

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

RE: Minutes of the Common Council Meeting held September 8, 1999

The meeting was called 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, Gallagher, Moore, Saracino

ABSENT – Smith, Coco, Falzone, Fox

17 Present – 4 Absent

Council Members Smith, Coco and Falzone were working

No members of the public addressed the Common Council

MINUTES – Minutes of the Common Council meeting held August 3, 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 Mr. Levy. Motion carried unanimously.

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

3 - Approve resolution authorizing the Mayor to execute an agreement with the State of Connecticut DOT for lease of property for Still River Greenway Project

6 - Approve application and resolution for the State Department of Health Services School Based Health Center Continuation Grant in an amount not to exceed \$302,000

14 – Approve amendment to Highway State Aid budget in the amount of \$57,772 to Maintenance of Highways Curbs and Walks account

16 – Approve transfer of \$5,109 from contingency fund to Police Department Contributions – Grants account

18 – Approve reappropriation of \$8,718 from Animal Control Fund Fund Balance

19 – Approve as qualified financial institutions for municipal deposits Bank of Boston Connecticut, Chase Manhattan Bank, Fleet Bank, MBIA, People's Bank, Banker's Trust, First Union, Union Savings, Citizens Bank, Webster Bank

29 – Receive positive Planning Commission report dated July 26, 1999 regarding request for State of Connecticut property acquisition for Route 7 improvements

30 – Receive positive Planning Commission report dated September 1, 1999 for lease of City property at 83-85 Balmforth Avenue to CACD

31 – Approve transfer of \$15,437 from Contingency Fund to Old Library Buildings Maintain Buildings Structures Account

32 – Approve transfer of \$10,000 from Contingency Fund to Building Department overtime account

34 – Approve appropriation of \$60,000 from Water Fund Balance to Water Fund Account for Transmission and Distribution Mains account

35 – Approve reappropriation of \$41,885 from Water Fund to various Water Fund accounts

37 - Approve certificate and consent between the City and CHEFA and authorize the Mayor to execute agreement regarding CACD Childcare Facility

39 – Receive negative Planning Commission report regarding request to use land at 26 East Franklin Street and take no action

40 – Receive positive reports from City Engineer, Corporation Counsel, Director of Planning and Planning Commission and approve request that City accept certain parcels on Joe’s Hill Road for widening subject to submittal of documents acceptable to Corporation Counsel

41 – Receive positive reports from Director of Planning, City Engineer, Corporation Counsel and Planning Commission and approve request to purchase property on Cedar/Pine Trail

45 – Approve request and authorize Office of Corporation Counsel to acquire easements related to sanitary sewer on Kenosia Avenue

49 – Receive report and approve recommendation to take no action regarding request to purchase property adjacent to 41 Woodside Avenue

50 – Receive report and approve positive recommendations regarding request for sewer and water extension – Juniper Ridge

51 – Receive report and approve positive recommendations regarding water problem on Ford Lane

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

1 – **COMMUNICATION** – Resignation of Marcia T. Fox

Letter from Council Members Marcia Fox resigning from the Common Council due to a work promotion and graduate school studies effective immediately. Mr. Setaro made a motion to accept the resignation with regret. Seconded by Mrs. Saracino. Motion carried unanimously.

2 – **COMMUNICATION** – Recommendation of Michael Pascuzzi to fill Seventh Ward Vacancy

Letter from Democratic Town Committee Chairman Joseph Walkovich recommending that Michael Pascuzzi be appointed to fill the vacancy due to the passing of long time Council Member Louis Charles. Mr. Levy made a motion to receive the communication and appoint Michael Pascuzzi to fill the unexpired term in the seventh ward. Seconded by Mr. McAllister. Motion carried unanimously. Attorney Gottschalk administered the oath of office to Mr. Pascuzzi.

3 – **RESOLUTION** – Lease Agreement with the State Department of Transportation

RESOLVED by the Common Council of the City of Danbury:

THAT the Mayor of Danbury, Gene F. Eriquez, is empowered to execute and deliver in the name and on behalf of the “Second Party a certain agreement with the State of Connecticut, Department of Transportation known as File No. 34-124-10c.

