

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

RE: Minutes of the Common Council Meeting held October 6, 1998

The meeting was called to order at 7:40 P.M. by Mayor Eriquez. The Pledge of Allegiance and Prayer were recited. The members were recorded as:

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

ABSENT - Boynton, Adames, Charles, Falzone, Fox

16 Present - 5 Absent

PUBLIC SPEAKING - Joseph Sauer, 60 Forty Acre Mountain Road

(At 7:55 P.M. Ms. Fox arrived and was marked present)

MINUTES - Minutes of the Common Council Meeting held September 1, 1998. Mr. Setaro 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 Ms. Fox. Motion carried unanimously.

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

1 - Approve application and resolution for Meserve Foundation Grant for Department of Elderly Services Choral Group - \$3,300

2 - Approve application and resolution for Federal Victims of Crime Act through the State Office of Victims Services for Fiscal Year 1998/99 - \$35,079.83

5 - Confirm reappointment of Elizabeth McKee and John Dzurik as members of the Commission on Aging

10 - Approve appropriation of \$545.90 for sealing of walkway between Korean and Viet Nam Monuments

11 - Approve reappropriation of \$624 from Elderly Services Donations Account to Commission on Aging budget for professional service fees and outside services

12 - Approve request by Registrars of Voters for reimbursement of Primary expenses - \$8,300

14 - Approve reappropriation of \$13,688.36 of Library fire interest earnings to General Fund capital account for Library Technology Center

15 - Approve appropriation of \$14,690 from contingency account to Health and Public Building Department accounts for rent, heating fuel, electricity and cleaning services

16 - Approve appropriation of \$18,810 from contingency fund to Rowan Street Fencing line item

17 - Approve appropriation of \$9,000 from contingency fund to Parks and Recreation Professional Services/Fees line item for City Forester stipend

19 - Approve request for supplemental appropriation of \$7,000 for fencing of 13 Barnum Court for purposes of remediation project

21 - Approve agreement between City of Danbury and United States Department of Justice regarding enhancement to 911 systems

22 - Approve maintenance agreement between Board of Education and City of Danbury of period of July 1, 1998 through June 20, 2003

29 - Receive positive Planning Commission report of September 16, 1998 regarding extension of CACD lease of property on Balmforth Avenue and approve request on September, 1998 Council Agenda to extend CACD lease of Balmforth Avenue property from 20 to 30 years.

30 - Receive report from Director of Planning regarding address changes on Overlook Drive and take no action

31 - Receive report from Corporation Counsel regarding Ken Oaks Drive and Windaway Road request for sewer hookup and take no action

32 - Receive report and approve positive recommendation regarding request for sewer and water extension - Briar Ridge Road

33 - Receive report and approve recommendation to sell two lots at 20-24 Rowan Street to Non-Profit Development of Danbury and to sell one lot to Housatonic Habitat for Humanity

35 - Receive report and approve positive recommendation regarding request for sanitary sewers on Route 37

36 - Receive report and approve recommendations to exempt disabled veterans, former POW's and permanently disabled persons from payment of permit fee for Mom and Pop trash program and provide up to twenty-six \$3.00 coupons per fiscal year for those persons

40 - Receive report and approve positive recommendation regarding request for sewer extension at 3 Old Shelter Rock Road

43 - Approve request for extension of time regarding sewer extension to Denver Terrace for six months

Mr. Levy made a motion to adopt the Consent Calendar as read. Seconded by Ms. Fox. Motion carried unanimously with Mr. Setaro abstaining on item 40.

1 - **RESOLUTION** - Meserve Foundation

WHEREAS, the Meserve Memorial Fund Distribution Committee is currently accepting applications from non-profit organizations for the first round of grant awards during 1999; and

WHEREAS, the Fund was established in 1983, a legacy of the late Mr. an 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 application and the resolution was approved on the Consent Calendar.

