

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

RE: Minutes of the Common Council Meeting held April 7, 1998

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

PRESENT - Scalzo, McAllister, Arconti, Smith, Boynton, Buzaid, Machado, Shuler, Setaro, John Esposito, Levy, Abrantes, Charles, Basso, Falzone, Fox, Gallagher, Moore, Saracino

ABSENT - Dean Esposito, Adames

19 Present - 2 Absent

PUBLIC SPEAKING

William Hogan, 48 Wooster Heights

Mayor Eriquez presented his budget address.

At 8:25 P.M. Mr. Dean Esposito arrived and was marked present

MINUTES - Minutes of the Common Council Meeting held March 3, 1998. Mr. Setaro made a motion that the minutes be adopted as presented and the reading waived 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.

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

- 4 - Approve application and resolution for State Department of Public Health Services AIDS Prevention Program grant not to exceed \$228,794
- 6 - Approve application and resolution for State Department of Health Services School Based Health Center Supplemental Grant not to exceed \$1,261.70
- 7 - Approve application and resolution for Meserve Foundation Grant \$7,500
- 8 - Approve application and resolution for State Department of Public Safety Connecticut National Incident Based Reporting System Grant - \$12,500
- 10 - Approve resolution authorizing Corporation Counsel to maintain an action in eminent domain for the acquisition of certain rights with respect to a water line on Concord Street
- 18 - Receive communication from NOW Inc. regarding Senior Nutrition Services and deny request
- 19 - Approve reappropriation of \$337 from Elderly Services donations account to Commission on Aging budget for Professional Service fees
- 21 - Approve transfer of \$4,147 of Title III-b grant from Western Connecticut Area Agency on Aging to Commission on Aging budget for computer equipment, woodworking equipment and cellular phone
- 22 - Receive report from Assessor regarding property located at 386 Main Street and take no action at this time
- 23 - Receive report from Assessor regarding property located at 44 Padanaram Road and take no action at this time

- 24 - Receive positive Planning Commission and Redevelopment Agency reports regarding acquisition of property located at 195-97 Main Street and adopt resolution appearing as item 16 on March 3, 1998 Council agenda
- 27 - Receive report regarding request for sewer extension at 18 Commerce Drive and approve recommendations in support of sewer extension subject to the normal eight steps
- 36 - Receive positive Planning Commission report and approve lease of the concession stand at Candlewood Park
- 38 - Receive report from Planning Department regarding proposed address changes at 211 White Street and approve recommended change of address to 211A and 211 B White Street
- 40 - Approve transfer of \$3,447 from excess Mashantucket Pequot revenue to Animal Control Fund contributions - Grants Account for removal of oil tank at Danbury Dog Pound
- 41 - Approve reappropriation of \$47,776 from sale of surplus police vehicles to Police Department Office Supplies line item for purchase of software
- 42 - Receive negative report from Director of Public Works regarding road widening strips on Rockwood Lane and deny acceptance of road widening strips
- 45 - Receive communication from Corporation Counsel regarding landfill litigation and approve designation of Attorney Barry Fleishman of Dickstein, Shapiro, Morin & Oshinsky as special counsel to represent the City of Danbury
- 48 - Receive report and approve recommendations in support of request for sewer extension on Plumtrees Road
- 50 - Receive report and approve recommendations to take no action regarding sewer line repair at 98 West Street
- 52 - Receive report and approve recommendations in support of sewer extension at 5 Sunnyside Avenue
- 53 - Receive report and approve recommendations in support of request for water extension on Edgewood Street

Mr. Charles made a motion to adopt the Consent Calendar as presented. Seconded by Mr. Boynton. Motion carried unanimously with Mr. Setaro abstaining on item 24.

1 - ORDINANCE & RESOLUTION - An Ordinance Making Appropriations for the Fiscal Year beginning July 1, 1998 and Ending June 30, 1999; and a Resolution Levying the Property Tax for the Fiscal Year Beginning July 1, 1998 and ending June 30, 1999. Mr. Setaro asked that this be referred to a public hearing and the appropriate budget committees. Mayor Eriquez so ordered.

2 - ORDINANCE - An Ordinance Appropriating \$500,000 for Public Improvements in the 1998-99 Capital Budget and Authorizing the Issuance of \$500,000 Bonds and Bond Anticipation Notes of the City to meet said Appropriation. Mr. Setaro asked that this be referred to Public Hearing. Mayor Eriquez so ordered.

