

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

RE: Minutes of the Common Council Meeting held June 2, 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, Buzaid, D. Esposito, Machado, Shuler, Setaro, J. Esposito, Levy, Abrantes, Basso, Fox, Gallagher, Moore

ABSENT - Smith, Boynton, Adames, Charles, Falzone, Saracino

15 Present - 6 Absent

Mr. Boynton and Mrs. Smith were working, Mrs. Saracino was out of town and Mr. Charles was ill.

PUBLIC SPEAKING - Herb Krate, 4 Alan Road, Lake Waubeeka; Carol Elder, 128 Lake Place South; Ann Marie Kratch, 7 Driftway Road; Bob Carlson, 26 Lake Place North; Ted LaBonne, 33 Lake Place North; and James Brooks, 101 Lake Place South.

MINUTES - Minutes of the Common Council Meeting held May 5, 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 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 Preventative Health and Health Services Block Grant in an amount not to exceed \$9,531 for the period September 1, 1998 through June 30, 1999.

8 - Receive communication and confirm the appointment of Christal Loubriel as a member of the Zoning Commission to fill the unexpired term of Robert Lynch.

9 - Confirm the appointment of Chad Sinanian as a member of the Commission on Persons with Disabilities.

10 - Confirm the appointment of Thomas Devine as a member of the Housatonic Valley Tourism Commission filling the unexpired term of Norman Winnerman.

15 - Approve reappropriation of \$760 from the Elderly Services Donations Account to Commission on Aging Budget for Professional Services Fees and Conferences.

17 - Approve request for additional funding for Police Special Services and appropriate \$20,800 to Police Special Services Account.

18 - Approve reappropriation of \$6,415 of Danbury Railroad Commuter Parking fees for alarm service, building maintenance and cleaning services.

19 - Approve proposed Danbury Railyard Parking Budget for FY1998-99 totaling \$11,590.

23 - Receive positive Planning Commission report dated May 26, 1998 regarding East Pearl Street Bridge Replacement Easements and approve resolution appearing on May 5, 1998 Council Agenda and authorize Corporation Counsel to take necessary action to obtain said easements.

24 - Receive communication from Director of Public Works outlining survey results related to sanitary sewer extensions on Aunt Hack Road-Lindencrest Drive area and take no action at this time.

28 - Receive report and approve recommendations to adopt ordinance pertaining to governmental entity review and evaluation.

29 - Receive report and approve recommendation to adopt resolution and application for State Neighborhood Assistance Act Program.

30 - Receive report and approve recommendation in support of request for water extension on Plumtrees Road.

Mr. Levy made a motion that the Consent Calendar be adopted as read. Seconded by Mrs. Abrantes. Mrs. Basso asked that item 24 be removed. Motion carried unanimously.

1 - **RESOLUTION** - Safe Summer Youth Recreation Program 1998-99

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Office of Policy and Management will be providing funds for a Summer Youth Recreation program for at-risk youth; and

WHEREAS, the purpose of the Summer Youth Recreation Program is to provide structured recreational activities directed toward youth which will combat idleness and promote positive development, self-esteem and social skills; and

WHEREAS, the City of Danbury is eligible to receive a maximum grant of \$45,000 for expanded or new summer youth recreation programs for the period of July 1, 1998 through the start of the school year, and

WHEREAS, the acceptance of said funds is deemed to be in the best interest of the City of Danbury with no local match required.

NOW, THEREFORE, BE IT RESOLVED THAT, Mayor Gene F. Eriquez or his designee Robert Ryerson, Director of Parks & Recreation be and are hereby authorized to apply for said grant and to execute any necessary contracts or amendments thereto should said grant be awarded to the City, and to execute any other required documents or take any other action to effectuate the purposed hereof.

Mr. Arconti made a motion to receive the communication and adopt the resolution. Seconded by Mr. McAllister. Motion carried unanimously.

2 - **RESOLUTION** - Danbury School Readiness Council

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut through the State Board of Education is making available to priority school districts a School Readiness and Child Day Care Grant Program pursuant to Public Act 97-259; and

WHEREAS, the purpose of this program would expand and enhance school readiness and child day care programs in the priority municipalities; and

WHEREAS, the City of Danbury and its Board of Education are desirous of participating in these grants program in the amounts of \$1,273,709 and \$55,585; and

WHEREAS, the cash match required will be provided by the Board of Education; and

WHEREAS, the time period for the grant is July 1, 1998 through June 30, 1999.