2 - **RESOLUTION** - Victims of Crime Assistance Grant

WHEREAS, the federal Victims of Crime Act (VOCA) assistance program has made funding available to States for purposes of providing services to victims of crime; and

WHEREAS, the State of Connecticut, through the Judicial Branch office of Victim Services (OVS) is making available grant funds to Danbury in the amount of \$68,409.83 to be used for such services; and

WHEREAS, pursuant to this program, twenty percent (20%) local, non federal matching funds, either in case or in kind services may be necessary in the event the State of Connecticut, through the OVS, does not grant permission to Danbury to use State revenue to offset such twenty percent match; and

WHEREAS, in order to obtain such a State match, the City of Danbury will be required to submit budget(s) and budget narrative(s) seeking the match requirement; and

WHEREAS, the City of Danbury is desirous of utilizing these funds for the period from July 1, 1998 through June 30, 1999;

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Gene F. Eriquez is hereby authorized to make application for the VOCA funding and make such other and further applications and submittals as may be necessary for the period(s) referenced and in order to accomplish the purposes hereof.

The application and resolution were approved on the Consent Calendar.

3 - **COMMUNICATION** - Letter from Mayor Gene F. Eriquez requesting confirmation of the promotion of Det. Sgt. Thomas Michael to the position of Lieutenant in the Patrol Division and the promotion of Police Officer Brian Merrick to the position of Sergeant in the Patrol Division. Also, the letter requested confirmation of the assignments of Officer Roger Brooks and Matthew McNally to the Detective Bureau. Mr. McAllister made a motion to receive the communication and approve the promotions of Det. Sgt. Thomas Michael to the position of Lieutenant in the Patrol Division and the promotion of Police Officer Brian Merrick to the position of Sergeant in the Patrol Division. Seconded by Mrs. Basso.

Motion carried unanimously. Mr. McAllister then made a motion to approve the assignments of Officer Roger Brooks and Matthew McNally to the Detective Bureau. Seconded by Ms. Fox. Motion carried unanimously.

4 - **COMMUNICATION** - Letter from Mayor Eriquez requesting confirmation of the promotional appointment of Captain Paul Omasta to the position of Assistant Chief in the Danbury Fire Department. Mr. Setaro made a motion to receive the communication and approve the promotional appointment of Captain Paul Omasta to the position of Assistant Chief in the Danbury Fire Department. Seconded by Mrs. Basso. Motion carried with 16 yes and Mr. Gallagher abstaining.

5 - **COMMUNICATION** - Letter from Mayor Eriquez requesting confirmation of the reappointments of Elizabeth McKee and John Dzurik to the Commission on Aging for terms to expire October 1, 2001. The reappointments were confirmed on the Consent Calendar.

6 - **COMMUNICATION** - Letter from Library Director Betsy McDonough requesting permission to accept donations to the Library from Marion Brown in the amount of \$150; Edyce Hornig in the amount of \$19; Jill S. Buttrick in the amount of \$15.20 and the IOTA Chapter of Delta Kappa Gamma in the amount of \$100. Mrs. Abrantes made a motion to receive the communication, accept the donations, credit the proper line item and send letters of thanks. Seconded by Ms. Fox. Motion carried unanimously.

7 - **COMMUNICATION** - Letter from Director of Elderly Services Leo McIlrath requesting permission to accept donations in the amount of \$64 from Perritt Laboratories and \$250 from the Disabled American Veterans for use of the Danbury Senior Center. Mr. McAllister made a motion to receive the communication, accept the donations, credit the proper line items and send letters of thanks. Seconded by Mrs. Abrantes. Motion carried unanimously.

8 - **COMMUNICATION** - Request from Director of Elderly Services Leo McIlrath requesting permission to accept the donation of ten computer tables and ten office chairs from SNETCO for the use of the new "SeniorNet" Program to be starting soon at the Danbury Senior Center. Mrs. Abrantes made a motion to receive the communication, accept the donations and send a letter of thanks. Seconded by Mr. Shuler. Motion carried unanimously.

9 - **COMMUNICATION** - Request from Police Chief Robert Paquette requesting permission to accept the donation of used office furniture from Boehringer Ingelheim. Ms. Fox made a motion to receive the communication, accept the donation and send a letter of thanks. Seconded by Mrs. Abrantes. Motion carried unanimously.