3 - COMMUNICATION - Request from Superintendent of Schools Timothy Connors for approval of a revised State and Federal Grants Budget. Mr. Setaro made a motion that the communication be received, and the revised State and Federal Grants budget be approved. Seconded by Mrs. Abrantes. Motion carried unanimously.

4 - RESOLUTION - AIDS Grant Amendment

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 \$228,794 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.

5 - RESOLUTION - Food Stamp Workfare Program

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Social Services has notified the City of Danbury Welfare Department of its eligibility to apply for a grant for its Food Stamp Workfare Program; and

WHEREAS, the Workfare Program would refer approximately 20 Danbury area residents each month to the Job Search training program or skill training; and

WHEREAS, the grant being offered is in the amount of \$75,000.00 and will require no matching funds from the City of Danbury,

NOW, THEREFORE BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury is hereby authorized to apply for said grant on behalf of the Danbury Welfare Department and to execute any and all documents to effectuate the purposes hereof.

Mr. Boynton made a motion to receive the communication and adopt the Resolution. Seconded by Dean Esposito. Motion carried unanimously

6 - RESOLUTION - School Based Health Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Health Services has notified the Department of Health and Housing of the City of Danbury of the City's eligibility to apply for a School-Based Health Center Supplemental Grant in an amount not to exceed \$1,261.70; and

WHEREAS, the grant term will cover the period of January 1, 1998 through June 30, 1998, with no local cash match required; and

WHEREAS, the State's purpose in providing these funds is to enable the Nurse Practitioner to attend STD Intensive Training in May of 1998.

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury, and the Danbury Health and Housing Department, acting through William J. Campbell, Director of Health, are hereby authorized to apply to the State of Connecticut Department of Health Services for said grant funds and to accept the award if offered; and

BE IT FURTHER RESOLVED THAT Mayor Gene F. Eriquez and William J. Campbell, Director of Health are hereby authorized to take any and all actions necessary to effectuate the purposes hereof.

The Resolution was adopted on the Consent Calendar.

7 - RESOLUTION - Meserve Foundation

Resolved by the Common Council

WHEREAS, the Meserve Memorial Fund Distribution Committee is currently accepting applications from non-profit organizations for the first round of grant awards during 1998; and

WHEREAS, the Fund was established in 1983, a legacy of the late Mr. and Mrs. Albert W. Meserve, to support a wide range of public, charitable and educational projects and organizations that have an impact on the Greater Danbury area; and

WHEREAS, the City of Danbury is desirous of applying for and accepting said grant to aid in the mission of the Meserve Foundation; and

WHEREAS, grants are only made to 501(c)(3) tax exempt organizations.

NOW, THEREFORE BE IT RESOLVED THAT Mayor Gene F. Eriquez is authorized to apply for and accept said grant and to execute such documents necessary for the accomplishment of the purposes thereof.

The Resolution was adopted on the Consent Calendar.

8 - RESOLUTION - Funding for CT-NIBRS Program

Resolved by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut, Department of Public Safety has made available a grant in the amount of \$12,500; and

WHEREAS, said grant, if awarded, is to be used to purchase software equipment for the Connecticut National Incident Based Reporting System (CT-NIBRS) Program; and

WHEREAS, a local cash match of \$48,500 is required by the City and is already contained in the 1997-98 Police Department budget.

NOW, THEREFORE, BE IT RESOLVED THAT, Mayor Gene F. Eriquez or Chief Robert Pacquette are hereby authorized to apply for and accept said grant and to execute any and all such documents necessary for the accomplishment of the purposes thereof.

The Resolution was adopted on the Consent Calendar.

9 - RESOLUTION - DEP Grant for the purchase of a regional tub grinder. Miss Fox made a motion to receive the communication and adopt the resolution. Seconded by Mr. Charles. Mrs. Basso asked that this be referred to committee. Mayor Eriquez so ordered and appointed Council Members Setaro, Levy and Basso to the committee.

