

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

RE: Minutes of the September 1, 1998 Common Council Meeting

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

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

ABSENT - Dean Esposito, Adames, Charles, Fox, Gallagher

16 Present - 5 Absent

Mr. Gallagher and Ms. Fox were out of town

PUBLIC SPEAKING - Bill Glazier, Hawthorne Cove Road

MINUTES - Minutes of the Common Council Meeting held August 4, 1998. Mr. Levy made a motion that the minutes be accepted 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 Mr. Machado. Motion carried unanimously.

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

2 - Approve application and resolution for State Department of Social Services Before and After School Grant - \$52,653

3 - Approve resolution to abate Beaver Street Apartments Cooperative, Inc. real property taxes in an amount not to exceed \$31,500 for Grand List of October 1, 1997

4 - Approve application and resolution for State Department of Social Services grant for operation of the Emergency Shelter - \$95,000

7 - Approve application and resolution for State Department of Economic Development Payment In Lieu of Taxes Program - \$296,574.22

8 - Approve application and resolution for State Department of Environmental Protection grant through the Transportation Efficiency Act for recreational trails - \$13,000

10 - Confirm appointment of Joseph Marsicano to the Candlewood Lake Authority to fill the unexpired term of Robert Smart

11 - Confirm reappointment of Robert Eberhard, Felix Bonacci and Ann Williams LaGanza as regular members of the Richter Park Authority

12 - Confirm appointment of Joseph DaSilva as alternate representative to the Housatonic Resources Recovery Authority

18 - Approve transfer of \$416 from Elderly Services Donations Account to Commission on Aging Budget for Professional Services Fees

22 - Approve amendment to Highway State Aid Budget in the amount of \$139,109 to Maintenance of Highways Curbs and Walks account

25 - Approve amendment to the agreement for the assignment of certain real property tax liens of the City of Danbury between the City and Transamerica Business Credit Corporation

27 - Approve lease agreement between the City of Danbury and Immaculate Heart of Mary Church for the relocation of the public school Reach and Rebound program

28 - Receive positive Planning Commission report regarding request to accept Hawthorne Cove and approve positive committee report of July 7, 1998 and recommendation to accept Hawthorne Cove as a City road

29 - Approve request to obtain lease agreement from property owners related to Still River Alliance Project

35 - Receive report and approve positive recommendations regarding request for sewer extension at 10 Precision Road

36 - Receive report and approve positive recommendations regarding request for water extension at 8 Great Pasture Road

37 - Receive report and approve positive recommendation regarding request to transfer lease agreement of Concession Stand at Candlewood Park to Timothy Sibbitt pending receipt of QFO certification

38 - Receive report and approve positive recommendation regarding request for sewer and water extensions - Old Brookfield Road

39 - Receive report and approve positive recommendations regarding request for sewer extension at 2 Windaway Road

40 - Receive report and approve positive recommendations regarding request for sewer extension - 4 Windaway Road

41 - Receive progress report regarding drainage problems at Hayestown Heights and Rose Lane

Mr. Arconti moved that the Consent Calendar be adopted as read. Seconded by Mr. Levy. Motion carried unanimously.

1 - **ORDINANCE** - Withholding building applications when taxes or public utility fees are delinquent. Mrs. Abrantes asked that this deferred to public hearing. President Setaro so ordered.

2 - **RESOLUTION** - Before & After School Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Social Services had made grants available in the amounts of \$26,368 and \$22,700; and

WHEREAS, the State of Connecticut has made \$3,585 in additional funding available for the time period July 1, 1998 through June 30, 1999 for an annual total of \$26,285 and a grant total of \$52,653; and

WHEREAS, these funds, if awarded, would be used for the Before and After School Program for the 1997-98 school year and the 1998-99 school year respectively; and

WHEREAS, no local cash match is required.

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez as Mayor of the City of Danbury is hereby authorized to apply for said grant funds and to sign all documents necessary and do all things necessary to effectuate the purposes of said program.

The resolution was adopted on the Consent Calendar.