10 - **COMMUNICATION** - Letter from Bernie Rotunda, President of the Korean War Veterans Association recommending that the walkway between the Korean and Viet Nam Memorials be resealed for protection from salt and moisture. The appropriation of \$545.90 for resealing of the walkway between the Korean and Viet Nam Memorials was approved on the Consent Calendar.

11 - **COMMUNICATION** - Request from Director of Elderly Services Leo McIlrath for a transfer of funds in the amount of \$624 from the Elderly

Services donations account to the Commission on Aging budget. A certification of funds was attached. The reappropriation of funds was approved on the Consent Calendar.

12 - **COMMUNICATION** - Request from the Registrars of Voters for funds in the amount of \$8,300 to cover the cost of the September 15, 1998 Primary. A certification of funds was attached. The request was approved on the Consent Calendar.

13 - **COMMUNICATION** - Request from the Director of Finance Dominic Setaro for permission to accept a donation in the amount of \$1,000 from Charles and Sue McIntyre to the Millennium Project. Mr. Scalzo made a motion to receive the communication, accept the donation, credit the proper line item and send a letter of thanks. Seconded by Mr. McAllister. Motion carried unanimously.

14 - **COMMUNICATION** - Request from the Director of Finance for reappropriation of \$13,688.36 in Library Fire interest earnings to a General Fund Capital account for the Library Technology Center. The reappropriation of \$13,688.36 was approved on the Consent Calendar.

15 - **COMMUNICATION** - Request from Director of Finance Dominic Setaro that the sum of \$14,690 be transferred from the Contingency Account for the Health Department and the Public Buildings Department for rent, heating fuel, electricity and cleaning services due to the delay in the renovations of City Hall. The sum of \$14,690 from the Contingency Account to Health and Public Buildings was approved on the Consent Calendar.

16 - **COMMUNICATION** - Request from Director of Parks and Recreation Robert Ryerson for the sum of \$18,810 to erect fencing at the future playground on Rowan Street. A certification of funds was attached. The appropriation of funds from the contingency account was authorized on the Consent Calendar.

17 - **COMMUNICATION** - Request from Director of Finance Dominic Setaro for the sum of \$9,000 to cover the stipend paid to Richard Smith for services as Tree Advisor. The appropriation of \$9,000 from the Contingency Fund was approved on the Consent Calendar.

18 - **COMMUNICATION** - Request from the Director of Finance for the sum of \$15,360 from the Contingency Account to be transferred to a new Capital line item entitled, "ADA Playground Equipment". Mr. Setaro made a motion to receive the communication, approve the request and authorize the transfer of funds. Seconded by Mr. Levy. Motion carried unanimously.

19 - **COMMUNICATION** - Request from Jack Kozuchowski of the Health Department for the sum of \$7,000 to enclose the property on 13 Barnum Court with fencing. A certification of funds was enclosed. The request for a supplemental appropriation of \$7,000 for fencing of 13 Barnum Court for purposes of remediation project was approved on the Consent Calendar.

20 - **COMMUNICATION** - Report from Attorney Gottschalk regarding the Tax Abatement Committee stating that it recommends that the City of Danbury grant a real property tax abatement at the rate of 25% for a period of five years commencing with respect to tax payments on the

Grand List of 1998 for the Bishop Curtis Homes. Mr. Arconti made a motion that the communication be received and its recommendations adopted. Seconded by Mrs. Abrantes. Motion carried unanimously.

21 - **COMMUNICATION** - Agreement between the City of Danbury and the United States Department of Justice - Disability Rights Section that provides for enhancements to existing 911 telecommunications services for people who are deaf or hearing impaired. The agreement was approved on the Consent Calendar.

22 - **COMMUNICATION** - School Maintenance Agreement between the Board of Education and the Parks and Recreation Department from July 1, 1998 through June 30, 2003. The maintenance agreement was approved on the Consent Calendar.

23 - **COMMUNICATION** - Lease between the City of Danbury and The Danbury Fish and Game Association for the constables building at Candlewood Town Park parking lot on Hayestown Road. Ms. Fox asked that this be referred to the Planning Commission. Mayor Eriquez so ordered.

24 - **COMMUNICATION** - Request for sewer and water extensions on Shelter Rock Lane. 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 Saracino to the committee.