The resolution authorizing the Mayor to execute an agreement with the State of Connecticut DOT for lease of property for the Still River Greenway Project was approved

4 – **RESOLUTION** – Revised Per Capita Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Public Health has made additional per capita funds available for 1999-2000 to municipalities in accordance with Section 19a-202 of the Connecticut General Statutes; and

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

WHEREAS, a continuation grant award application for a revised amount of \$71,820.85 with no local match requirement will be processed by the Danbury Health and Housing Department for a grant term of July 1, 1999 through June 30, 2000.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor of the City of Danbury, Gene F. Eriquez, is hereby authorized to apply for and accept said per capita grant funds of \$71,820.85, to execute all contracts or amendments thereof concerning said grant and to take all necessary actions to effectuate the purposes thereof.

Mr. Setaro made a motion to receive the communication and adopt the resolution authorizing the Mayor to apply for and accept per capita grant funds of \$71,820.85 and to execute all contracts or amendments and take all necessary actions to effectuate the purposes thereof. Seconded by Dean Esposito. Motion carried unanimously.

5 – **RESOLUTION** – Local Law Enforcement Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the U. S. Department of Justice, Bureau of Justice Assistance (BJA) under the Fiscal Year 1997 Omnibus Appropriations Act (Pub.L.104 208) has advised the City of Danbury of its eligibility to apply to BJA for a direct award of \$45,981 under this program with a local cash match of \$5,109.00 required; and

WHEREAS, the funding under this new program will be used by the Danbury Police Department to purchase various items of equipment to enhance effective law enforcement within the City of Danbury, and

WHEREAS, the grant period will run for 24 months from the date of the initial payment received.

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury, is hereby authorized to apply for and accept such grant award and the Mayor is authorized to sign any contracts/documents in connection therewith and do all things necessary to effectuate the purposes of said grant

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

6 – **RESOLUTION** – Revised School Based Health Center Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Health Services has notified the Department of Health and Housing of the City of Danbury of the City's eligibility to apply for a School Based Health Center Continuation Grant in an amount not to exceed \$302,000; and

WHEREAS, the grant term will cover a two year period of July 1, 1999 through June 30, 2000 for \$202,000 and a second year July 1, 2000 to June 30, 2001 for an additional \$100,000 with no local match required; and

WHEREAS, the State's purpose in providing these funds is to enable the City's Health and Housing Department to provide the age appropriate accessible and affordable medical and mental health care services of Danbury High School students.

NOW, THEREFORE, BE IT RESOLVED THAT Gene F. Eriquez, Mayor of the City of Danbury is hereby authorized to apply to the State of Connecticut Department of Health Services for said grant funds and to accept the award if offered; and

BE IT FURTHER RESOLVED THAT Mayor Gene F. Eriquez is hereby authorized to take any and all actions necessary to effectuate the purposes hereof.

The application and resolution for the State Department of Health Services School Based Health Center Continuation Grant in an amount not to exceed \$302,000 was approved on the Consent Calendar.

7 - COMMUNICATION – Appointments to the Fire Department

Letter from Mayor Eriquez requesting confirmation of the following appointments to the Fire Department: John A. Kennedy, Joseph Halas, Heather Heaton, Dean Singer, Robert C. Forbes, Michael Speed, Steven Rogers, Jr., Ronald Hollister, John Hallas, Kelly Grover, Jamie Schiller, Timothy Smith, Jr., Maia Johanan. Mr. McAllister made a motion that the communication be received and the appointments confirmed. Seconded by Mrs. Basso. Mayor Eriquez explained that Maia Johanan has not completed one section of testing and asked that his name be removed from consideration and will be resubmitted at a later date. The motion was amended to reflect same. The motion carried unanimously.

