - Grant-in-Aid Regional YMCA of Western Connecticut
RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury wishes to extend its municipal corporation classification to assist the State of Connecticut in providing financial assistance to the Regional YMCA of Western Connecticut; and

WHEREAS, a petition for assistance will be made to the Commissioner of the Department of Environmental Protection for an Outdoor Recreation Land Acquisition Grant on behalf of the Regional YMCA of Western Connecticut for a project known as Great Hollow Farm Acquisition; and

WHEREAS, if the funding is granted it will be forwarded to the Regional YMCA of Western Connecticut which will be the record owners of said project; and

WHEREAS, there no local cash match required.

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury is hereby authorized to execute all documents necessary for said grant with the State of Connecticut on behalf of the Regional YMCA of Western Connecticut.

The Resolution was adopted on the Consent Calendar.

6 - COMMUNICATION - Letter from Mayor Gene Eriquez requesting confirmation of the appointment of James Derwin to the Commission on Aging for a term to expire October 1, 1999. The appointment was confirmed on the Consent Calendar.

7 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of the appointment of Michael Pascuzzi to the Parks and Recreation Commission for a term to expire December 1, 1999. Mr. Falzone made a motion to receive the communication and confirm the appointment. Seconded by Mr. Setaro. Motion carried unanimously.

8 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of the reappointments of Evelyn Durgy, Ada Humphreville, Helen Masterson and Mel Schwartz to the Cultural Commission for terms to expire February 1, 2001. The reappointments were confirmed on the Consent Calendar.

9 - COMMUNICATION - Letter from Mayor Eriquez requesting confirmation of Manny Furtado to the Environmental Impact Commission for a term to expire December 1, 1998. Mrs. Abrantes made a motion to receive the communication and confirm the appointment. Seconded by Miss Fox. Motion carried unanimously.

10 - COMMUNICATION - Letter from Library Director Betsy McDonough requesting permission to accept a donation in the amount of \$6,540 from the FRIENDS of the Danbury Library. Miss Fox made a motion to receive the communication, accept the donation, credit the proper line item and send a letter of thanks. Seconded by Mr. Shuler. Motion carried unanimously.

11 - COMMUNICATION - Letter from Director of Elderly Services Leo McIlrath requesting permission to accept donations in the amount of \$1,360.00. Mr. Falzone made a motion to receive the communication, accept the donations, credit the proper line items and send letters of thanks. Seconded by Mrs. Basso. Motion carried unanimously.

12 - COMMUNICATION - Request from Fire Chief Carmen Oliver for permission to accept a donation in the amount of \$100 resulting from a traffic fine. Mr. McAllister made a motion to receive the communication, accept the donation and credit the proper line item. Seconded by Mr. Boynton. Motion carried unanimously.

13 - COMMUNICATION - Request from Deputy Fire Chief Peter Siecienski to accept a new Digital Fax Machine from Dex Business Systems Company of Bethel. Mrs. Abrantes made a motion to receive the communication, accept the donation and send a letter of thanks. Seconded by Dean Esposito. Motion carried unanimously.

14 - COMMUNICATION & CERTIFICATION - Request from Leo McIlrath to transfer the sum of \$1,506 from the Elderly Services donations account to the Commission on Aging budget. A certification of funds was attached. The transfer of funds was authorized on the Consent Calendar.

15 - COMMUNICATION - Request from Chief of Police Robert Paquette for the sum of \$375,000 for the police special services account. The request was granted on the Consent Calendar.

16 - COMMUNICATION & CERTIFICATION - Request from Corporation Counsel Eric Gottschalk for the sum of \$215,000 for litigation expenses for on-going lawsuits. A certification of funds was attached. Mr. Boynton made a motion that the communication be received and the transfer of funds authorized. Seconded by Mr. Buzaid. Motion carried unanimously.

17 - COMMUNICATION - Tax Relief - Remediation of Environmentally Impacted Sites. Mr. Setaro asked that this be referred to an ad hoc committee, the Corporation Counsel, the Director of Finance and Jack Kozuchowski. Mayor Eriquez so ordered and appointed Council Members Setaro, Levy and Basso to the committee.