25 - **COMMUNICATION** - Request for Sewer Extension at 23 Newtown Road. 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 Boynton, John Esposito and Saracino to the committee.

26 - **COMMUNICATION** - Request to purchase City property at 97 Golden Hill. Mr. McAllister asked that this be referred to an ad hoc committee, the Planning Director, the City Engineer, the Corporation Counsel, the Director of Finance and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Scalzo, Levy and Moore to the committee.

27 - **COMMUNICATION** - Request to purchase property on Jansen Street. Ms. Fox asked that this be referred to the Director of Planning, the City Engineer, the Corporation Counsel, the Director of Finance and the Planning Commission for reports back within thirty days. Mayor Eriquez so ordered.

28 - **COMMUNICATION** - Offer to sell land known as Tarrywile Lake property to the City. Mrs. Abrantes asked that this be referred to the Director of Planning, the City Engineer, the Corporation Counsel, the Director of Finance and the Planning Commission for reports back within thirty days. Mayor Eriquez so ordered.

29 - **COMMUNICATION** - Report from the Planning Commission giving a positive recommendation for the request for the CACD Lease of Property on Balmforth Avenue for the reason it is only changing the length of time for the time from 20 to 30 years. The Planning Commission Report was received and the request on the September, 1998 Council Agenda

to extend the CACD lease of the Balmforth Avenue property from 20 to 30 years was approved on the Consent Calendar.

30 - **COMMUNICATION** - Report from Planning Director Dennis Elpern regarding the request for an address clarification on Overlook Drive from Robert Britton and Susan Horton stating that this street was renumbered and the City cannot control the mail delivery. The report was received on the Consent Calendar and no action taken.

31 - **COMMUNICATION** - Report from the Corporation Counsel regarding the request for a sewer hookup on Ken Oaks Drive and Windaway Road. The report was received on the Consent Calendar and no action taken.

32 - **REPORT** - Request for Sewer and Water Extension - Briar Ridge Road.

Mr. Levy submitted the following report:

The Common Council Committee appointed to review the request for sewer and water extensions to Briar Ridge Road, Lot C16028, met on September 14, 1998 at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members Levy and Basso. Ms. Adames was absent. Also in attendance were City Engineer Jack Schweitzer, Superintendent of Public Utilities William Buckley and the agent for the applicant, Jim Rotondo from Consultants and Engineers, Inc.

The Planning Commission in a letter to the Common Council dated August 21, 1998 gave a positive recommendation on this application. City Engineer and Superintendent of Public Utilities reviewed and explained the plan. This extension would serve a three floor office building totaling 190,000 square feet and employing approximately 800 people. Mr. Buckley and Mr. Schweitzer gave a positive recommendation to the request.

Mrs. Basso made a motion to approve the application for sewer and water extension subject to the City of Danbury Code of Ordinances and the required eight steps. The motion was seconded by Mr. Levy and passed unanimously.

The report was received and the positive recommendation regarding the request for sewer and water extension on Briar Ridge Road approved on the Consent Calendar.

33 - **REPORT** - Habitat for Humanity Proposal for 20-24 Rowan Street

Mr. Gallagher submitted the following report:

The Common Council Committee appointed to review the Habitat for Humanity Proposal for 20-24 Rowan Street met on September 8, 1998 at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members Gallagher, Buzaid and Moore. Also in attendance were Mayor Gene Eriquez, Director of Finance Dominic Setaro, Habitat for Humanity representatives Don Elsey, John Loehr and Thomas Gissen, Oakland Avenue Neighborhood Association representative Mary West, Non-Profit Development of Danbury representative Paul Valeri and Council Member Mary Saracino-ex-officio.

Mr. Elsey gave an overview of his organization's plan for the property which basically entailed a single family home, owner occupied. He also stated that their plan was in complete agreement with the Oakland Avenue Neighborhood Association. Mr. Valeri described his organization's plan, which was identical in approach and also in

concurrence with the neighborhood association. In each instance the homes would be sold at cost or less.

