

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

RE: Minutes of the Common Council Meeting held July 6, 1999

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

**PRESENT** – Scalzo, McAllister, Arconti, Boynton, Buzaid, Dean Esposito, Machado, Shuler, Setaro, John Esposito, Levy, Abrantes, Basso, Fox, Gallagher, Moore, Saracino

**ABSENT** – Smith, Charles, Coco, Falzone

17 Present 4 Absent

Mrs. Smith and Mr. Falzone were working

**PUBLIC SPEAKING** – Rev. Bobby Gardner, Victory Christian Church, Ed Brown, 11 Tarrywile Lake Road.

**MINUTES** – Minutes of the Common Council Meeting held June 1, 1999 and the Special Common Council Meeting held June 24, 1999. 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 Ms. Fox. Motion carried unanimously.

**CONSENT CALENDAR** – John Esposito offered the following items for the Consent Calendar:

- 1 - Confirm reappointment of Arnold Finaldi as a member of the Parking Authority
- 2 - Confirm reappointment of Rev. Ruben Bush, Sue Mazzucco and Margaret Williams as members of the Fair Rent Commission
- 3 - Confirm appointment of Michael Marcus as a member of the Tarrywile Park Authority
- 8 - Approve \$48,000 reimbursement to the City from Parking Authority for maintenance costs for Patriot Garage
- 11 – Approve transfer of \$30,000 in fines to Housing Trust Fund
- 13 - Approve transfer of \$977 from Elderly Services Donations Account to Commission on Aging for professional services fees, postage and printing and binding
- 22 – Approve request for extension of time for sewer and water extension at Broad Street for six months
- 28 – Receive negative reports from the Director of Planning, City Engineer and Planning Commission and deny offer to sell property on Churchill Road to the City Of Danbury
- 29 – Receive negative reports of Planning Commission, Director of Planning, City Engineer and Traffic Engineer and deny request to purchase City property on Mill Plain Road
- 33- Approve placing listing of real estate parcels from Tax Collector on Suspense List
- 35 – Receive report from City Engineer regarding Jackson Drive and take no action
- 36 – Receive positive committee report regarding request for water extension on Westville Avenue Extension and approve recommendations
- 37 – Receive positive committee report regarding request for sewer extension on DePalma Lane and approve recommendation

Mr. Boynton made a motion to adopt the Consent Calendar as presented. Seconded by Mr. Shuler. Motion carried unanimously.

1 – **COMMUNICATION** – Reappointment to the Parking Authority

Letter from Mayor Eriquez requesting confirmation of the reappointment of Arnold Finaldi to the Parking Authority for a term to expire July 1, 2004. The reappointment was confirmed on the Consent Calendar.

2 – **COMMUNICATION** – Reappointments to the Fair Rent Commission

Letter from Mayor Eriquez requesting confirmation of the Rev. Ruben Bush, Sue Mazzucco and Margaret Williams to the Fair Rent Commission for terms to expire July 1, 2002. The reappointments were confirmed on the Consent Calendar.

3 – **COMMUNICATION** – Appointment to the Tarrywile Park Authority

Letter from Mayor Eriquez requesting confirmation of the appointment of Michael Marcus to the Tarrywile Park Authority for a term to expire May 1, 2002. The appointment was confirmed on the Consent Calendar.

4 – **COMMUNICATION** – Donation for the East Liberty Street Public Improvements Project

Letter from Valentine Ventura donating the sum of \$6,626.21 to extend the streetscape improvements project to her property at 99 Town Hill Avenue. Mr. Boynton made a motion to receive the communication, accept the donation, credit the proper line item and send a letter of thanks. Seconded by Mr. Buzaid. Motion carried unanimously.

5 – **COMMUNICATION** – Class donations for the Department of Elderly Services

Request from Director of Elderly Services Leo McIlrath for permission to accept donations for classes in the amount of \$386.00. Mrs. Abrantes made a motion to receive the communication, accept the donations, credit the proper line items and send letters of thanks. Seconded by Dean Esposito. Motion carried unanimously.

6 – **COMMUNICATION** – Donations to the Department of Elderly Services

Request from the Director of Elderly Services Leo McIlrath for permission to accept donations in the total amount of \$977.00 for use by the 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.