3 - **RESOLUTION** - Abatement from the State of Connecticut

WHEREAS, it is desirable and in the public interest that the City of Danbury abate taxes under 8-215 of the Connecticut General Statutes, as amended, on the property owned by Beaver Street Apartments, Inc. located at Beaver Street and Rose Street in Danbury, known as Beaver Street Apartments; and

WHEREAS, the City of Danbury has approved abatement of up to 100% of the real property taxes on the subject property by resolution of the Common Council of the City of Danbury, adopted on October 3, 1973, and has executed a Tax Abatement Assistance Agreement with the State of Connecticut on September 30, 1973; and

WHEREAS, it is necessary to modify the aforesaid Tax Abatement Agreement with the State of Connecticut to reflect a revised tax assessment on the subject property of \$2,257.00; and

WHEREAS, it has been determined that the amount of taxes to be abated on the subject property is not to exceed \$31,500 for the Grand List of October 1, 1997.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY:

1. That the City of Danbury hereby abates up to one hundred percent of the ad valorem taxes applicable to the property described above for a period of not more than forty (40) consecutive years;

2. That the Mayor of the City of Danbury is hereby authorized, directed and empowered in the name of and on behalf of the City of Danbury to execute the Tax Abatement Contract described above and to execute any amendments, revisions and recisions of said contract in the name of and on behalf of the City of Danbury.

3. That the real property taxes abated on the subject property are not to exceed \$31,500 for the Grand List of October 1, 1997.

4. That the Tax Collector of the City of Danbury is hereby directed and empowered to list the total amount of the said lawful abatement into the Rate Book and other records and files, together with the name of the owner against whom such tax so abated was levied and the reason for such abatement, and the Tax Collector is further directed to record these facts in her Annual Report in accordance with the provisions of 12-167 of the Connecticut General Statutes as amended;

5. That the Tax Collector of the City of Danbury is also directed to immediately file a certified statement as evidence of said abatement with the Commissioner of the Department of Housing;

6. That the Tax Collector of the City of Danbury is also directed to refund all tax payments received from Beaver Street Apartments, Inc. or its representatives in connection herewith to the extent that said funds are reimbursable by the State of Connecticut through its Department of Economic and Community Development.

The Resolution was adopted on the Consent Calendar.

4 - **RESOLUTION** - DSS Emergency Shelter Grant 1998-99

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, The State of Connecticut, Department of Social Services has made available a grant in the amount of \$95,000 for operation of the Emergency Shelter; and

WHEREAS, the grant period is October 1, 1998 through September 30, 1999; and

WHEREAS, no local match is required.

NOW, THEREFORE, BE IT RESOLVED that Mayor Gene F. Eriquez, Mayor of the City of Danbury, is empowered to execute and deliver in the name and on behalf of the City of Danbury a certain contract with the Department of Social Services of the State of Connecticut for this Emergency Shelter Grant and to affix the corporate seal.

The Resolution was adopted on the Consent Calendar.

5 - **RESOLUTION** - ISTEIA II Application

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the United States Department of Housing and Urban Development has made available through the Housatonic Valley Council of Elected Officials a grant for the Main Street North Streetscape Enhancement Plan; and

WHEREAS, the grant application will be in the amount of \$1,500,000; and

WHEREAS, a local cash match of 20% is required.

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez is hereby authorized to sign any documents necessary to effectuate the purposes of said grant application and receipt of such grant.

Mr. McAllister made a motion to accept the communication and approve the Resolution. Seconded by Mr. Buzaid. Motion carried unanimously.

6 - **RESOLUTION** - Diagnostic Study of Lake Kenosia

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Environmental Protection has solicited a request from municipalities and Lake Commissions for proposals for diagnostic studies of lakes from the program entitled, "Grants to Improve Water Quality of Lakes used for Public Recreation"; and

WHEREAS, Lake Kenosia represents a valuable resource to the City for public recreation and as a secondary reservoir for the City of Danbury's water system; and

WHEREAS, the City of Danbury needs information about the relationship of development in the watershed to the rate of input of nutrients that stimulate nuisance weeds which interfere with the recreational functions of the Lake and which will accelerate the aging of the Lake; and

WHEREAS, the City of Danbury Health Department has prepared a proposal for conducting a paleoimnological diagnostic study to establish the relationship between development in the watershed and the nutrient flux to the lake, which can provide a foundation of information for the development of a lake and watershed management plan;

WHEREAS, the City of Danbury will provide a local cash match of \$7,800.

NOW, THEREFORE, BE IT RESOLVED THAT the Common Council of the City of Danbury authorizes Mayor Gene F. Eriquez to apply for funding in the amount of \$31,225 for a total with the City of Danbury match not to exceed \$39,025 from the "Grants to Improve Water Quality of Lakes used for Public Recreation" program, to accept said grant if approved, to sign all documents therefore, and to do all things necessary to effectuate the purposes of said grant.