10 - RESOLUTION - Concord Street Water Line Extension - Date Extension for Condemnation

Resolved by the Common Council of the City of Danbury:

WHEREAS, the City of Danbury Common Council, in 1996, approved the extension of water on Concord Street; and

WHEREAS, it is in the best interest of both the users and the City of Danbury to improve the water line serving the users; and

WHEREAS, in order to complete the water line extension in the Concord Street and Lombardi Street area, it is necessary for the City of Danbury to acquire easement interests in and to real property as hereinafter set forth; and

WHEREAS, eminent domain proceedings may be necessary in order to acquire said easement interests.

NOW, THEREFORE, BE IT RESOLVED THAT, the Corporation Counsel of the City of Danbury is hereby authorized to acquire said property interests as set forth in Exhibit A attached hereto and made a part hereof by October 7, 1998, by eminent domain through the institution of suit against the interested property owners and the holders of mortgages or other encumbrances affecting the properties, if any.

The Resolution was adopted on the Consent Calendar.

11 - RESOLUTION - Assignment of Real Property Tax Liens:

Resolved by the Common Council of the City of Danbury:

WHEREAS, Connecticut General Statutes §12-195h authorizes any municipality to assign, for consideration, any and all liens filed by the tax collector to secure unpaid taxes on real property; and,

WHEREAS, on August 15, 1997 the City of Danbury assigned certain real estate tax liens appearing on the grand lists of October 1, 1982 through October 1, 1995 to Transamerica Business Credit Corp. (hereinafter referred to as, "Transamerica"); and,

WHEREAS, the assignment of additional tax liens on the grand list of October 1, 1996 to Transamerica would further reduce the administrative burden upon the Danbury Tax Collector for the benefit of the city;

WHEREAS, said assignment of tax liens is found to be in the best interests of the City of Danbury;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY that, Mayor Gene F. Eriquez be and hereby is authorized to assign to Transamerica any and all liens filed by the tax collector to secure unpaid taxes on real property appearing on the grand list of October 1, 1996. Mayor Eriquez is further authorized to execute any agreements or amendments thereto as may be required to accomplish the purposes hereof.

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

12 - RESOLUTION - Danbury Landfill Zone of Influence
Mr. Setaro asked that this be referred to the Planning Commission. Mayor Eriquez so ordered.

13 - COMMUNICATION - Request from Director of Elderly Services Leo McIlrath for permission to accept a donation in the amount of \$25 from the American Association of Retired Citizens. Miss Fox made a motion that the communication be received, the donation accepted, the proper line item credited, and a letter of thanks sent. Seconded by Mr. McAllister. Motion carried unanimously.

14 - COMMUNICATION - Request from Superintendent of Public Utilities William Buckley for permission to accept the sum of \$46,000 from Work Family Directions, Inc. for the Earth to Kids Program. Miss Fox made a motion to accept the donation, credit the proper line item and send letters of thanks. Seconded by Mrs. Abrantes. Motion carried unanimously.

15 - COMMUNICATION - Donation of a tree from the Woman's Club of Danbury/NewFairfield for a municipal park. Mrs. Abrantes made a motion to receive the communication, accept the donation and send a letter of thanks. Seconded by Mr. Charles. Motion carried unanimously.

16 - COMMUNICATION - Letter from Jeffrey J. Haas requesting that a Sister City relationship with Bosnia be established. Mr. Setaro asked that this be referred to an ad hoc committee. Mayor Eriquez so ordered and appointed Council Members Buzaid, Shuler and Basso to the committee.

17 - COMMUNICATION - Request from the Danbury Music Centre for the sum of \$5,000 for the Nutcracker Ballet. Mr. Setaro asked that this be referred to the General Government Budget Committee. Mayor Eriquez so ordered.

18 - COMMUNICATION - Request from Senior Nutrition Services for an additional contribution for the Meals on Wheels Program. The communication was received and the request denied on the Consent Calendar.

19 - COMMUNICATION & CERTIFICATION - Request from Leo McIlrath for a transfer of funds in the amount of \$337 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.

20 - COMMUNICATION - Request from Director of Finance Dominic Setaro for a waiver of bid regarding the lease/purchase agreement with IBM. Mr. Setaro made a motion to receive the communication, approve the request for a waiver of bid requirement and authorize the execution of a lease agreement or to purchase outright. Seconded by Mr. McAllister. Motion carried unanimously.

21 - COMMUNICATION - Request from Leo McIlrath that a portion of funds remaining of the Title III-b grant from the Western CT Area Agency on Aging be transferred over to the regular budget of the Commission on Aging. A certification of funds was attached. The transfer of \$4,147 was approved on the Consent Calendar.