7 – **COMMUNICATION** – Additional Funds – Public Buildings and Health Department

Request from Director of Finance Dominic Setaro for funds in the amount of \$3,086 to cover July expenses normally paid for the Health Department and the Public Buildings Department for rent, heating fuel, electricity and cleaning services due to the delay in the move to City Hall. Mr. Setaro made a motion to receive the communication, and transfer the sum of \$3,086 to the Health Department Rental Account, the Health Department Heating Fuel Account and the Health Department Utility Service Account and the Public Buildings Cleaning Services Account. Seconded by Mr. Levy. Motion carried unanimously.

8 – **COMMUNICATION** – Maintenance Work – Patriot Garage

Letter from Parking Authority Director Terence E. McNally in which he states that maintenance work on the Patriot Garage will begin in the coming months. Per agreement, the City is responsible for structural repairs and the Parking Authority is responsible for routine maintenance repairs. The Parking Authority agrees to reimburse the City for the cost of the routine maintenance

repairs in the amount of \$48,000.00. The communication was received and the \$48,000 reimbursement approved on the Consent Calendar.

9 – **COMMUNICATION** – Grant to the Charles Ives Center for the Arts

Letter from Michael B. Osborne requesting that a grant in the amount of \$10,000 be made to the Charles Ives Center for the Arts. Ms. Fox asked that this be referred to an ad hoc committee, the Director of Finance and a representative of the Ives Center. Mayor Eriquez so ordered and appointed Council Members Setaro, Levy and Moore to the committee.

10 – **COMMUNICATION** – Request for appropriation to the Regional YMCA

Letter from Mayor Eriquez requesting that an appropriation of \$35,000 be made to the Regional YMCA to ensure the continued operations of the Escape to the Arts program and other summer and after school activities. Mr. McAllister asked that this be referred to an ad hoc committee, the Director of Finance and a representative of the YMCA. Mayor Eriquez so ordered and appointed Council Members Gallagher, Scalzo and Saracino to the committee.

11 – **COMMUNICATION** – Request from Director of Welfare Deborah MacKenzie and the Director of Health William Campbell that the sum of \$30,000 in fines be transferred to the newly created Housing Trust Fund. A certification of Funds was attached. The communication was received and the transfer of funds authorized on the Consent Calendar.

12 – **WITHDRAWN**

13 – **COMMUNICATION** – Reappropriation of Donated Funds

Request from Director of Elderly Services Leo McIlrath for the transfer of the sum of \$977 from the Elderly Services Donations Revenue Account to the Commission on Aging budget. A certification of funds was attached. The transfer of funds was approved on the Consent Calendar.

14 – **COMMUNICATION** – Grant to MCCA Sobering up Center

Letter from Mayor Gene F. Eriquez requesting that an appropriation of \$20,000 be granted to the MCCA Sobering up Center. Mrs. Abrantes asked that this be referred to an ad hoc committee, the Director of Finance and a representative of MCCA. Mayor Eriquez so ordered and appointed Council Members Levy, Setaro and Moore to the committee.

15 – **COMMUNICATION** – Donation to the City of Danbury

Letter from Mayor Gene F. Eriquez requesting permission to accept a donation of two \$25 gift certificates from Koenig Art Emporium. These gift certificates will go toward the framing of Millennium Prints. Mr. Arconti 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.

16 – **COMMUNICATION** – Millennium Project

Request from Director of Finance Dominic Setaro to accept a donation in the amount of \$1,000 from Eaton Corporation for the Millennium Project. Mrs. Abrantes made a motion to receive the communication, accept the donation, credit the proper line item and send a letter of thanks. Seconded by Dean Esposito. Motion carried unanimously.

17 – **COMMUNICATION & RESOLUTION** – Honeywell Contract

RESOLVED by the Common Council of the City of Danbury:

RE: Honeywell Energy Conservation Program (Addendum)

Amount to be financed: \$1,704,878.00

WHEREAS, the City of Danbury is a political subdivision of the State of Connecticut and is duly organized and existing pursuant to the Constitution and laws of the State.