After a brief discussion, Mr. Buzaid moved to recommend selling two of the lots to Non-Profit Development of Danbury for the specified taxes, interest, liens and legal costs (see attachment) and selling the third lot to Housatonic Habitat for Humanity for taxes, interest, liens and legal costs or whatever they can afford, with the necessary deed restrictions regarding single family home ownership, as well as a site plan review by the Planning Department being included. The motion was seconded by Mr. Moore and passed unanimously.

The report was received and the recommendation to sell two lots at 20-24 Rowan Street to Non-Profit Development of Danbury and to sell one lot to Housatonic Habitat for Humanity approved on the Consent Calendar.

34 - **REPORT** - Request to Review Sewer Extensions - Aunt Hack Area

Mr. Levy submitted the following report:

The Common Council Committee appointed to review the request for sewer extension to Birchwood Drive, Cedarcrest, Lindencrest Drive, Driftway Point Road, Elmcrest Drive and the North end of Driftway Point Road met on September 14, 1998 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Levy, Shuler and Basso. Also in attendance were City Engineer Jack Schweitzer, Superintendent of Public Utilities William Buckley and area residents.

Mrs. Basso, in a letter dated June 3, 1998, requested a review of a sewer extension request that had previously been reported on to the Common Council. Mr. Levy opened the meeting by reading a section of the engineering survey that had previously been supplied to Council Members. The report was dated May 27, 1998 and stated in parts as follows: "A review of the locations of the lots whose owners voted in favor of the proposed project did not result in a determination that any part of the project could be separated and become a smaller project for which the majority of property owners would be in favor of the project." Mr. Levy then asked the City Engineer if anything had substantially changed since the report was made available to Council Members in May. His response was no. The City Engineer then explained how the area was divided into zones. It was the intent of the previous committee to see if the project could be divided into smaller and more cost effective units. It was concluded from the survey results not to be a workable option. Residents present at the meeting spoke against the project.

After a good amount of time reviewing information that was previously available to Council Members, Mr. Shuler made a motion to take no further action on the sewer extension request. Seconded by Mr. Levy with Mrs. Basso abstaining from voting. Motion passed with 2 in favor and 1 abstention.

Mr. Scalzo made a motion to receive the report and approve its recommendations. Seconded by Mr. Buzaid. Motion carried with 14 yes and 3 no, with Mrs. Basso, Mr. Moore and Mrs. Saracino voting no.

35 - **REPORT** - Request for Sanitary Sewers on Route 37

Mr. McAllister submitted the following report:

The Common Council Committee appointed to review the request for sanitary sewers on Route 37 met on September 23, 1998 at 6:00 P.M. in Room 432 in City Hall. In attendance were committee members McAllister and Abrantes. Also in attendance were City Engineer Jack Schweitzer and the petitioner Charles William's.

A positive report from the Planning Commission was read for the record. Mr. Schweitzer stated that the City had no objections concerning this extension. Mr. Williams explained the project.

A motion was made by Mrs. Abrantes, seconded by Mr. McAllister, to accept the recommendation for sanitary sewers on Route 37 subject to the required eight steps. Motion carried unanimously.

The report was received and the positive recommendation regarding the request for sanitary sewers on Route 37 was approved on the Consent Calendar.

36 - **REPORT** - Moms & Pops Exemptions

Mr. Arconti submitted the following report:

The Common Council Committee appointed to review the "Mom & Pop" exemptions met at 7:00 P.M. in City Hall on September 29, 1998. In attendance were committee members Arconti, Abrantes and Basso. Also in attendance were Director of Finance Dominic Setaro, Council Members Levy, Saracino and Moore, ex-officio and members of the public.

The committee reviewed the exemptions previously granted for this service which included the waiver of the \$15 permit fee and issuance of forty \$2 coupons to disable veterans, former POWs and citizens with handicap license plates. Several options were then discussed regarding exemptions and potential discounts to senior citizens. The consensus of the committee was to continue the same basic exemption during this period of transition, which provides free permits and coupons for up to one ton of garbage. As such, exemptions should continue to be offered to disable veterans, former POWs and persons with permanent handicap parking privileges, and the City should issue twenty-six \$3 coupons per year to such eligible citizens of Danbury. It was also clearly stated that the intent is to provide these exemptions to permanently handicapped persons and not to those who may have obtained a temporary handicapped parking privilege.