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Gene F. Eriquez and School Superintendent Timothy Connors be and hereby are authorized to accept said grant and execute such documents as are necessary for the accomplishment of the purposes hereof.

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

3 - **RESOLUTION** - Community Development Block Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the United States Department of Housing and Urban Development has allocated funds under Title I of the Housing and Community Development Act of 1987, as amended, which authorized the Community Development Block Grant Program; and

WHEREAS, it is in the best interests of the City of Danbury to apply for a grant under such Act; and

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury is hereby authorized to make application on behalf of the City of Danbury to the United States Department of Housing and Urban Development for grant funds for the Community Development Program Year commencing August 1, 1998 through July 31, 1999 for the Twenty-Fourth Year Funding in accordance with all pertinent laws and regulations and the Statement of Community Development Objectives and Projected Use of Funds proposed by the Mayor's Community Development Program Policy Committee.

BE IT FURTHER RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury, is hereby authorized to execute all contracts and take all necessary actions to effectuate the purposes of this grant application.

Mr. McAllister made a motion to receive the communication and adopt the resolution. Seconded by Mr. Levy. Motion carried unanimously.

4 - **RESOLUTION** - Preventive Health Block Grant

WHEREAS, the State of Connecticut Department of Public Health has notified the City of Danbury Health and Housing Department that it is eligible to apply for a Preventive Health and Health Services Block Grant in an amount not to exceed \$9,531; and

WHEREAS, the grant will cover the period of September 1, 1998 through June 30, 1999 with no local cash match required; and

WHEREAS, the funding will be used for a Youth Violence Prevention program in conjunction with the School-Based Health Center located at Danbury High School.

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury and William J. Campbell, Director of Health, are hereby authorized to apply for said funds from the Connecticut Department of Public Health and to accept the grant, if awarded;

AND, FURTHER, Mayor Gene F. Eriquez is hereby authorized to execute all contracts/agreements in connection therewith and to do all things necessary to effectuate the purposes of said grant.

The application was approved and the resolution was adopted on the Consent Calendar.

5 - **RESOLUTION** - Community Employment Incentive Program

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Labor will make grant funds available to municipalities under its Community Employment Incentive Program (CEIP) to fund employment placement projects for recipients of SAGA medical; and

WHEREAS, the State of Connecticut Department of Labor and municipal Welfare Departments are working together to advance their mutual goal of assisting

recipients of SAGA medical assistance to secure employment and attain economic self sufficiency; and

WHEREAS, the City of Danbury Welfare Department is eligible to receive a grant of up to \$75,000 for the period of July 1, 1998 to June 30, 1999 upon approval of an application therefore.

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury and Deborah A. MacKenzie, Director of Welfare, are hereby authorized to apply for said funds, to accept the grant if approved and the Mayor is further authorized to execute any contracts therefor and to do all things necessary to effectuate the purposes of the grant award.

Mr. McAllister made a motion to receive the communication and adopt the resolution. Seconded by Mrs. Abrantes. Motion carried unanimously.

6 - **RESOLUTION** - Per Capita Grant 1998-99

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Public Health has made funds available for 1998-99 to municipalities in accordance with Section 19a-202 of the Connecticut General Statutes; and

WHEREAS, the City of Danbury through the Danbury Health and Housing Department has formulated a program to promote optimal public health quality in the City of Danbury; and

WHEREAS, a continuation grant award application for \$35,105.72 with no local match requirement will be processed by the Danbury Health and Housing Department for a grant term of July 1, 1998 through June 30, 1999.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor of the City of Danbury, Gene F. Eriquez, or the Director of Health, William J. Campbell, as his designee is hereby authorized to apply for and accept said per capita grant funds of \$35,032.40, to execute all contracts or amendments thereof concerning said grant and to take all necessary actions to effectuate the purposes thereof.

Mr. Setaro made a motion that the communication be received and the resolution adopted. Seconded by Dean Esposito. Motion carried unanimously.