8 – **COMMUNICATION** – Donation of Xerox Copy Machine

Request from the Registrars of Voters for permission to accept the donation of a Xerox Copier from the Document Copy Xerox. Mr. Arconti made a motion to receive the communication, accept the donation and send a letter of thanks. Seconded by Mr. Shuler. Motion carried unanimously.

9 – **COMMUNICATION** – Acceptance of Donation to the Police Department

Request from Chief of Police Robert Paquette for permission to accept a donation from MADD of approximately \$638 to pay for all expenses for Captain Andrew Woods to attend the MADD National Leadership Conference. Mrs. Abrantes made a motion to receive the communication, accept the donation, credit the proper line items and send a letter of thanks. Seconded by Mrs. Basso. Motion carried unanimously.

10 – **COMMUNICATION** – WITHDRAWN

11 – **COMMUNICATION** – Donations to the Library

Request from Library Director Betsy McDonough for permission to accept donations in the amount of \$195 from the Danbury/New Fairfield Newcomers Club and \$69.58 from Edyce Hornig. Mrs. Abrantes made a motion to receive the communication, accept the donations, credit the proper line items and send letters of thanks. Seconded by Mrs. Basso. Motion carried unanimously.

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

Request from Director of Elderly Services Leo McIlrath for permission to accept donations from Schlumberget, Inc. in the amount of \$439 and Sunrise in the amount of \$50. 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.

13 – **COMMUNICATION** – Request for Funds for Bambino Travel Team

Request from David Arconti, Vice President of Bambino Baseball League for the sum of \$2,000 to help defray the cost of travel expenses for the Bambino Travel Team to travel to Mattoon, Illinois where they won the National Bambino World Series. Mr. Setaro made a motion to receive the communication and appropriate, pending certification, the sum of \$2,000 to help defray the cost of travel for the Bambino Baseball League. Seconded by Levy. Motion carried unanimously.

14 – **COMMUNICATION** – Highway State Aid

Request from Director of Finance Dominic Setaro that an amendment to the Highway State Aid budget in the amount of \$57,772 to the “Maintenance of Highways, Curbs and Walks” be approved. The amendment to the Highway State Aid budget in the amount of \$57,772 to “Maintenance of Highways, Curbs and Walks” was approved on the Consent Calendar.

15 – **COMMUNICATION** – WITHDRAWN

16 – **COMMUNICATION** – Certification, Local Law Enforcement Grant

Certification of the availability of \$5,109 to be transferred from the Contingency Fund to the Police Department’s Contributions – Grants line item for a grant from the U. S. Department of Justice Assistance. The transfer of \$5,109 from the Contingency Account to the Police Department Contributions – Grant account was authorized on the Consent Calendar.

17 – **COMMUNICATION** – Request for Waiver of Bid

Request from Director of Finance Dominic Setaro that a waiver of bid approval be granted in instances where it is not feasible because of time constraints for a bid to be obtained because of the City’s need to make a purchase prior to the 1/1/2000 date. If a bid is not feasible, three written quotes would be obtained. Mr. Levy made a motion to receive the communication, and approve the request for a waiver of bids for the Y2K time frame. Seconded by Mr. Scalzo. Motion carried unanimously.

18 – **COMMUNICATION** – Animal Control Fund

Request from Director of Finance Dominic Setaro that the sum of \$8,718 be reappropriated from the Animal Control Fund’s Fund Balance. The reappropriation of \$8,718 from the Animal Control Fund’s Fund Balance was approved on the Consent Calendar.

19 – **COMMUNICATION** – Accepted Banks for Municipal Deposits

Request from Director of Finance Dominic Setaro that the Common Council approve the following banks and qualified financial institutions for municipal deposits: Bank of Boston Connecticut, Chase Manhattan Bank, Fleet Bank, Municipal Investors Service Corporation, Peoples Bank, Banker's Trust, First Union, Union Savings Bank, Citizens Bank, Webster Bank. The above banks and qualified financial institutions were approved for municipal deposits on the Consent Calendar.