18 - COMMUNICATION - Report from Corporation Counsel regarding request to purchase property on Deerfield Avenue indicating certain requirements need to be determined as to whether the City has an ownership interest in the property to allow for a transfer of sale. The report was received on the Consent Calendar and no action taken pending receipt of property description and title search from the petitioner.

19 - COMMUNICATION - Report from Corporation Counsel regarding Bishop Curtis Homes - Former St. Peter's Convent. Mr. Falzone asked that this be referred to the Tax Abatement Committee. Mayor Eriquez so ordered and stated that the Tax Abatement Committee consists of the Director of Finance, Corporation Counsel and the Tax Assessor.

20 - COMMUNICATION - Emergency Centralized Dispatch System. Request from Council Member Paul McAllister that an ad hoc committee be established to investigate the feasibility of creating an emergency centralized dispatch system. Mr. McAllister asked that this be referred to a committee of the whole. Mayor Eriquez so ordered.

21 - COMMUNICATION - Report from Chief of Police Robert Paquette regarding speed limits in the vicinity of City schools. The report was received on the Consent Calendar.

22 - COMMUNICATION - Request to declare City land adjacent to schools non-surplus. Miss Fox asked that this be referred to the Corporation Counsel for a report back within thirty days. Mayor Eriquez so ordered.

23 - COMMUNICATION - Request to purchase City owned land on Hemlock/Birch Trail. Mr. McAllister asked that this be referred to the Director of Planning, the City Engineer, the Corporation Counsel and the Planning Commission. Mayor Eriquez so ordered.

24 - COMMUNICATION - PAL Bambino Concession/Sewer Installation. Mr. Setaro made a motion to receive the communication, accept the donation and send a letter of thanks. Seconded by Dean Esposito. Motion carried unanimously.

25 - COMMUNICATION - Letter from Superintendent William Buckley requesting that Joe Rodrigues be reimbursed the sum of \$2,585 for repair of a water line on Franklin Street. The communication was received and the reimbursement approved pending certification on the Consent Calendar.

26 - COMMUNICATION - Application for sewer and water extension on Briar Ridge Road. Miss Fox asked that this be referred to an ad hoc committee, the City Engineer, the Superintendent of Public Utilities, and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Falzone, Levy and Moore to the committee.

27 - COMMUNICATION - Request for water extension on Edgewood Street. Mr. McAllister asked that this be referred to an ad hoc committee, the City Engineer, the Superintendent of Public Utilities and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Falzone, Adames and Basso to the committee.

28 - COMMUNICATION - Request for sewer extension on Plumtrees Road. Dena Esposito asked that this be referred to an ad hoc committee, the City Engineer, the Superintendent of Public Utilities and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Boynton, John Esposito and Saracino to the committee.

29 - COMMUNICATION - Request for the formation of a committee to investigate the lack of responsiveness by the Danbury Police Department. Mr. Setaro asked that this be referred to the Chief of Police. Mayor Eriquez so ordered.

30 - COMMUNICATION - Request for a committee to investigate lack of enforcement of State Statutes and City Ordinances by the Housing Authority regarding unregistered vehicles. Mrs. Abrantes asked that this be referred to the Corporation Counsel and the Associate Director of Housing. Mayor Eriquez so ordered.

31 - DEPARTMENT REPORTS - Fire Chief, Fire Marshall, Police Chief, Highway Department, Engineering, Health and Housing, Welfare, Department of Elderly Services, Public Utilities including Landfill, Equipment Maintenance. Mr. Setaro made a motion to accept the reports as presented and waive the reading as all members have copies which are on file in the Office of the City Clerk for public inspection. Seconded by Miss Fox. Motion carried unanimously.

Mr. Setaro submitted the following report:

The committee appointed to review the resolution in support of the Housatonic Valley Tourism District met on January 26, 1998 at 7:00PM in Room 432 of City Hall. In attendance were committee members Setaro, Levy and Basso. Also in attendance were Danbury representatives to the Housatonic Valley Tourism Commission Richard Murray and Norm Winnerman, Executive Director of the Tourism Commission Catherine Bashich and Council members Arconti and Saracino, ex-officio.