7 - **RESOLUTION** - PAL Youth Activities Center

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, construction of the Danbury Police Activities League (PAL) Youth Activities Center on Hayestown Road is nearing completion; and

WHEREAS, in order to defray the borrowing costs incurred by PAL in connection with said construction, on February 7, 1995, the Common Council pledged revenues generated from Hatters Park, except for the bowling alley lease, to PAL for the duration of PAL's original mortgage; and

WHEREAS, additional financial assistance to PAL is now deemed to be in the best interests of the City of Danbury;

NOW, THEREFORE, BE IT RESOLVED THAT all revenues derived from the use of Danbury Hatters Park, including those derived from bowling alley lease payments, are hereby pledged to PAL, shall be credited to the account of PAL and shall be designated as part of the annual source of PAL for the duration of the original PAL mortgage.

Mr. Levy made a motion to receive the communication and adopt the resolution. Seconded by Mrs. Abrantes. Motion carried unanimously.

8 - **COMMUNICATION** - Recommendation from Democratic Town Committee Chairman Joseph Walkovich recommending the name of Christel Loubriel to fill the vacancy on the Zoning Commission to fill the unexpired term of Robert Lynch. The appointment was confirmed on the Consent Calendar.

9 - **COMMUNICATION** - Request from Mayor Gene F. Eriquez requesting that Chad Sinanian be appointed to the Commission on Persons with Disabilities for a term to expire March 1, 2001. The appointment was confirmed on the Consent Calendar.

10 - **COMMUNICATION** - Request from Mayor Gene F. Eriquez requesting that Thomas Devine be appointed to the Housatonic Valley Tourism Commission for a term to expire July 1, 1999. The appointment was confirmed on the Consent Calendar.

11 - **COMMUNICATION** - Request for Director of Elderly Services Leo McIlrath requesting approval of his application to establish a "SeniorNet" Program at the Danbury Senior Center. SNET would pay the membership fee of \$12,000 as well as supply funds to cover yearly phone charges, supplies and software. IBM will pay \$13,000 for equipment and software, donating 5-6 state of the art computers, monitors, 2 modems, 2 phone lines and 2 printers. Mrs. Abrantes made a motion to receive the communication, approve the application, accept the donations and send letters of thanks. Seconded by Mr. McAllister. Motion carried unanimously.

12 - **COMMUNICATION** - Request from Director of Elderly Services Leo McIlrath requesting permission to accept a donation from SNET of a computer and modem and one year free access to the Internet Education Connection. Mr. McAllister made a motion to accept the communication, accept the donation and send a letter of thanks. Seconded by Mrs. Basso. Motion carried unanimously.

13 - **COMMUNICATION** - Request from Director of Elderly Services Leo McIlrath request permission to accept donations in the total amount of \$450.00. Mr. Arconti made a motion that the communications be received, the donations accepted, the proper line items credited and letters of thanks sent. Seconded by Miss Fox. Motion carried unanimously.

14 - **COMMUNICATION** - Letter from Mayor Eriquez requesting permission to accept a donation of \$750 from U. S. Filter Operating Services, Inc. to the Still River Alliance in support of the Still River Revitalization Project. 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.

15 - **COMMUNICATION** - Request from Director of Elderly Services Leo McIlrath for a transfer of funds in the amounts of \$130 and \$637, respectively, from the Elderly Services donations account to the Commission on Aging budget. The transfer of funds was approved on the Consent Calendar.

16 - **COMMUNICATION** - Letter from Carol R. Elder requesting the sum of \$18,000 for weed treatment at Lake Kenosia, using Sonar. Mr. Levy made a motion to appropriate the funds not to exceed the sum of \$18,000 pending certification of funds from excess Mashantucket Pequot funds for Sonar treatment of weeds at Lake Kenosia. Seconded by Mr. Machado. Motion carried unanimously.

17 - **COMMUNICATION** - Request for Police Chief Robert Paquette requesting \$208,000 be appropriated to the Police Special Services Account. These funds are later returned to the City as indirect revenue. The request for additional funding for Police Special Services in the amount of \$208,000 was approved on the Consent Calendar.

18 - **COMMUNICATION** - Request from Director of Finance Dominic Setaro to reappropriate the sum of \$6,415 of Danbury Railroad Commuter Parking fees for alarm service, building maintenance and cleaning services. The reappropriation of funds was approved on the Consent Calendar.

19 - **COMMUNICATION** - Request from Assistant Director of Finance Kim Redenz for approval of a proposed budget for the Danbury Railyard Parking for fiscal year 1998-99. The budget, totaling \$11,590 was approved on the Consent Calendar.