WHEREAS, pursuant to applicable law, the City of Danbury Common Council may authorize the acquisition, disposal of and encumbrance of real and personal property, including, without limitation, rights and interest in property, leases and easements necessary to the functions or operations of the City of Danbury and its Public Schools.

WHEREAS, the City of Danbury Common Council hereby finds and determines that the execution of lease purchase agreement ("Equipment Leases") in the principal amount not exceeding the amount stated above for the purpose of acquiring the property ("Equipment") to be described in the Equipment Lease is appropriate and necessary to the functions and operations of the City of Danbury Board of Education.

WHEREAS, General Electric Capital Corporation ("Lessor") shall act as Lessor under said Equipment Lease.

NOW, THEREFORE, be it resolved that:

Section 1. The Board of Education through the Office of the Danbury Public School Superintendent (the "Board") is hereby authorized to negotiate, enter into, execute, and deliver one or more Equipment Leases in substantially the form set forth in the document presently before the Common Council, which document is available for public inspection at the office of the City Clerk. The Board is further authorized to negotiate, enter into, execute and deliver such other documents relating to the Equipment Lease as necessary and appropriate. All other related contracts and agreements necessary and incidental to the Equipment Leases are hereby authorized.

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

18 – **COMMUNICATION** – Water Problems at 36 Hillandale Road

Request from Council Member Harry Scalzo that a committee be appointed to review the water problems at 36 Hillandale Road. Mr. Levy asked that this be referred to an ad hoc committee and the Director of Public Utilities. Mayor Eriquez so ordered and appointed Council Members Scalzo, Levy and Saracino to the committee.

19 – **COMMUNICATION** – Request for sewer line on Windaway Road

Request for a sewer line on Windaway Road. Dean Esposito asked that this be referred to the City Engineer for a report. Mayor Eriquez so ordered.

20 – **COMMUNICATION** – Offer to sell land on Beckerle Street to the City Of Danbury

Offer from Stanley Wayman for the City to purchase land he owns on Beckerle Street for the purpose of added parking for the high school. Mrs. Abrantes asked that this be referred to the Director of Finance, the City Engineer,

the Director of Planning and the Planning Commission for reports back within thirty days. Mayor Eriquez so ordered.

21 – **COMMUNICATION** – Request to use Land at 26 East Franklin Street

Request from the Rev. Douglas Schrack to use City owned property at 26 East Franklin Street for church services on Sunday. Mr. McAllister asked that this be referred to the City Engineer, the Corporation Counsel, the Director of Finance, the Director of Planning and the Planning Commission for reports back within thirty days. Mayor Eriquez so ordered.

22 – **COMMUNICATION** – Request for Sewer and Water Extensions on Broad Street

Request from Attorney Ward Mazzucco requesting an extension of time for sewer and water extensions that expired on June 3, 1999. An extension of time for six months was granted on the Consent Calendar.

23 – **COMMUNICATION** – Road Widening Parcel – Joe's Hill Road

Request from Attorney David L. Grogins requesting the acceptance of a road-widening parcel on Joe's Hill Road. Mrs. Abrantes requested that this be referred to the City Engineer, the Corporation Counsel, the Planning Commission and the Director of Planning for reports back within thirty days. Mayor Eriquez so ordered.

24 – **COMMUNICATION** – Request for sewer and water extensions on Lot 21 Juniper Ridge. Mr. Arconti 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 Levy, Scalzo and Saracino to the committee.

25 – **COMMUNICATION** – Request for sewer and water extensions at 11-13 Mannions Lane. Ms. Fox asked that this be referred to an ad hoc committee, the Superintendent of Public Utilities, the City Engineer and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Boynton, John Esposito and Moore to the committee.

26 – **COMMUNICATION** – Request to lease land on Hospital Avenue for a Montessori pre-school. Mr. McAllister asked that this be referred to the Board of Education for a recommendation. Mayor Eriquez so ordered.

27 – **COMMUNICATION** – Offer to sell property on Hayestown Road and South Street to the City. Mrs. Abrantes asked that this be referred to the City Engineer, the Director of Planning, the Planning Commission and the Director of Finance for reports back within thirty days. Mayor Eriquez so ordered.

28 – **COMMUNICATION** – Reports regarding offer to sell property on Churchill Road to the City.