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

7 - **RESOLUTION** - Housing Authority PILOT Program 1998-99

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, pursuant to Chapters 128, 129, 130 and 133 of the Connecticut General Statutes, the Commissioner of Housing is authorized to extend financial assistance to Local Housing Authorities, Municipalities and Non-profit Corporations; and

WHEREAS, it is desirable and in the public interest that the City of Danbury make application to the State for financial assistance under Section 8-216b of the General Statutes in order to undertake a program of PAYMENT-IN-LIEU-OF-TAXES and to execute an Assistance Agreement,

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF DANBURY THAT:

1. That it is cognizant of the conditions and prerequisites for State assistance imposed by Chapters 128, 129, 130 and 133 of the Connecticut General Statutes.

2. That the filing of an application by the City of Danbury in an amount not to exceed \$269,574.22 is hereby approved and that Mayor Gene F. Eriquez is hereby authorized and directed to execute and file such application with the Commissioner of Housing to provide such additional information, to execute such other documents as may be required by the Commissioner, to execute an Assistance Agreement with the State of Connecticut for State financial assistance, if such an Agreement is offered, to execute any amendments, rescissions thereto, and to act as the authorized representative of the City of Danbury.

3. That in consideration of said Assistance Agreement, applicant does hereby waive any Payments-in-Lieu-of-Taxes by the Housing Authority to the City of Danbury under the provisions of Section 8-71 of the Connecticut General Statutes.

4. That the current established mill rate is 19.13 and the current assessment is \$14,091,700.00.

5. It is also resolved that any prior actions taken by Mayor Gene F. Eriquez with respect to this Agreement are also approved.

The Resolution was adopted on the Consent Calendar.

8 - **RESOLUTION** - Transportation Efficiency Act for the 21st Century

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Environmental Protection has made available a grant in the amount of \$13,000 for construction and/or maintenance of recreational trails; and

WHEREAS, the funding would be in the form of a passthrough under the Transportation Efficiency Act for 21st (TEA 21) century; and

WHEREAS, a 20% local match is required.

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez as Mayor of the City of Danbury is hereby authorized to sign all documents necessary to effectuate the purposes of this grant.

The Resolution was adopted on the Consent Calendar.

9 - **RESOLUTION** - Hazardous Materials Emergency Planning Grant. Mr. McAllister asked that this be referred to an ad hoc committee, Jack Kozuchowski of the Health Department, Paul Estefan of Civil Preparedness and the Fire Chief. President Setaro so ordered and appointed Council Members Smith, McAllister and Moore to the committee.

10 - **COMMUNICATION** - Letter from Mayor Eriquez requesting confirmation of the appointment of John F. Marsicano to the Candlewood Lake Authority for a term to expire April 1, 2001. The appointment was confirmed on the Consent Calendar.

11 - **COMMUNICATION** - Letter from Mayor Eriquez requesting confirmation of the reappointments of Robert Eberhard, Felix Bonacci and Ann Williams LaGanza to the Richter Park Authority for terms to expire September 1, 2001. The reappointments were confirmed on the Consent Calendar.

12 - **COMMUNICATION** - Request from Mayor Eriquez for confirmation of the appointment of Joseph DaSilva as his alternate representative for the Housatonic Resources Recovery Authority. The appointment was confirmed on the Consent Calendar.

13 - **COMMUNICATION** - Offer of a donation of thermal imaging equipment to the Fire Department from the Kiwanis Club. Mr. McAllister asked that this be referred to an ad hoc committee and the Fire Chief. President Setaro so ordered and appointed Council Members Smith, McAllister and Moore to the committee.

14 - **COMMUNICATION** - Request from Library Director Betsy McDonough requesting permission to accept donations to the Library from the Danbury Jaycees in the amount \$60 and from Edyce Hornig in the amount of \$16.29. Mrs. Abrantes made a motion to accept the communication, accept the donations, credit the proper line items and send letters of thanks. Seconded by Mr. McAllister. Motion carried unanimously.

15 - **COMMUNICATION** - Request from Director of Elderly Services Leo McIlrath for permission to accept donations to the Department of Elderly Services from Perritt Laboratories in the amount of \$94 and from The Senior Network, Inc. in the amount of \$30. Mrs. Abrantes made a motion to accept the communication, accept the donations, credit the proper line items and send letters of thanks. Seconded by Mr. Machado. Motion carried unanimously.