Mr. Arconti stated that he had sponsored the resolution in support of the regional tourism districts because he felt that a centralized system administered from Hartford would diminish the financial resources which our region would receive from the State and that these resources benefit our local economy. Mr. Murray and Mr. Winnerman spoke in favor of the resolution and stated that the funds that our tourism district receives are derived from a hotel tax, that the local business community supports local control of tourism districts and that it is possible that our region would receive less funding if the centralized structure were to be adopted by the General Assembly.

Mrs. Basso questioned whether procedures were in place to maintain the accountability of the districts. Ms. Brashich stated that the local district had adopted an accounting system consistent with that recently adopted by all regional tourism districts in the state, that annual audits were performed by an independent accounting firm and that the state Tourism Council and Office of Policy and Management provided oversight of the regional tourism districts.

Mr. Levy moved to recommend to the Common Council adoption of the proposed resolution supporting regional tourism districts. Seconded by Mr. Setaro and passed unanimously.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut currently funds through its lodging tax revenue, eleven regional tourism districts, each independently operated and governed by representatives of the municipalities they serve; and

WHEREAS, the Housatonic Valley Tourism District is one such agency serving the City of Danbury and eight other surrounding communities with the sole purpose of promoting the attractions and benefits of those communities and thereby aiding in the economic development and vitality of its members; and

WHEREAS, the State of Connecticut is currently proposing to dissolve the eleven regional tourism districts and replace them with a single centralized tourism operation, which action would be detrimental to the City's ability to participate in and influence decisions and actions affecting our economic well being and thereby be less beneficial to our citizens; and

WHEREAS, the City believes that it will be best served by a regional tourism district that thoroughly understands the makeup of this geographic area and will advocate its attributes on behalf of the City of Danbury and its other member communities, and that the Housatonic Valley Tourism District is best suited to perform these duties.

NOW, THEREFORE BE IT RESOLVED THAT the City of Danbury urges its State Legislators and the entire General Assembly to oppose the centralization of tourism operations and support continuation of the state funded, regional tourism district structure, and specifically sustain the operations of the Housatonic Valley Tourism District.

Mr. Arconti made a motion to receive the report and adopt the Resolution. Seconded by Miss Fox. Motion carried unanimously.

Mr. Scalzo submitted the following report:

The Common Council Committee appointed to review the problem on West King Street met on January 20, 1998 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Scalzo, Levy and Saracino. Also in attendance were City Engineer Jack Schweitzer, Assistant Corporation Counsel Laszlo Pinter and Council Members Basso and Shuler, ex-officio, as well as the Petitioner, William Sullivan, Linda Molinaro and several neighbors who live on the private road.

Extensive reports from the Traffic Engineer, Corporation Counsel, Police Chief and City Engineer were read into the record by Mr. Scalzo, as well as the minutes of the meetings of the Planning Commission from 1978 which made various recommendations for the subdivision at that time. Mr. Sullivan explained in detail the contents of his letter to the City seeking a solution to the sightline condition at their private driveway and the dangers that are present because of the numbers and speed of the travelers entering and leaving Danbury on West King Street. He and the other residents were made aware of the fact that utilizing traffic signalization and/or stop signs are neither practical or legally permissible as stated by the Police Chief and the Traffic Engineer.

In further discussion, it was resolved that the proper solution at this time would be to remove a portion of the bank and clear the plant overgrowth in the designated area to improve the line of sight. All of the residents are willing to pay for the cost of this. However, they stated the owner of the property involved is very uncooperative. It was further noted that any sight line improvement would have to be approved by the City Engineer as was not the case when the subdivision was approved in 1978.

On advice from the Corporation Counsel, Les Pinter, Mr. Levy made the motion that, based on the information in reports from the City Engineer, Traffic Engineer and the Chief of Police that the City declares this portion of West King Street a traffic hazard and request that the Corporation Counsel proceed with regard to the acquiring of certain rights voluntarily from the property owner to improve the sight line in the area in question. Seconded by Mrs. Saracino and passed unanimously.

The report was received and the recommendations authorizing Corporation Counsel to acquire certain interests in real property to improve sight lines in the West King Street area approved on the Consent Calendar.