20 – **COMMUNICATION** – Request for Committee – Flag Illumination. Mayor Eriquez stated that this had already been done. Mrs. Basso made a motion to accept this, seconded by Mr. Setaro. Motion carried unanimously.

21 – **COMMUNICATION** – Request for a committee to change the name of Pickett Ridge Road to George Hull Hill Road. Mr. Arconti asked that this be referred to an ad hoc committee, the Planning Director, the Planning Commission, the Fire Chief, the Police Chief. Mayor Eriquez so ordered and appointed Council Members Dean Esposito, Gallagher and Basso to the committee.

22 – **COMMUNICATION** – Request for a committee to review a sewer repair bill at 112 South Street. Mr. McAllister made a motion to refer this to an ad hoc committee, the Director of Public Works, the Corporation Counsel and the Director of Finance. Mayor Eriquez so ordered and appointed Council Members Dean Esposito, John Esposito and Saracino to the committee.

23 – **COMMUNICATION** – Request for a committee to review trucks parking in residential neighborhoods. Mrs. Abrantes asked that this be referred to an ad hoc committee, the Chief of Police, the Zoning Enforcement Officer and the Corporation Counsel. Mayor Eriquez so ordered and appointed Council Members Gallagher, Shuler and Moore to the committee.

24 – **COMMUNICATION** – Request to purchase City property on Ye Olde Road. Mr. McAllister asked that this be referred to the Director of Planning, the Planning Commission, the City Engineer and the Director of Finance for reports back within thirty days. Mayor Eriquez so ordered.

25 – **COMMUNICATION** – Proposal from Hallas Farm Market to Maintain Land. Mrs. Abrantes asked that this be referred to the Corporation Counsel and the Director of Parks and Recreation for reports back within thirty days. Mayor Eriquez so ordered.

26 – **COMMUNICATION** – Road Widening Strip – Joe's Hill Road. Mrs. Abrantes asked that this be referred to the Director of Planning, the City Engineer, the Planning Commission and the Director of Finance for reports back within thirty days. Mayor Eriquez so ordered.

27 – **COMMUNICATION** – Render's Farm Subdivision – 29 Stadley Rough Road. Mr. McAllister asked that this be referred to the Corporation Counsel for a report back within thirty days. Mayor Eriquez so ordered.

28 – **COMMUNICATION** – Request for reimbursement for the cost of installing a backflow valve. Mr. Arconti asked that this be referred to the Director of Public Utilities and the Director of Finance for reports back within thirty days. Mayor Eriquez so ordered.

29 – **COMMUNICATION** – Report from the Planning Commission regarding property acquisition for Route 7 improvements. The positive Planning Commission Report regarding the State of Connecticut's request for property acquisition for Route 7 improvements was received on the Consent Calendar.

30 – **COMMUNICATION** – Report from the Planning Commission on the proposed lease of City property to CACD. The positive Planning Commission

report for lease of City property at 83-85 Balmforth Avenue to CACD was received on the Consent Calendar.

31 – **COMMUNICATION** – Request from Director of Finance Dominic Setaro that the sum of \$15,437 be transferred from the Contingency Fund to the Old Library Building’s Maintain Buildings-Structures line item for renovations to the Old Library to accommodate the Welfare and Social Services Department. The transfer of funds was authorized on the Consent Calendar.

32 – **COMMUNICATION** – Request from Building Inspector Leo Null for the sum of \$10,000 for Overtime Services. A certification of funds was attached. The transfer of funds was authorized on the Consent Calendar.

33 – **COMMUNICATION** – Request to Accept Donation from the Elks Lodge

Request from Director of Finance Dominic Setaro for permission to accept a donation in the amount of \$500 from the Danbury Elks Lodge No. 120 for improvements and enhancements of Kennedy Park. Mr. Setaro made a motion to receive the communication, accept the donation, credit the proper line item and send a letter of thanks. Seconded Mr. Levy. Motion carried unanimously.