22 - COMMUNICATION - Report from the Tax Assessor regarding property at 386 Main Street. The report was received on the Consent Calendar and no action taken at this time.

23 - COMMUNICATION - Report from the Tax Assessor regarding property on 44 Padanaram Road. The report was received on the Consent Calendar and no action taken at this time.

24 - COMMUNICATION - Reports from the Planning Commission and the Redevelopment Agency regarding 195-97 Main Street. The reports were received and the Consent Calendar and the resolution appearing as item 16 on March 3, 1998 agenda was adopted.

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

26 - COMMUNICATION - Request for sewer and water extensions on Duck Street - Miss Fox asked that this be referred to an ad hoc committee, the Superintendent of Public Utilities, the City Engineer and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Buzaid, Adames and Moore to the committee.

27 - REPORT - Request for Sewer Extension - 18 Commerce Drive

Mr. Boynton submitted the following report:

The Common Council Committee appointed to review the request for sewer extension at 18 Commerce Drive met on March 16, 1998 at 7:45 P.M. in Room 432 in City Hall. In attendance were committee members Boynton and John Esposito. Mr. Moore was absent. Also in attendance were City Engineer Jack Schweitzer, Superintendent of Public Utilities William Buckley and Attorney Paul Jaber.

A Planning Commission report was not available at the time of the time, but was subsequently received and attached hereto.

John Esposito made a motion to recommend approval of the sewer extension subject to the normal eight steps. Seconded by Mr. Boynton. Motion carried unanimously.

The report was adopted on the Consent Calendar.

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

29 - COMMUNICATION - Request for Water Extension at 18 Commerce Drive. Mrs. Abrantes asked that this be referred to an ad hoc committee, the Superintendent of Public Utilities, the City Engineer and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Boynton, John Esposito and Basso to the committee.

30 - COMMUNICATION - Request for Sanitary Sewers on Benson Drive. Mr. McAllister asked that this be referred to the City Engineer for a survey. Mayor Eriquez so ordered.

31 - COMMUNICATION - Request to purchase City owned property at 20, 22 and 24 Rowan Street. Mr. Machado asked that this be referred to an ad hoc committee, the Director of Finance, the Planning Director and the Welfare Director. Mayor Eriquez so ordered and appointed Council Members Gallagher, Buzaid and Moore to the committee.

32 - COMMUNICATION - Request for review of sewer and water bills for property at 60 Elm Street. Mr. McAllister asked that this be referred to an ad hoc committee, the Superintendent of Public Utilities, the Corporation Counsel and the Planning Director. Mayor Eriquez so ordered and appointed Council Members Levy, Shuler and Saracino to the committee.

33 - COMMUNICATION - Request from SNET Company for an easement at 35-39 Hayestown Road. Miss Fox asked that this be referred to the City Engineer and the Director of Planning for reports back within thirty days. Mayor Eriquez so ordered.

34 - COMMUNICATION - Request to purchase property at 8 Settlers Hill Road. Mr. McAllister asked that this be referred to the Planning Director, the Director of Finance, the Planning Commission and the City Engineer for reports back within thirty days. Mayor Eriquez so ordered.

35 - COMMUNICATION - Request for relief on tax bill for property at 20-20A White Street. Dean Esposito asked that this be referred to an ad hoc committee, the Corporation Counsel, the Director of Finance and the Superintendent of Public Utilities. Mayor Eriquez so ordered and appointed Council Members Fox, Smith and Moore to the committee.

36 - COMMUNICATION - Report from the Planning Commission regarding the lease at Candlewood Park. The positive report was received on the Consent Calendar and the lease approved.

37 - COMMUNICATION - Request from Fire Chief Carmen Oliver to have the Planning and Zoning Department survey duplicate addresses and report back on same. Mr. Setaro requested that this be referred to the Planning Director for a report back. Mayor Eriquez so ordered.

38 - COMMUNICATION - Proposed address changes at 211A and 211B White Street. The report from the Planning Director was received and the recommended changes approved on the Consent Calendar.

39 - COMMUNICATION - Proposed address changes on Carriage House Drive. Mr. McAllister asked that this be referred to an ad hoc committee and the Director of Planning. Mayor Eriquez so ordered and appointed Council Members Machado, Shuler and Basso to the committee.