20 - **COMMUNICATION** - Request for sewer and water extension on Mill Plain Road. Mr. Scalzo 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, Smith and Basso to the committee.

21 - **COMMUNICATION** - Request for sewer extension at 19-19A Sugar Hollow Road. Mr. Shuler 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 Smith, Buzaid and Basso to the committee.

22 - **COMMUNICATION** - Report from the Director of Finance Dominic Setaro stating that foreclosed properties or properties that the City attempted to sell via a tax sale and received no bid should be declared surplus and sold for the same amount due at the time of foreclosure or tax sale. The property at Birch Trail being declared surplus had a delinquency in the amount of \$3,873.36. It is his recommendation that this be the minimum bid that would be accepted for the sale of this property. Chris Setaro made a motion to declare the property surplus, and accept a minimum bid of not less than \$3,873.36. Seconded by Mr. Scalzo. Motion carried unanimously.

23 - **COMMUNICATION** - Report from Planning Commission giving a positive recommendation for the East Pearl Street Replacement Easements for the reason the easements are needed to allow the City to conduct the necessary work associated with the bridge replacement. The positive recommendation was accepted and the resolution appearing on the May 5, 1998 agenda approved and the Corporation Counsel authorized to take necessary action to obtain said easements on the Consent Calendar.

24 - **COMMUNICATION** - Survey regarding sanitary sewer extension on Aunt Hack Road/Lindencrest Drive area. Mr. Levy made a motion to receive the communication and take no action at this time. Seconded by Mr. Gallagher. Mrs. Basso asked to referred this back to committee. Mayor Eriquez stated that there was nothing to refer back to committee as this was just the result of a survey, but would put the original request on a Special Meeting Agenda for June if one was submitted. The motion carried unanimously.

25 - **COMMUNICATION** - Mom and Pop Trash Drop-Off Plan. Mr. Setaro asked that this be referred to an ad hoc committee, the Director of Finance, the Superintendent of Public Utilities and the Corporation Counsel. Mayor Eriquez so ordered and appointed Council Members Gallagher, John Esposito and Moore to the committee.

26 - **COMMUNICATION** - Danbury Senior Center. Mr. McAllister asked that this be referred to the Planning Commission for a report back. Mayor Eriquez so ordered.

27 - **DEPARTMENT REPORTS** - Health & Housing, Fire Chief, Fire Marshall, Police Chief, Department of Elderly Services, Engineering, Public Buildings, Public Utilities. Mr. Setaro made a motion to accept the departmental reports 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. Mr. McAllister requested that for the July reports the traffic engineer submit a report on the traffic situation on Route 37 at North Street. The motion carried unanimously.

28 - **REPORT & ORDINANCE** - Review and Evaluation of Governmental Entities

Mr. Setaro submitted the following report:

The Committee of the Whole met on May 18, 1998 at 7:40 P.M. in the Common Council Chambers in City Hall to review the proposed ordinance pertaining to governmental entity review. Mr. Setaro explained that the proposed ordinance listed the year in which the "sunset committee" would take up each governmental entity for review. Mr. Charles moved to recommend to the Common Council adoption of the ordinance regarding the review and evaluation of governmental entities. Seconded by Miss Fox and passed unanimously.

Be it ordained by the Common Council of the City of Danbury:

THAT Section 2-176 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

Sec. 2-176. Schedule of termination of government entities.

(a) The following governmental entities are terminated effective June 30, 1999, unless reestablished in accordance with the provisions of section 2-184:

- (1) The City of Danbury Cultural Commission.
- (2) The Youth Commission.
- (3) The Commission on the Status of Women.
- (4) The Commission on Aging.
- (5) The Parking Authority of the City of Danbury.

(b) The following governmental entities are terminated, effective June 30, 2000, unless reestablished in accordance with the provisions of section 2-184:

- (1) The Redevelopment Agency of the City of Danbury.
- (2) The Housing Site Development Agency.
- (3) The Flood and Erosion Control Board of the City of Danbury.
- (4) The Tarrywile Park Authority.

(c) The following governmental entities are terminated, effective June 30, 2001, unless reestablished in accordance with the provisions of section 2-184:

- (1) The Economic Development Commission.
- (2) The Danbury Parks and Recreation Commission.
- (3) The Danbury Housing Partnership.
- (4) The Aviation Commission.