34 - REPORT - Water and Sewer Bills for 4 Division Street

Mr. Scalzo submitted the following report:

The Common Council Committee appointed to review the water and sewer bills for 4 Division Street met on January 20, 1998 at 8:25 P.M. in Room 432 in City Hall. In attendance were committee members Scalzo, Shuler and Basso. Also in attendance were Superintendent of Public Utilities William Buckley, Administrative Manager Lew Wallace, Director of Finance Dominic Setaro, Assistant Corporation Counsel Les Pinter, Council Member Warren Levy, ex-officio, the petitioner Dominic Ferrante and his attorney, Douglas Lewis.

The discussion concerned the unusual amounts of water usage and subsequent charges for two quarters in 1996. Mr. Wallace and Mr. Buckley stated that the City sent Water Department inspectors to the property as a result of the complaint and found various open faucets, leaks, and faulty toilet mechanisms in some of the seven units and deli store on the said property. He also removed and tested the meter from the property which was not registering properly and the property owner was awarded a 4% rebate. This was not acceptable by the property owner and he was therefore seeking redress from the Common Council. Calculations by the Finance Director determined that quarterly billings were averaging the same for the years usage after the rebate was awarded. Further discussion established the fact that it is very difficult to determine the water being consumed by sewer rental units and a deli store.

Mr. Shuler made a motion that the City Water Department install a second meter in tandem with the existing meter for a minimum of three months with periodic readings to keep abreast of the water usage at 4 Division Street. The motion was seconded by Mrs. Basso and passed unanimously.

The report was received and the recommendations approved on the Consent Calendar.

35 - REPORT - Request from MCAA to Purchase Land on Hospital Avenue

Mr. Arconti submitted the following report:

The committee appointed to review the request by MCAA to purchase City land on Hospital Avenue met in City Hall at 7:00 P.M. on September 23, 1997 and at 7:30 P.M. on January 13, 1998. In attendance at the September 29th meeting were committee members Arconti, Fox and Mead. Also in attendance Common Council Members Setaro, Levy, Scalzo, Gallagher, Coladarci, Nolan and Basso, ex-officio, as well as several department heads, the principal of Broadview Middle School, the executive director of MCAA and members of the public. In attendance at the January 13th meeting were committee members Arconti, Fox and Moore. Also in attendance were Common Council Members McAllister, Smith, Saracino and Basso, ex-officio, as well as Assistant Corporation Counsel Laszlo Pinter, the executive director of MCAA and members of the public. The committee also conducted a site walk on December 13, 1997 with Arconti, Fox and Moore in attendance along with Council Members Saracino and Basso, ex-officio, the executive director of MCAA and members of the public.

The Planning Commission made a positive recommendation to declare this parcel surplus. The committee requested the opinion of the School Board and received a negative recommendation to declare the parcel surplus. At the January 13, 1998 committee meeting, MCAA submitted a letter withdrawing their request of May 28, 1997 to purchase the land on Hospital Avenue.

Miss Fox moved to recommend that the Common Council not declare this parcel surplus at this time and to take no action except to encourage the City administration to continue working with MCAA to find an appropriate alternate site within the City of Danbury. Seconded by Mr. Moore and passed unanimously.

The report was received and recommendation to take no action approved on the Consent Calendar.

36 - REPORT - Donation of Lights for Rogers Park from Bambino Baseball League

Mr. Setaro submitted the following report:

The committee appointed to review the donation of lights for Rogers Park from the Bambino Baseball League met at 7:00 PM in Room 432 of City Hall. In attendance were committee members Setaro, D. Esposito and Saracino. Also in attendance were Richard Murray representing the Parks and Recreation Department, Michael Haddad, President of the Bambino Baseball League, Council members Levy and John Esposito ex-officio as well as members of the public.

Mr. Setaro explained that members of the Council recognize the contributions made by the Bambino Baseball League but had referred the donation of the sportslights to committee to discuss the rules of the usage and to give area neighbors an opportunity to be heard. The Director of Parks and Recreation Bob Ryerson forwarded correspondence to the committee which stated his support for acceptance of the donation, that the Council had previously approved the lighting of Field I and that the lights would only be used on non-school nights with an approximate game ending time of 9:30PM.