Since the previous exemptions have been temporarily carried over and already applied this year, the committee recommends the following for the remainder of this fiscal year: 1) the current practice and issuance of coupons be continued through December, 1998, and 2) beginning in January, 1999 eligible citizens be issued thirteen \$3 coupons to cover the period of January 1, 1999 through June 30, 1999.

Mrs. Basso moved to recommend that the Common Council adopt a revised resolution that includes exemptions for disable veterans, former POWs and permanently handicapped persons, waiving the \$15 permit fee and providing up to twenty-six \$3 coupons per fiscal year. To complete this current fiscal year the recommendation is to continue current practice through December, 1998 and to issue up to thirteen \$3 coupons to cover the period of January 1, 1999 through June 30, 1999. Mrs. Abrantes seconded the motion and it passed unanimously.

The report was received and the recommendations to exempt disabled veterans, former POW's and permanently disabled persons from payment of permit fee for Mom and Pop trash program and provide up to twenty-six \$3.00 coupons per fiscal year for those persons was approved on the Consent Calendar.

37 - **REPORT** - Wooster Cemetery Association

Mr. Arconti submitted the following report:

The Common Council Committee appointed to review the request from the Wooster Cemetery Association met in City Hall at 7:30 P.M. on July 28, 1998 and at 6:30 P.M. on September 29, 1998. In attendance at the September 29th meeting were committee members Arconti, Levy and Saracino. Also in attendance were Director of Finance Dominic Setaro, Superintendent of Highways Frank Cavagna, Joseph Sauer representing the Wooster Cemetery Association, Council Member Pauline Basso, ex-officio and members of the public.

The Wooster Cemetery Association is currently involved in efforts to improve the management and appearance of the cemetery. They have recently hired a full time manager experienced in cemetery revitalization and have begun marketing and other efforts to strengthen their financial performance. The Association is seeking assistance from the City at this time to help them turn around their situation. A major problem at the cemetery is the continuous destruction of roadways after rainstorms. Most of the roads are unpaved and get washed out by the rains. Expensive repairs are required each time to keep the roads passable for visitors. Paving certain priority roads will greatly improve the situation and allow the association to concentrate their efforts on other improvement areas.

While the City is not obligated to assist in such matters, there are several reasons it should have interest in preservation and improvement of Wooster Cemetery. First and foremost, the City owns 2002 gravesites at this cemetery which are used for the indigent, soldiers, victims of the Kohanza disaster and our veterans. The roads surrounding the new Veteran plot (identified as key #10 on the Wooster Cemetery Association map) are particularly susceptible to rain damage and do not present an appropriate surrounding, in their present condition, to these important public grounds. This cemetery also holds historic significance, is located in the central City area and serves a broad population. In addition, the Association has expressed their commitment to restore the cemetery to a park-like setting open to the public for walking, jogging and respectful visits.

Mr. Levy moved to recommend that the Common Council appropriate \$40,000 from the Contingency Account to be used to improve and pave the roadways surrounding the new Veteran plot in the Wooster Cemetery and as much additional roadway within the cemetery as can be accomplished with these funds. Mrs. Saracino seconded the motion and it passed unanimously.

Mr. Setaro made a motion to receive the report and appropriate the sum of \$40,000 for the Wooster Cemetery Association to be used to improve and pave the roadways surrounding the new Veteran plot and as much additional roadway within the cemetery as can be accomplished with these funds. Seconded by Ms. Fox. Motion carried with 15 yes, with Dean Esposito voting no and John Esposito abstaining.

38 - **REPORT** - Offer to Purchase Property at 386 Main Street

Mr. Setaro submitted the following report:

The committee appointed to review the offer to purchase property at 386 Main Street met on September 30, 1998 at 6:00 P.M. in Room 432 in

City Hall. In attendance were committee members Setaro and Abrantes, Mayor Gene Eriquez, Director of Finance Dominic Setaro, Corporation Counsel Eric Gottschalk and representing the petitioner, the Islamic Society, Attorney Joseph Saffi and Asma Husain.