16 - **COMMUNICATION** - Letter from Police Chief Robert Paquette requesting authorization to accept the donation of a training seminar in Dallas, Texas from the Fairfield County Chapter of Mothers Against Drunk Driving for Captain Andrew Woods. Mr. McAllister made a motion to accept the communication, accept the donation and send a letter of thanks. Seconded by Mr. Shuler. Motion carried unanimously.

17 - **COMMUNICATION** - Letter from Health Director William Campbell requesting permission to accept donations from two area corporations, Duracell and Boehringer Ingelheim in the amount of \$500 each for the School-Based Health Center. Mrs. Abrantes made a motion that the communication be accepted, the donations accepted, the proper line items credited and letters of thanks sent. Seconded by Mr. Buzaid. Motion carried unanimously.

18 - **COMMUNICATION & CERTIFICATION** - Request from the Director of Elderly Services Leo McIlrath requesting a transfer of funds in the amount of \$416 from the Elderly Services donations account to the Commission on Aging budget. A certification of funds was attached. The communication was accepted and the transfer of funds authorized on the Consent Calendar.

19 - **COMMUNICATION** - Request for a Police Officer to be stationed at City Hall. Mr. Levy asked that this be referred to an ad hoc committee, the Director of

Finance and the Police Chief. President Setaro so ordered and appointed Council Members Scalzo, John Esposito and Saracino to the committee.

20 - **COMMUNICATION** - Letter from Superintendent of Schools Timothy P. Connors asking for approval of the lease/purchase agreement of Apple instructional computers/printers to be funded from the Apple lease/purchase rollover agreement in the amount of \$177,181 and \$10,721 to be funded from the regular school budget. Mr. Scalzo made a motion to accept the communication and authorize approval of the lease/purchase agreement of Apple instructional computers/printers for a term of three years. Seconded by Mrs. Abrantes. Motion carried unanimously.

21 - **COMMUNICATION** - Request from Fire Chief Carmen Oliver that the sum of \$15,000 be transferred to the Special Services Account #011011 due to the fire watch required in conjunction with the renovations and emergency repair work at the Danbury Fair Mall. Mr. Boynton made a motion to accept the communication and authorize the transfer of funds. Seconded by Mr. Levy. Motion carried unanimously.

22 - **COMMUNICATION** - Request from Director of Finance Dominic Setaro requesting approval of an amendment to the State Highway Aid budget in the amount of \$139,109 to the "Maintenance of Highways, Curbs and Walks" account. He will adjust the Highway State Aid Revenue account to offset this increase. The amendment to the Highway State Aid Budget in the amount of \$139,109 was approved on the Consent Calendar.

23 - **COMMUNICATION** - Letter from Director of Parks and Recreation Robert Ryerson requesting approval of a license agreement for rental of the Bear Mountain cottage between Detective James X. Terry and the City. Mrs. Abrantes made a motion to accept the communication, approve Detective Terry as a tenant and approve the license agreement. Seconded by Mr. Falzone. Motion carried unanimously.

24 - **COMMUNICATION** - Request from Mayor Eriquez and the Planning Commission for an ad hoc committee to address current and future traffic counts on Mill Plain Road and engage the State Department of Transportation and HVCEO to work with the City to provide an updated traffic study and curb cut plan. Mr. Arconti asked that this be referred to an ad hoc committee, the Traffic Engineer, the Director of Planning and a representative of HVCEO. President Setaro so ordered and appointed Council Members Gallagher, Fox and Moore to the committee.

25 - **COMMUNICATION** - Request from Tax Collector Catherine Skurat for approval of an Amendment to the Agreement for the Assignment of Certain Real Property Tax Liens of the City of Danbury. The City will be assuming the full responsibility of the administration of these tax liens for which the City will be compensated 1.5% of all funds collected. The amendment was approved on the Consent Calendar.

26 - **COMMUNICATION** - Request from Council Member Dean Esposito for an ad hoc committee to review and possibly modify the rules and regulations pertaining to the use of Rogers Park. Mr. McAllister asked that this be referred to an ad hoc committee, the Director of Parks and Recreation, a representative of the Scott-Fanton Museum and the Chief of Police. President Setaro so ordered and appointed Council Members Dean Esposito, Buzaid and Saracino to the committee.