(d) The following governmental entities are terminated, effective June 30, 2002, unless reestablished in accordance with the provisions of section 2-184:

- (1) The Commission for Persons with Disabilities.
- (2) The Danbury Aquifer Protection Agency.
- (3) The Fair Rent Commission.
- (4) The Board of Ethics.

(e) The following governmental entities are terminated, effective June 30, 2003, unless reestablished in accordance with the provisions of section 2-184:

- (1) The Stanley Lasker Richter Memorial Park Authority.
- (2) The Conservation Commission.
- (3) The Environmental Impact Commission.
- (4) The Tree Advisory Commission
- (5) The Lake Kenosia Commission

The report was received and the ordinance adopted on the Consent Calendar.

29 - **REPORT & RESOLUTION** - Neighborhood Assistance Act

Mr. Setaro submitted the following report:

The Committee of the Whole met to review the Neighborhood Assistance Act resolution on May 18, 1998 at 7:40 P.M. in the Common Council Chambers in City Hall. Mr. Setaro explained that the resolution and application before the committee would allow eligible corporate entities to receive a state tax credit if they were to make contributions to the petitioning non profit organizations. Ms. Fox moved to recommend to the Common Council adoption of the resolution in support of the Neighborhood Assistance Act application for the City. Seconded by Mr. Charles and passed unanimously.

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Connecticut Neighborhood Assistance Act Program is available for area non profits to submit applications for funding; and

WHEREAS, the Act provides tax credits for businesses which contribute to community programs having received both municipal and state approval; and

WHEREAS, certain local and area organizations are seeking to apply through Danbury for such tax credits; and

WHEREAS, said organizations and their requests are as set forth on the attached schedule;

NOW, THEREFORE, BE IT RESOLVED THAT theCity of Danbury through its Common Council hereby approves, subject to a public hearing as required by law, those organizations set forth in the schedule, for participation in the Neighborhood Assistance Program and authorize Gene F. Eriquez, Mayor of the City of Danbury to take such actions as may be necessary for the accomplishment of the purposes hereof.

The report was received and the recommendation to adopt the resolution and application for the State Neighborhood Assistance Act program approved on the Consent Calendar.

30 - **REPORT** - Request for Water Extension- Plumtrees Road

Mr. Boynton submitted the following report:

The Common Council Committee appointed to review the request for water extension on Plumtrees Road met at 8:00 P.M. on May 11, 1998 in Room 432 in City Hall. In attendance were committee members Boynton and Basso. John Esposito was absent due to business. Also in attendance were Superintendent of Public Utilities William Buckley, and the petitioners Elio DiTullio, Al DiTullio and Anthony Houstini.

The request for water from Newtown Road to the Plumtrees property was discussed and had received a favorable report from the Planning Commission.

Mrs. Basso made a motion to recommend approval of this request subject to the normal eight steps. Seconded by Mr. Boynton and passed unanimously.

The report was received and the recommendation in support of the request for water extension on Plumtrees Road was approved on the Consent Calendar.

31 - **REPORT** - Request for Water Extension-18 Commerce Drive

Mr. Boynton submitted the following report:

The Common Council Committee appointed to review the request for water extension at 18 Commerce Drive met on May 11, 1998 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Boynton and Basso. John Esposito was absent due to business. Also in attendance were Superintendent of Public Utilities William Buckley and Attorney Paul Jaber representing MMP Realty LLC and Melvin Powers.

After being informed by both Attorney Jaber and Mr. Buckley, the committee members understood the request was for accepting all existing water mains now owned by the applicant as per the agreement dated March 11, 1998.

Mrs. Basso made a motion to recommend approval of this application subject to the normal eight steps as well as a ninth step as outlined within the March 11, 1998 agreement and all the conditions therein. Seconded by Mr. Boynton. The motion carried unanimously.

Mr. Setaro made a motion to receive the report and approve the recommendation. Seconded by Miss Fox. Motion carried unanimously.

Mayor Eriquez extended all committees.

There being no further business to come before the Common Council a motion was made at 9:25 P.M. by Mr. Gallagher for the meeting to be adjourned.

Respectfully submitted,

JIMMETTA L. SAMAHA
Assistant City Clerk