34 – **COMMUNICATION** – White Street Water Line

Proposal from Superintendent of Public Utilities William Buckley requesting the sum of \$60,000 in order to make repairs to the water line on White Street. A certification of funds was attached. The transfer of funds was authorized on the Consent Calendar.

35 – **COMMUNICATION** – Water Fund Appropriation

Certification of funds in the amount of \$41,885 available to be reappropriated to the Water Fund accounts for the completion of projects and purchase of equipment. The reappropriation was authorized on the Consent Calendar.

36 – **COMMUNICATION** – Request for sewers on Windaway Road. Mr. Machado asked that this be referred to the City Engineer for a survey. The Mayor so ordered.

37 – **COMMUNICATION** – CACD Day Care Center – 75 Balmforth

Request from the Corporation Counsel that the Common Council authorize the CHEFA Funding/Revenue Bond Estoppel Certificate and Consent for the proposed construction of the CACD child care facility at 75 Balmforth Avenue. The authorization for the Mayor to execute the Certificate and Consent was approved on the Consent Calendar.

38 – **COMMUNICATION** – Offer to sell land at Miry Brook Road and Old Sugar Hollow Road to the City. Mrs. Abrantes asked that this be referred to the Planning Director, the City Engineer, the Corporation Counsel, the Director of Finance, the Planning Commission and the Airport Administrator for reports back within thirty days. Mayor Eriquez so ordered.

39 – **COMMUNICATION** – Report regarding City owned land at 26 East Franklin Street. The negative report from the Planning Commission was received on the Consent Calendar and no action taken at this time.

40 – **COMMUNICATION** – Reports regarding Road Widening Parcel – Joe’s Hill Road. The positive reports from the City Engineer, the Corporation Counsel, the Director of Planning and the Planning Commission were received on the Consent Calendar and the request that the City accept certain parcels on

Joe's Hill Road for widening subject to submittal of documents acceptable to the Corporation Counsel were approved on the Consent Calendar.

41 – **COMMUNICATION** – Request to purchase property on Pine and Cedar Trails. The positive reports from the Director of Planning, the City Engineer, the Corporation Counsel and the Planning Commission and the request to purchase property on Cedar/Pine Trail were approved on the Consent Calendar.

42 – **COMMUNICATION** – Wayne Kompare, 178 Middle River Road. Mr. Arconti asked that this be referred to the City Engineer, the Corporation Counsel, the Director of Planning, the Director of Finance and the Planning Commission for reports back within thirty days. Mayor Eriquez so ordered.

43 – **COMMUNICATION** – Request to purchase land on Deepwood Drive. Mr. McAllister asked that this be referred to the Director of Planning, the Planning Commission and the Zoning Enforcement Officer. Mayor Eriquez so ordered.

44 – **COMMUNICATION** – Request to purchase City land off Fox Den Road. Mrs. Abrantes asked that this be referred to the Director of Planning, the City Engineer, the Director of Finance, the Corporation Counsel and the Planning Commission for reports back within thirty days. Mayor Eriquez so ordered.

45 – **COMMUNICATION** – Request from the City Engineer for Common Council approval to require necessary easement for sanitary sewers on Kenosia Avenue. The request was granted and the Corporation Counsel authorized to acquire easements related to sanitary sewers on Kenosia Avenue on the Consent Calendar.

46 – **COMMUNICATION** – City of Danbury v. St. Platon's Russian Orthodox Greek Catholic Church. Mr. Setaro asked that this be deferred to the end of the agenda for an Executive Session. Seconded by Dean Esposito. Motion carried unanimously.

47 – **REPORT** – Drainage Problem at Hayestown Heights and Rose Lane

The Common Council Committee appointed to review the drainage problem at Hayestown Heights and Rose Lane met on June 16, 1999 at 5:30 P.M. in Room 432 in City Hall. In attendance were committee members Abrantes, McAllister and Basso. Also in attendance were Superintendent of Public Utilities William Buckley, City Engineer Patricia Ellsworth and the petitioner Patti Russo.