27 - **COMMUNICATION** - Positive report from the Planning Commission regarding the lease agreement with the Immaculate Heart of Mary Church. The lease agreement between the City of Danbury and Immaculate Heart of Mary Church for the relocation of the public school Reach and Rebound program was approved on the Consent Calendar.

28 - **COMMUNICATION** - Positive report from the Planning Commission regarding the acceptance of Hawthorne Cove Road as a City road. The report was received and the committee report of July 7, 1998 was approved to accept the

recommendation to accept Hawthorne Cove Road as a City Road on the Consent Calendar.

29 - **COMMUNICATION** - Positive report from the Planning Commission for the request for easement agreements for the Still River Alliance Project. The Planning Commission report was received and the request to obtain lease agreements from the property owners related to the Still River Alliance Project approved on the Consent Calendar.

30 - **COMMUNICATION** - Request for sewer extension at 3 Old Shelter Rock Road. Mrs. Abrantes asked that this be referred to an ad hoc committee, the City Engineer, the Superintendent of Public Utilities and the Planning Commission. President Setaro so ordered and appointed Council Members Boynton, John Esposito and Basso to the committee.

31 - **COMMUNICATION** - Request for Sewer and Water Extensions at 100 Saw Mill Road. Mrs. Abrantes asked that this be referred to an ad hoc committee, the City Engineer, the Superintendent of Public Utilities and the Planning Commission. President Setaro so ordered and appointed Council Members Falzone, Machado and Basso to the committee.

32 - **COMMUNICATION** - Request for sewer and water services at Cornell Hills. Mr. McAllister asked that this be referred to the City Engineer for a survey. President Setaro so ordered.

33 - **COMMUNICATION** - Request for address clarification for Overlook Drive. Mr. Levy asked that this be referred to the Planning Director for a report back within thirty days. President Setaro so ordered.

34 - **COMMUNICATION** - Request for exemptions for Moms and Pops. Mrs. Abrantes asked that this be referred to an ad hoc committee and the Director of Finance. President Setaro asked that if there was no objection that the resolution outlining existing exemptions continue until the committee issues its report. There were no objections. President Setaro appointed Council Members Arconti, Abrantes and Basso to the committee.

35 - **REPORT** - Request for Sewer Extension - 10 Precision Road

Mr. Boynton submitted the following report:

The Common Council Committee appointed to review the request for sewer extension at 10 Precision Road met on August 24, 1998 at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members Boynton, John Esposito, and Basso. Also in attendance were Superintendent of Public Utilities William Buckley, City Engineer Jack Schweitzer and Jeanne Williamson.

The committee reviewed the plans and discussed the sewer extension. Mrs. Basso made a motion to recommend approval of the sewer extension subject to the normal eight steps. Seconded by John Esposito. Motion carried unanimously.

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

36 - **REPORT** - Request for Water Extension - 8 Great Pasture Road

Mr. Boynton submitted the following report:

The Common Council Committee appointed to review the request for water extension at 8 Great Pasture Road met on August 24, 1998 at 7:15 P.M. in Room 432 in City Hall. In attendance were committee members Boynton, John Esposito and

Moore. Also in attendance were William Buckley, the Superintendent of Public Utilities, Jack Schweitzer, the City Engineer and Joseph Putnam.

The committee reviewed the proposed plans and discussed the water extension. Mr. Moore made a motion to recommend approval of this application for water extension subject to the normal eight steps. Seconded by John Esposito. Motion carried unanimously.

The report was received and the positive recommendations regarding request for water extension at 8 Great Pasture Road approved on the Consent Calendar.

37 - **REPORT** - Lease of the Concession Stand at Candlewood Park

Mrs. Abrantes submitted the following report:

The Common Council Committee appointed to review the lease of the Concession Stand at Candlewood Park met on August 4, 1998 at 6:05 P.M. in City Hall. In attendance were committee members Abrantes and John Esposito. Also in attendance was Robert Ryerson of the Parks and Recreation Department. Attorney Eric Gottschalk had a previous commitment.

Mr. Ryerson met with Timothy Sibbitt prior to the committee meeting and stated that he had just completed his QFO certification as required by the Health Department and the transfer of the lease to Mr. Sibbitt was in compliance with the requirements of the lease. Mr. Ryerson also stated that Mr. Poodiak was a terrific tenant and made many improvements to the concession stand.