The negative reports from the Director of Planning, the City Engineer and the Planning Commission were received on the Consent Calendar and the offer to sell property on Churchill Road to the City denied.

29 – **COMMUNICATION** – Reports regarding request to purchase City property on Mill Plain Road

The negative reports of the Planning Commission, the Director of Planning, the City Engineer and the Traffic Engineer were received on the Consent Calendar and the request to purchase City property on Mill Plain Road denied.

30 – **COMMUNICATION** – Request for the installation of a traffic light on Newtown Road and Woodside Avenue. Mr. McAllister asked that this be referred to the Chief of Police for a report back within thirty days. Mayor Eriquez so ordered.

31 – **COMMUNICATION** – Request for Sewers on Cedarcrest Drive and Lindencrest Drive. Ms. Fox asked that this be referred to the City Engineer for a survey. Mayor Eriquez so ordered.

32 – **COMMUNICATION** – Request for sewer and water extensions at 13 Lakeside Road. Mr. Arconti 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, Coco and Basso to the committee.

33 – **COMMUNICATION** – Request from Tax Collector Catherine Skurat to have two listings of real estate parcels put on the Suspense List. The approval of placing the two listings of real estate parcels was approved on the Consent Calendar.

34 – **COMMUNICATION** – Damages to property at 24 Fairlawn Avenue. Mr. Setaro asked that this be referred to an ad hoc committee, the Superintendent of Public Utilities and the City Engineer. Mayor Eriquez so ordered and appointed Council Members Arconti, Coco and Basso to the committee.

35 – **COMMUNICATION** – Request for information on Jackson Drive

The report from the City Engineer regarding Jackson Drive was received on the Consent Calendar and no action taken.

36 – **REPORT** – Request for Water Extension – Westville Avenue Extension

Ms. Fox submitted the following report:

The Common Council Committee appointed to review the request for water extension on Westville Avenue Extension met on June 29, 1999 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Fox and Gallagher. Mrs. Basso had a previous commitment. Also in attendance were City Engineer Patricia Ellsworth, Sal Pandolfi for Westville Associates and Jeannie Williamson for the applicant. Mr. Buckley had a previous commitment.

Ms. Fox read a positive recommendation from the Planning Commission. Mr. Pandolfi described the proposed project to build 13 single-family homes with 4 bedrooms, 2 ½ baths and 3 car garages. Each house will sit on one or two acres of land. The cul de sac in the neighborhood borders property owned by the State of Connecticut and the location of Western Connecticut State University. Ms. Williamson described the engineering aspects of the water hookups to the committee. Ms. Ellsworth stated that she had no issues with the project as proposed.

Mr. Gallagher made a motion to approve the water extension to Westville Avenue Extension, subject to the usual eight steps. Ms. Fox seconded motion. Motion passed unanimously.

The report was received on the Consent Calendar.

37 – **REPORT** – Request for Sewer Extension – DePalma Lane

The Common Council Committee appointed to review the request for sewer extension on DePalma Lane met on June 24, 1999 at 6:15 P.M. in

Room 432 in City Hall. In attendance were committee members McAllister and Moore. Also in attendance were Superintendent of Public Utilities Bill Buckley and the petitioner.

The original request was read for the record, as was the positive report of the Planning Commission. Mr. Buckley stated that this area had been approved for sewers in the past but it had lapsed. He stated that he did not see any problem with the request provided that the usual eight steps were followed and the necessary easements obtained. The petitioner stated that he would give the easements.

Mr. Moore made a motion to approve the request for sewer extension on DePalma Lane subject to the usual eight steps. Seconded by Mr. McAllister. Motion carried unanimously,

The report was received on the Consent Calendar.

38 – **DEPARTMENT REPORTS** – Fire Chief, Fire Marshall, Department of Elderly Services, Health and Housing, Police Chief, Public Utilities, Engineering. Mr. Setaro made a motion to receive the 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 Ms. Fox. Motion carried unanimously.

The Mayor extended all committees.

There being no further business to come before the Common Council a motion to adjourn was made at 8:45 P.M. by Mrs. Basso.

Respectfully submitted,

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JIMMETTA L. SAMAHA  
Assistant City Clerk

ATTEST:

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Elizabeth Crudginton  
City Clerk