40 - COMMUNICATION - Oil Tank at the Danbury Dog Pound. The request for the transfer of \$3,447 from excess Mashantucket Pequot revenue to the Animal Control Fund contributions-Grants Account for removal of oil tank at the Danbury Dog Pound was approved on the Consent Calendar.

41 - COMMUNICATION - Reappropriation of Funds - Police Department. The sum of \$47,776 from the sale of surplus police vehicles for reappropriation to the Police Department Office Supplies line item for the purchase of software was approved on the Consent Calendar.

42 - COMMUNICATION - Reports regarding Rockwood Land road widening strips. The negative reports were received on the Consent Calendar and the acceptance of road widening strips denied.

43 - COMMUNICATION - Request to limit size of speakers in automobiles. Mr. Scalzo asked that this be referred to the Corporation Counsel for a report back within thirty days. Mayor Eriquez so ordered.

44 - COMMUNICATION - Report from City Engineer regarding Ford Avenue. Mr. Arconti asked that this be referred to an ad hoc committee and the City Engineer. Mayor Eriquez so ordered and appointed Council Members McAllister, Abrantes and Saracino to the committee.

45 - COMMUNICATION - Accashian v. City of Danbury - Landfill Litigation Insurance Matters. The communication was received on the Consent Calendar and the designation of Attorney Barry Fleishman of Dickstein, Shapiro, Morin & Oshinsky as special counsel to represent the City of Danbury approved.

46 - COMMUNICATION - Tax Appeal Litigation Fielding Properties. Mr. Setaro asked that without objection this item be moved to the end of the agenda for executive session.

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

48 - REPORT - Request for Sewer Extension - Plumtrees Road

Mr. Boynton submitted the following report:

The Common Council Committee appointed to review the request for sewer extension on Plumtrees Road met on March 16, 1998 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Boynton and Esposito. Also in attendance were City Engineer Jack Schweitzer, Superintendent of Public Utilities William Buckley and Attorney Robin Kahn.

The Planning Commission issued a positive report. Reports by Mr. Buckley, Mr. Schweitzer and Attorney Kahn were also given.

Mr. Esposito made a motion to recommend to the Common Council the extension of sewers as requested, subject to the normal eight steps. Seconded by Mr. Boynton and passed unanimously.

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

49 - REPORT - Governmental Entities Review and Evaluation. Miss Fox asked that this be referred to Public Hearing. Mayor Eriquez so ordered.

50 - REPORT - Sewer Line Repair at 98 West Street

Mr. Buzaid submitted the following report:

The Common Council Committee appointed to review the request for sewer line repair at 98 West Street met on March 23, 1998 at 7:40 P.M. In attendance were committee members Buzaid, Shuler and Saracino. Also in attendance were City Engineer Jack Schweitzer, Superintendent of Public Utilities William Buckley, Mr. Kaback and Mr. Williams and Mr. Williams, III.

Mr. Buckley informed everyone that the sewer pipe at issue was installed in 1906 and the water main was installed in the 1930s. Therefore, this has been a situation which has existed for over 50 years. Mr. Kaback said this was true as he has had problems with this for 50 years. Mr. Buckley suggested that his office would look into a possible remedy of the problem rather than discuss liabilities.

Mrs. Saracino moved to take no action at this time. Seconded by Mr. Shuler. Motion carried unanimously.

The report was adopted on the Consent Calendar.

51 - REPORT - Request for Sewer and Water Extension - Briar Ridge Road

Mr. Falzone submitted the following report:

The Common Council Committee appointed to review the Request for Sewer and Water Extension on Briar Ridge Road met on March 16, 1998 at 8:00 P.M. in Room 432 at City Hall.

In attendance were committee members Chairman Michael Falzone and Councilman Warren Levy. Absent was Councilman Martin Moore. Also in attendance were William Buckley, Superintendent of Public Utilities; John Schweitzer, Director of Public Works; Councilpersons John Esposito and Ernest Boynton, ex-officio; Attorney Paul Jaber, representing the petitioner, and Carl Kuehner, the petitioner.

Chairman Falzone read the positive recommendation made by the Planning Commission into the record. Councilman Levy made a motion to waive the rules to allow the petitioner the speak.