Dean Esposito stated that he was supportive of the efforts made by those involved with Bambino Baseball but that he sought to ensure that guidelines regarding the use of the lights would be followed. Members of the public stated similar sentiments. Mr. Murray stated that the Parks and Recreation department monitors the lights, that he felt that the Bambino League was committed to the rules which were brought forward to the committee and that if volunteer groups do not follow the rules that the Director of Parks and Recreation has the authority to take appropriate action in response.

Dean Esposito moved to recommend to the Common Council acceptance of the donation of lights for Field I in Rogers Park by the Bambino Baseball League subject to the rules of operation outlined in Mr. Ryerson's correspondence of January 26, 1998. Seconded by Ms. Saracino and passed unanimously.

The report was received and the recommendations to accept donation of lights for Rogers Park from Bambino Baseball subject to rules of operation outlined by the Director of Parks and Recreation approved on the Consent Calendar.

37 - PROGRESS REPORT - Ordinance defining and regulating breeding of dangerous animals

Mr. Setaro submitted the following Progress Report:

The committee appointed to review an ordinance defining and regulating the breeding of dangerous animals met at 7:30 PM in Room 432 of City Hall. In attendance were committee members Setaro and Moore. Also in attendance were Police Chief Robert Paquette, Assistant Corporation Counsel Les Pinter and Council members Dean Esposito and Levy ex officio.

Mr. Setaro stated that a constituent who had been the subject of a pit bull attack had requested that the Council investigate and propose an ordinance regulating the breeding of dangerous animals. M. Pinter stated that he had researched the issue and that several Connecticut municipalities have adopted ordinances of this type, that the ordinances must be narrowly tailored and that the ordinances which he found regulate dogs or dangerous animals. Chief Paquette stated that his concerns included specific standards in the ordinance and enforceability and he added that he would research how many similar attacks had occurred in Danbury. Mr. Setaro stated that the committee and the Council would be seeking options and recommendations on this issue.

Mr. Moore moved to adjourn the meeting to allow the Office of Corporation Counsel and Police Chief to further research the issue and make a recommendation to the committee. Seconded by Mr. Setaro and passed unanimously.

The Progress Report was received and recommendations approved on the Consent Calendar.

The Mayor extended all committees

The Mayor appointed the following Council Members to the Education Budget Committee: Matthew Gallagher, Harry Scalzo, Connie Shuler, Marcia Fox and Pauline Basso.

38 - Mr. Setaro made a motion to add the Grant-in-Aid Agreement for Landfill Closure Resolution to the agenda. Seconded by Mr. Levy. Motion carried unanimously.

RESOLVED by the Common Council of the City of Danbury:

I, Elizabeth Crudginton, City Clerk of the City of Danbury, Connecticut (the "City"), DO HEREBY certify that the following is a true and correct copy of a resolution duly adopted at a meeting of the Common Council of the City of Danbury duly held and convened on February 3, 1998, at which meeting a duly constituted quorum of the Common Council was present and acting throughout and that such resolution has not been modified, rescinded or revoked and is at present in full force and effect:

RESOLVED: That Mayor Gene F. Eriquez is authorized to execute any and all agreements for the purpose of receiving from the Department of Environmental Protection, a grant for the closure of the Danbury Landfill.

IN WITNESS WHEREOF, the undersigned has affixed his signature and the corporate seal of the City this fourth day of February, 1998.

Mr. Falzone made a motion to receive the communication and adopt the Resolution. Seconded by Mr. Setaro. Motion carried unanimously.

39 - Mr. Setaro made a motion to add the request for extension of time for the Residence Inn on Segar Street to the agenda. Seconded by Mr. Levy and passed unanimously.

Request for extension of time for Residence Inn on Segar Street. Mr. Setaro made a motion to receive the communication and extend for eighteen months for the release of certain utility easements and certain road widening stripes. Seconded by Miss Fox. Motion carried unanimously.

There being no further business to come before the Common Council a motion was made at 8:37 by Mr. Falzone for the meeting to be adjourned.

Respectfully submitted,

Jimmatta L. Samaha
JIMMETTA L. SAMAHA
Assistant City Clerk

ATTEST:

Elizabeth Crudginton
Elizabeth Crudginton
City Clerk