Mr. Esposito made a motion to recommend approval of the transfer of lease agreement of the Concession Stand at Candlewood Park to Timothy B. Sibbitt pursuant to obtaining the QFO Certification. Seconded by Mrs. Abrantes. Motion passed unanimously.

The report was received and the positive recommendation regarding the request to transfer the lease agreement of the Concession Stand at Candlewood Park to Timothy Sibbitt pending receipt of QFO certification approved on the Consent Calendar.

38 - **REPORT** - Request for Water and Sewer Extensions - Old Brookfield Road

Mrs. Smith submitted the following report:

The Common Council Committee appointed to review the request for sewer and water extensions on Old Brookfield Road met on August 25, 1998 at 5:00 P.M. in Room 432 in City Hall. In attendance were committee members Smith, Arconti and Moore. Also in attendance were Superintendent of Public Utilities William Buckley, City Engineer Jack Schweitzer and Jim Rotundo.

Mr. Rotundo, the consultant for this proposed extension presented the intention of his firm to the committee. His report detailed how the sewer and water extensions would be done through the cul de sac and up the driveway into the site. The facility is approximately 11,000 square feet with three floors and approximately 135 rooms. The extensions were approved by the Planning Commission on Wednesday, August 19, 1998. Mr. Buckley supported approval with the standard eight steps. There was no need for any additional steps.

Mr. Arconti made a motion to approve the request for sewer and water extensions on Old Brookfield Road for the Bridge Creek Assisted Living Community with the inclusion of the normal eight steps. Mr. Moore seconded the motion and it was passed unanimously.

The report was received and the positive recommendation regarding request for sewer and water extensions on Old Brookfield Road was approved on the Consent Calendar.

39 - **REPORT** - Request for Sewer Extension - 2 Windaway Road

Ms. Fox submitted the following report:

The Common Council Committee appointed to review the request for sewer extension at 2 Windaway Road met at 7:45 P.M. in Room 432 on Tuesday, August 24, 1998. In attendance were committee members Fox, Machado and Saracino. Also in attendance were Superintendent of Public Utilities William Buckley, City Engineer Jack Schweitzer and the applicants Robert and Judith D'Andrea. Also in attendance were Council Members Shuler, Scalzo and Basso, ex-officio and Frank and Murielle Forzano.

Ms. Fox read a positive recommendation from the Planning Commission contingent upon the applicant assuming responsibility for the cost of the sewer extension. Mr. and Mrs. D'Andrea explained their desire to have City sewer at their residence. Mr. Buckley and Mr. Schweitzer stated that the Public Utilities Department and the Engineering Department were in favor of the project.

Discussion ensued regarding the different options available to the applicant. Mr. Buckley described the applicants two options. The applicant could either finance the cost of the sewer extension themselves and hire a private contractor or petition the City to do the sewer extension and be assessed for the cost of the project by the City over 19 years. If the applicant decided to go the petition route, they would need to gather a majority of signatures from their neighbors on Windaway Road and submit the petition to the Common Council for approval. Ms. Fox recommended that the applicants seek approval now for doing the sewer extension themselves and then pursue the petition method afterward if they were still interested. The applicants agreed.

Mr. Machado motioned to approve the sewer extension at 2 Windaway Road subject to the usual eight steps, Ms. Saracino seconded the motion. The motion passed unanimously.

The report was received and the positive recommendations regarding request for sewer extension at 2 Windaway Road was approved on the Consent Calendar.

40 - **REPORT** - Request for Sewer Extension - 4 Windaway Road

Ms. Fox submitted the following report:

The Common Council Committee appointed to review the request for sewer extension at 4 Windaway Road met at 7:30 P.M. in Room 432 in City Hall on Tuesday, August 24, 1998. In attendance were committee members Fox, Shuler and Saracino. Also in attendance were Superintendent of Public Utilities Bill Buckley, City Engineer Jack Schweitzer, the applicants Frank and Murielle Forzano, Council Members Machado, Shuler and Basso, ex-officio, and Robert and Judith D'Andrea.