Attorney Jaber explained that the Common Council had previously approved the location of the water and sewer lines to their site. This request is to only to modify the previous approval.

Commissioner Levy asked what the cost would be.

Superintendent Buckley stated that part of the money would come from the sewer fund. This was already approved for sewer.

Commissioner Levy asked what the benefit was.

Mr. Buckley stated that this approval will eliminate the need of a pumping station on Mill Plain Road.

After further discussion Councilman Levy made a motion to approve the water and sewer extension on Briar Ridge Road subject to the eight (8) conditions, plus that the funding not exceed \$140,000 from the sewer fund, and pending certification of funds. The motion was seconded by Mr. Falzone, and passed unanimously.

Mr. Levy moved to receive the report and take no action until funds are available. Seconded by Mr. Setaro. Motion carried unanimously.

52 - REPORT - Sewer Extension - 5 Sunnyside Avenue

Mr. Arconti submitted the following report:

The Common Council Committee appointed to review the request for a sewer extension at 5 Sunnyside Avenue met in City Hall on March 30, 1998 at 7:00 P.M. In attendance were committee members Arconti, and Basso. Also in attendance were City Engineer Jack Schweitzer and Superintendent of Public Utilities William Buckley. The petitioner and committee member Mary Smith arrived at the close of the meeting.

The Planning Commission made a positive recommendation for this request. Mr. Buckley and Mr. Schweitzer have no objection to the extension providing it can be physically accomplished and that the petitioner is willing to pay the entire expense.

Mrs. Basso moved to recommend that the Common Council approve the request for a sewer extension to 5 Sunnyside Avenue with the inclusion of the usual eight steps. Seconded by Mr. Arconti and passed unanimously.

The report was received and its recommendations adopted on the Consent Calendar.

53 - REPORT - Request for Water Extension - Edgewood Street

Mr. Falzone submitted the following report:

The Common Council Committee appointed to review the Request for Water Extension on Edwood Street met on March 16, 1998, at 8:30 P.M. in Room 432 in City Hall. Members in attendance were: Chairman Michael Falzone and Councilperson Pauline Basso. Absent was Councilwoman Helena. Also in attendance were: William Buckley, Superintendent of Public Utilities; John Schweitzer, Director of Public Works; Councilmen John Esposito and Warren Levy, ex-officio; and petitioners, Melissa and Gilles Grodin.

Chairman Falzone read the positive recommendation from the Planning Commission into the record. Mr. Buckley explained that with this water extension it will remove the need of an easement from in front of the property and the petitioners will bear the expense of the water extension.

Councilperson Basso moved to approve the water extension following the nine (9) steps, plus adding the condition that the water line will not exceed 145 feet of eight inch (8") pipe and the hydrant assembly and the City will put in a wet tap. The motion was seconded by Chairman Falzone, and the motion was passed unanimously.

The report was received and its recommendations adopted on the Consent Calendar.

54 - COMMUNICATION - Mr. Setaro made a motion to add to the agenda the request from Richard Smith to accept a donation in the amount of \$300 from the Lions Club for the planting of 3 flowering trees. Seconded by Mr. Levy. Motion carried unanimously.

Mr. Boynton 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.

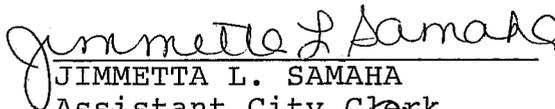
Mayor Eriquez extended all committees.

At 9:15 P.M. Mr. Setaro made a motion to enter into executive session to discuss item 46. Seconded by Dean Esposito. Motion carried unanimously. At 9:30 P.M. the Common Council reconvened in open session.

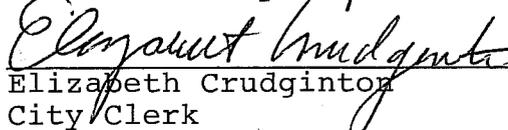
Mr. Boynton made a motion to accept the communication and authorize the proposed action and outlined in executive session. Seconded by Mr. Shuler. Motion carried unanimously.

There being no further business to come before the Common Council a motion was made at 9:32 P.M. by Mr. Gallagher for the meeting to be adjourned.

Respectfully submitted,


JIMMETTA L. SAMAHA
Assistant City Clerk

ATTEST:


Elizabeth Crudginton
City Clerk