The Mayor explained that the Tax Abatement Committee had recommended that City owned property obtained through foreclosure should be valued at the amount of outstanding taxes and acquisition costs when requests to purchase property arise. He also indicated that the request was consistent with the North Street revitalization plan. The Islamic Society currently owns the property located next to the parcel at issue and is seeking to purchase the parcel located at 386 Main Street for purposes of parking. The Mayor also indicated that he hoped that the Council would set a reasonable timetable for the removal of the structure on 386 Main Street and landscaping of property at 388 Main Street. The Director of Finance stated that the amount of taxes and fees owed on 386 Main Street were \$9,640.85 with a sewer/water lien of \$4,391.64. Representatives of the Islamic Society indicated that they hoped to begin work on the parcel this fall and requested that given the demolition costs that the Council consider waiving the sewer and water liens.

After discussion, Ms. Abrantes moved to recommend to the Council pending approval of the sale by the Planning Commission that (i) the property located at 386 Main Street be offered for sale to the Islamic Society for \$9,640.85 (ii) that the water/sewer liens be waived, (iii) that prior to closing on the parcel that a landscape plan be presented to the Planning Department as to 388 Main Street, (iv) that within 60 days after the closing on the property that the Islamic Society demolish the building located on that parcel, and (v) that by Memorial Day 1999 the landscape project be completed by the Islamic Society. Seconded by Mr. Setaro. Representatives of the Islamic Society indicated that the timetable is reasonable and achievable. Motion passed unanimously.

Ms. Abrantes moved to recommend to the Council pending approval of the sale by the Planning Commission that (i) the property located at 386 Main Street be offered for sale to the Islamic Society for \$9,640.85 (ii) that the water/sewer liens be waived, (iii) that prior to closing on the parcel that a landscape plan be presented to the Planning Department as to 388 Main Street, (iv) that within 60 days after the closing on the property that the Islamic Society demolish the building located on that parcel, and (v) that by Memorial Day 1999 the landscape project be completed by the Islamic Society. Seconded by Mr. Levy. Motion carried with 16 yes and Mr. Scalzo voting no.

39 - **REPORT** - Tax Relief & Remediation of Environmentally Impacted Sites

Mr. Setaro submitted the following report:

The committee appointed to review an ordinance regarding tax relief for remediation of environmentally impacted sites met on September 30, 1998 at 6:30 P.M. in Room 432 in City Hall. In attendance were committee members Setaro and Levy, Mayor Gene Eriquez, Director of Finance Dominic Setaro and Corporation Counsel Eric Gottschalk.

Mr. Gottschalk explained that State statute enables municipalities to offer tax relief to private entities that remediate environmentally

impacted properties, that the proposed ordinance was modeled after the ordinance which allows a deferral of assessment increases and that a portion of the cost of site remediation can be taken as a tax abatement of up to \$1250/quarter for a period of 7 years but only during the time of remediation. He added that the Council should limit the number of applications per year. The Mayor stated that the ordinance was proposed in light of the significant expense of environmental clean-up to commercial industrial property and to facilitate business expansion and retention.

Mr. Levy moved to recommend to the Common Council adoption of the proposed ordinance Section 18-27 pertaining to real property tax abatement in connection with remediation of environmentally impacted sites and that the ordinance be referred to public hearing. Seconded by Mr. Setaro and passed unanimously.

Mrs. Abrantes asked that this be referred to a public hearing. Mayor Eriquez so ordered.

40 - **REPORT** - Request for Sewer Extension - 3 Old Shelter Rock Road

Mr. Boynton submitted the following report:

The Common Council Committee appointed to review the request for sewer extension at 3 Old Shelter Rock Road met on September 30, 1998 at 7:30 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 Peter and James Setaro.

Mr. Boynton read the Planning Commission report of September 17, 1998 which gave a positive recommendation. It was noted that this request falls into an area listed in the sewer expansion plan and all costs will be paid by the petitioner.

Mr. Esposito made a motion to recommend approval of the request for sewer extension to 3 Old Shelter Rock Road subject to the normal eight steps. Seconded by Mr. Boynton. Motion carried unanimously.