Ms. Fox read a positive recommendation from the Planning Commission contingent upon the applicants assuming responsibility for the cost of the sewer extension. Mr. and Mrs. Forzano explained their desire to have City sewer at their residence. Mr. Buckley and Mr. Schweitzer stated that the Public Utilities Department and the Engineering Department were in favor of the project

Discussion ensued regarding the different options available to the applicant. Mr. Buckley described the applicants two options. The applicant could either finance the cost of the sewer extension themselves and hire a private contractor or petition the City to do the sewer extension and be assessed for the cost of the project by the City over 19 years. If the applicant decided to go the petition route they would need to gather a majority of signatures from their neighbors on Windaway Road and submit the petition to the Common Council for approval. Ms. Fox recommended that the applicants seek approval now for doing the sewer extension themselves and then pursue the petition method afterward if they were still interested. The applicants agreed.

Ms. Saracino motioned to approve the sewer extension at 4 Windaway Road subject to the usual eight steps. Mr. Shuler seconded the motion. The motion passed unanimously.

The report was received and the positive recommendation regarding request for sewer extension at 4 Windaway Road approved on the Consent Calendar.

41 - **PROGRESS REPORT** - Drainage Problem at Hayestown Heights & Rose Lane

Mrs. Abrantes submitted the following progress report:

The Common Council Committee appointed to review the drainage problem at Hayestown Heights and Rose Lane met on March 12, 1997 at 5:30 P.M., November 17, 1997 at 6:30 P.M., June 18, 1998 at 6:00 P.M. and August 3, 1998 at 6:00 P.M. in City Hall. In attendance were committee members Abrantes, McAllister and Basso. Also in attendance was the petitioner, Pattie Russo along with several other residents and Jack Schweitzer, the City Engineer.

During the first meeting the petitioner explained the drainage problem which existed on Hayestown Heights and Rose Lane. Mr. Schweitzer stated that his department had not completed the evaluation of the drainage problem. Mr. McAllister made a motion to continue the committee meeting pending the engineering department report. Seconded by Mrs. Basso. Motion carried unanimously.

The committee met for a second time on November 17, 1997. At this time, Mr. Schweitzer stated that the evaluation was not complete and no report could be submitted to the committee at this time. Mr. McAllister made a motion to continue the committee meeting. Seconded by Mrs. Basso. Motion carried unanimously.

The committee met once again on June 18, 1998. Mr. Schweitzer stated at this committee meeting to the petitioner and other residents present that the total cost to remedy the drainage problem would be approximately \$341,000, which would also bring the road to City specifications for the road to be taken over by the City. The residents that were present wanted more time to be able to speak with to the other residents on the two roadways before a decision was made. Mr. McAllister made a motion to continue the committee meeting until August 3, 1998. Mrs. Basso seconded the motion. The motion carried unanimously.

On August 3, 1998 the committee met once again to discuss the drainage problem and at this time the resident, Patti Russo, requested that the City check to see if there were any funds available to held the residents with the assessment. Mr. Schweitzer stated that he would meet with the Corporation Counsel and get back to the committee with a response. Mr. McAllister once again made a motion to continue the committee meeting. Seconded by Mrs. Basso. The motion carried unanimously.

The Progress Report regarding the drainage problems at Hayestown Heights and Rose Lane was received on the Consent Calendar.

42 - **DEPARTMENT REPORTS** - Fire Chief, Fire Marshall, Police Chief, Public Utilities, Public Buildings, Department of Elderly Services, Health and Housing, Engineering. Mr. Levy 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 the City Clerk for public inspection. Seconded by Mr. Boynton. Motion carried unanimously.

President Setaro extended all committees.

43 - **COMMUNICATION** - Mr. Levy made a motion to add the CACD Lease of Property on Balmforth Avenue to the agenda. Seconded by Mr. Scalzo. Motion to add this item carried unanimously.

Lease of Property on Balmforth Avenue to the Community Action Committee of Danbury. Mr. Levy asked that this be referred to the Planning Commission. President Setaro so ordered.

44 - **COMMUNICATION** - Mr. Levy made a motion to add a donation of cell phones for the September 15th Primary for the Registrars of Voters. Seconded by Mr. Scalzo. Motion to add carried unanimously.

Request from the Registrar of Voters for permission to accept the donation for only one day the rental use of 7 phones and the air time as a promotion from Bell Atlantic for the September 15th Primary. Mr. Levy made a motion to receive the communication,

accept the donation and send a letter of thanks. Seconded by Mr. Scalzo. Motion carried unanimously.

There being no further business to come before the Common Council a motion to adjourn was made by Mrs. Basso at 8:12 P.M. for the meeting to be adjourned.

RESPECTFULLY SUBMITTED,

JIMMETTA L. SAMAHA
Assistant City Clerk