The committee had met four previous times – March 12, 1997, November 17, 1997, June 18, 1998 and August 3, 1998. At this final meeting the cost of the project to remedy the drainage problem was discussed and the total cost is approximately \$341,000 to remedy the problem and bring the road to City specifications for the road to be taken over by the City. At this meeting it was decided that the residents only want the drainage problem fixed.

Mr. McAllister made a motion to recommend that a survey be done by the Engineering Department to determine the assessment of the residents for the drainage problem only and that the City would provide one-half of the funding. Mrs. Basso seconded the motion and the motion carried unanimously.

Mr. Setaro made a motion to receive the report, approve its recommendations and authorize a survey, pending certification of funds. Seconded by Mrs. Basso. After discussion, Mr. McAllister moved the question. Motion was seconded and carried with Dean Esposito voting in the negative. Main motion carried unanimously.

48 – **REPORT** – Request for Sewer and Water Extensions at 11-13 Mannions Lane

The Common Council Committee appointed to review the request for sewer and water extensions at 11-13 Mannions Lane met on August 16, 1999 at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members Boynton, John Esposito and Moore. Also in attendance were Superintendent of Public Utilities William Buckley and Attorney Robin Kahn representing the applicant.

Mr. Boynton read the positive Planning Commission recommendation for the record advising approval of this request for sewer and water extensions at 11-13 Mannions Lane. Mr. Buckley reported that he and the City Engineer, Patricia Ellsworth, had reviewed this request and also recommend approval.

Mr. Moore and Mr. Esposito discussed the fact that this approval does not grant approval for the Site Plan, number of units, etc. It only approves sewer and water extensions.

Mr. Moore made a motion to recommend to the Common Council approval of the sewer and water extensions subject to the required eight steps. Seconded by John Esposito. The motion carried unanimously.

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

49 – **REPORT** – Request to Purchase Property adjacent to 41 Woodside Avenue

The Common Council Committee appointed to review the request to purchase property adjacent to 41 Woodside Avenue met on August 16, 1999 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Boynton and John Esposito. Mrs. Basso could not attend.

The committee discovered that this property had been on a list recently approved as surplus by the Common Council and that the applicant had already purchased the property.

John Esposito made a motion to recommend that no action be taken on this request. Mr. Boynton seconded the motion. The motion carried unanimously.

The meeting adjourned at 7:50 P.M.

The Report was received and the recommendation to take no action regarding the request to purchase property adjacent to 41 Woodside Avenue was approved on the Consent Calendar.

50 – **REPORT** – Request for Sewer and Water Extension – Juniper Ridge

The Common Council Committee appointed to review the request for Sewer and Water Extensions to Juniper Ridge Lot #H11224 met on August 24, 1999 at 7:00 P.M. in Room 432 in City Hall. In attendance were committee members Levy and Scalzo. Mrs. Saracino was on vacation. Also in attendance were Superintendent of Public Utilities William Buckley, the petitioner Milton Boyce and Attorney Thomas Frizzell representing Mr. and Mrs. Boyce.

Mr. Levy read a letter from the Planning Commission giving a positive recommendation for the sewer and water extensions at its July 21, 1999 meeting. Mr. Buckley reviewed and explained the different engineering options for this extension. Mr. Levy asked Mr. Buckley if this extension would cause any

additional cost to the current utility users or the City. The answer was no. Mr. Levy asked if there would be adequate water pressure. The answer was yes.

Mr. Buckley gave a positive recommendation to the extension with two additional requirements:

1. The applicant must enter into a contract with the City to acquire easements and extend the water and sewer mains to a point that makes the service available to Lot H11224.

2. The applicant will pay a contract fee to the City of \$7,500.00 for the water extension and \$7,500.00 for a sewer extension for a complete job excluding service lines. The total contract fee will be \$15,000.00.

Mr. Scalzo made a motion to approve the sewer and water extension subject to the City of Danbury Code of Ordinances and the required eight steps plus two additional steps as follows: (1) the applicant enter into contract with the City to acquire easements an extend the water and sewer mains to a point that makes the service available to Lot H11224; and (2) the applicant will pay the City a contract fee of \$7,500.00 for the water extension and \$7,500.00 for a sewer extension for a complete job excluding service lines. Total contract fee of \$15,000.00.