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

41 - **REPORT** - Donation to the Fire Department

Ms. Smith submitted the following report:

The Common Council Committee appointed to review a donation to the Fire Department met on October 5, 1998 at 6:05 P.M. in Room 432 in City Hall. In attendance were committee members Smith and McAllister. Martin Moore was absent. Also in attendance were Fire Chief Carmen Oliver and members of the Fire Department, Robert Budnik of the Kiwanis Club, Michael Budnik and Council Member Mary Saracino, ex-officio.

The committee's purpose was stated by the Chairman. Chief Oliver provided the background and history of the process of selection of this particular piece of equipment. It has been determined by its use in other Fire Departments that such equipment is a useful addition to a Fire Department. Some members of the Danbury Fire Department spoke with the Kiwanis Club which conducted the fundraising activities. Members of the Fire Department, under the direction of Chief Oliver conducted research as well as a feasibility study. All manufacturers of such equipment were contacted and information

was forwarded. A committee evaluated the various types of these cameras. Factors included in the evaluation were items such as customer support, turnaround time for repairs, whether a loaner unit would be available, etc. Based on all the information gathered, the Department determined that the helmet mounted piece made by Cairns Iris and Cairns Brothers, Inc. would best serve Danbury as the first piece of equipment. The original goal of the drive was to have one helmet and one hand held piece. It is the intention of the Department that the next piece purchased would be a hand held piece.

Mr. McAllister read a statement regarding the reason that this donation was sent to a committee. Chief Oliver stated that there is a Standard Operating Procedure (SOP) being developed by the Department. There will also be two days of training for five members of the Department. This is included in the purchase price. The manufacturer conducts this training. Chief Oliver stated that he would look into the training for such equipment which if offered by the Fire Academy.

Mr. McAllister made a motion that the donation be accepted and that a SOP would be in place prior to the use of this equipment and that all City firemen receive training in the use of this equipment within a reasonable amount of time. Seconded by Ms. Smith. The motion carried unanimously.

Mr. McAllister made a motion to receive the report and adopt its recommendations. Seconded by Mrs. Saracino. Motion carried unanimously.

42 - **REPORT** - Hazardous Materials Emergency Planning Grant

Ms. Smith submitted the following report:

The Common Council Committee appointed to review the hazardous materials planning grant met on October 5, 1998 in Room 432 at 6:30 P.M. In attendance were committee members Smith and McAllister. Committee Member Martin Moore arrived late. Also in attendance were Jack Kozuchowski of the Health Department, Fire Chief Carmen Oliver and Council Members Saracino and Basso, ex-officio.

Mr. McAllister raised a question regarding the \$1800 in kind services. Mr. Kozuchowski stated that the \$1,800 figure on the August 25, 1998 memorandum was incorrect and that the actual amount of the City's "inkind" contribution is \$4254 as stated on the chart under the "Impact Statement" section. Mr. Kozuchowski stated that the benefits of this grant would be for Danbury only. The only exception would be for areas that participate in mutual aid agreements.

Mr. McAllister made a motion to accept the correspondence with the corrected amount. Ms. Smith seconded the motion. Mr. McAllister and Ms. Smith voting in favor and Mr. Moore abstained. Motion carried.

Mr. Scalzo made a motion to receive the report and adopt the resolution. Seconded by Mr. Shuler. Motion carried unanimously.

43 - **COMMUNICATION** - Request from Eugene McNamara for an extension of time for the sanitary sewer approval for Denver Terrace. The approval for an extension of time for six months was approved on the Consent Calendar,

44 - **DEPARTMENT REPORTS** - Fire Chief, Fire Marshall, Police Chief, Public Utilities including Landfill, Health and Housing, Department of Welfare, Highways. Mr. Setaro made a motion that the department reports 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 Ms. Fox. Motion carried unanimously.

The Mayor extended all committees.

Ms. Saracino asked that a letter of thanks be sent to the Kiwanis Club for their donation to the Fire Department.

There being no further business to come before the Common Council a motion to adjourn was made at 9:18 P.M. by Mr. Gallagher.

Respectfully submitted,

JIMMETTA L. SAMAHA
Assistant City Clerk