Motion was seconded by Mr. Levy and passed unanimously.

Motion to adjourn by Mr. Scalzo at 7:55 P.M. Seconded by Mr. Levy and passed unanimously.

The report was received and the positive recommendations regarding the request for sewer and water extension on Juniper Ridge was approved on the Consent Calendar.

51 – **REPORT** – Water Problem on Ford Lane

The Common Council Committee appointed to review a water problem on Ford Lane met on August 10, 1999 at 7:30 P.M. in Room 432 in City Hall. In attendance were committee members Levy, Coco and Moore. Also in attendance were Director of Public Works William Buckley, the petitioner Robert Scalzo and Council Members Boynton and Esposito, ex-officio.

Mr. Levy read a letter from the petitioner. It outlined a water drainage problem that is doing extensive damage to Ford Lane and private property when it rains. Mr. Levy said that he met with Mr. Scalzo on Ford Lane to see the problem. It was determined by that inspection and confirmed by Mr. Buckley that the source of water was draining off from properties on the northbound side of Route 39 and down the backside of those properties to a natural drainage culvert. It states at the end of Catherine Street and runs past the end of Golden Hill Avenue and then discharges onto Ford Lane where it flows down the road to Ventura Drive.

After a good amount of questions and answers, Mr. Buckley made the following suggestions:

Mr. Buckley said a good part of the problem was that Mr. Scalzo's neighbor has a stone and dirt driveway that was washing out during heavy rainstorms. This was evident at every inspection with stones and dirt on the road. The stone and dirt was plugging or reducing the capacity of the City road drains. Mr. Buckley said as a first step to reducing the problem he would have the drainage system cleaned. He also suggested that with the Common Council's approval he would supply a limited amount of drainage pipe or material to Mr. Scalzo's neighbor to help stop the driveway washout.

Mr. Moore made a motion to adopt Mr. Buckley's recommendations as follows:

1. Clean the drainage system in the Ford Lane area.
2. Supply a limited amount of drainage material as determined by the Director of Public Works to Mr. Donald Butler at 5 Ford Lane to install a driveway drain.

Motion was seconded by Mr. Coco and passed unanimously.

Motion to adjourn by Mr. Moore at 8:35 P.M. Seconded by Mr. Levy and passed unanimously.

The report was received and the positive recommendations regarding the water problem on Ford Lane was approved on the Consent Calendar.

52 – **REPORT** – Conditions on Liberty Avenue

The Common Council Committee appointed to review the conditions on Liberty Avenue met on August 23, 1999 at 7:20 P.M. in Room 432 in City Hall. In attendance were committee members John Esposito, Ernest Boynton and Mary Saracino. Also in attendance were Police Chief Robert Paquette and Director of Public Utilities William Buckley as well as residents Carl Geib, Raymond Barrett, Maria Cingolani, John and Madeleine Riska, Rose Schlemmer and Laura Ellis.

Mr. Esposito stated that the committee conducted an on-site inspection before this meeting. Mrs. Saracino stated that the pavement is worn and cracked with ridges in the road. There were tire tracks on the road from speeders and also a bump in the road, Mr. Boynton noted that there were young children in the area and there could be a serious accident. Mr. Boynton made a motion to suspend the rules. Seconded by Mrs. Saracino. Motion carried unanimously.

Mr. Buckley stated that the solution is to remove the rock, realign the road and drop the road one to two feet to take the dip out of the road. They could pave the road but that would be a temporary solution. They could put a skim on the road but he feels they would not be able to remove the rock this year. Chief Paquette stated that the road condition is causing traffic problems. It is a launch ramp condition. He feels that Mr. Buckley's suggestion for a long-term solution is best. Mr. Buckley stated that if there are utilities underground they would have to be relocated.

Mrs. Saracino made a motion to recommend that Mr. Buckley be authorized to proceed with his solution to fix the road conditions. Seconded by Mr. Boynton. Mr. Boynton asked if pavement scoring could be done across the road. Mr. Buckley said that the noise factor would be prohibitive. The motion carried unanimously.

Mr. Boynton made a motion to receive the report and adopt its recommendations. Seconded by Mr. Shuler. Motion carried unanimously.

53 – **REPORT** – Request for a Stop Sign on Lancey Street

The Common Council Committee appointed to review the request for a stop sign on Lancey Street met at 7:55 P.M. on August 23, 1999 in Room 432 in City Hall. In attendance were committee members John Esposito, Ernest Boynton and Mary Saracino. Also in attendance were Police Chief Robert Paquette and Director of Public Utilities William Buckley as well as residents Carl Geib, Raymond Barrett, Maria Cingolani, John and Madeleine Riska, Rose Schlemmer and Laura Ellis.

Mr. Esposito read the petition for a stop sign on Lancey Street. He also read a letter from Traffic Engineer Abdul Mohammed granting permission for a stop sign on Lancey Street. Chief Paquette said that the stop sign would be placed coming down Fairfield Ridge with Lancey Street on the left. Having a stop sign going up the hill would be a problem in inclement weather. Mr. Boynton asked about a stop sign warning either lettered on the pavement or a sign warning of stop ahead. Mr. Buckley stated that he would not want to see a stop sign installed on the hill because of snow, but after the road was repaved he would revisit the site.

Mrs. Saracino made a motion to approve the stop sign on the down side of Lancey Street and, after reconstruction, the need for a stop sign on the upgrade should be revisited. Seconded by Mr. Boynton. Motion carried unanimously.

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

54 – **DEPARTMENT REPORTS** – Police Chief, Health and Housing, Department of Elderly Services, Public Works, Public Utilities, Highways, Fire Chief, Fire Marshall, Engineering. Mr. Setaro made a motion to accept the department reports as read 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. Levy. Motion carried unanimously.

55 – Request for Sewer and Water Extensions – Terre Haute Road

Mr. Setaro made a motion to add this to the agenda. Seconded by Dean Esposito. Motion carried with Mr. Gallagher voting in the negative. Mr. Setaro 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 Dean Esposito, Buzaid and Saracino to the committee.

56 – Request for the sum of \$2,000 for the Mayor’s Task Force on Domestic Violence and Violence Prevention

Mr. Setaro made a motion to add this item to the agenda. Seconded by Mr. Levy. Motion carried with Mr. Gallagher voting in the negative. Request from Mayor Eriquez that the sum of \$2,000 be appropriated from the Contingency Fund to cover the costs associated with the publication of the Mayor’s Task Force on Domestic Violence report and their planned conference. Mr. McAllister made a motion to receive the communication and allocate the sum of \$2,000 to cover the cost of publication of the report and the conference, pending certification. Seconded by Emile Buzaid. Motion carried unanimously.

57 – Request to transfer the fire station and property on Well Avenue to Phoenix Hose.

Mr. Setaro made a motion to add this item to the agenda. Seconded by Dean Esposito. Motion carried with Mr. Gallagher voting in the negative. John Esposito asked that this be referred to an ad hoc committee, the Director of Finance, the Corporation Counsel, the Fire Chief and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Levy, Coco and Basso to the committee.

At 9:12 P.M. Mr. McAllister made a motion to enter into Executive Session. Seconded by Dean Esposito. Motion carried unanimously.

At 9:32 P.M. the Common Council reconvened in open session. Mr. Setaro made a motion to approve item 46 as outlined by Assistant Corporation Counsel Kim Nolan, subject to certification. Seconded by Mr. McAllister. Motion carried unanimously.

Mayor Eriquez extended all committees.

There being no further business to come before the Common Council a motion was made by Dean Esposito for the meeting to be adjourned at 9:34 P.M.

Respectfully submitted,

JIMMETTA L. SAMAHA
Assistant City Clerk