

TO: Mayor Eriquez and Members of the Common Council

RE: Minutes of the Common Council Meeting held October 2, 2001

The meeting was called to order at 7:35 P.M. The Pledge of Allegiance and Prayer were recited. A moment of silence was held for the victims of the September 11th terrorist attacks in New York City and at the Pentagon.

The members were recorded as:

PRESENT – Levy, Scalzo, Saadi, Buzaid, Dean Esposito, Machado, Shuler, David Furtado, Arconti, John Esposito, Abrantes, Pascuzzi, Basso, Manny Furtado, Gallagher, Gogliettino, Michael Moore

ABSENT – McAllister, Smith, Martin Moore, Saracino

17 Present - 4 Absent

Mrs. Smith and Mrs. Saracino were working
Mr. McAllister was on vacation

PUBLIC SPEAKING

Lynn Waller, 83 Highland Avenue – read a letter from Harry Russell, who passed away recently, regarding item 41

Margaret Mitchell, 2 Park Place – spoke regarding item 41. We may have to change how we look at this type of situation.

Henry Chudy, 18 Victor Street – spoke on item 31. Would like Victor Street renumbered for safety reasons.

(At 7:45 P.M. Martin Moore arrived and was marked present)

MINUTES – Minutes of the Common Council Meeting held September 5, 2001. Mr. Arconti made a motion that the minutes be adopted 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 Mrs. Abrantes. Motion carried unanimously.

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

2 - Adopt the Resolution to apply for and accept grant funding in the amount of \$6,700 for the “2001 Thanksgiving/Christmas/New Year’s Driving Under the Influence Enforcement Program”

3 - Adopt the Resolution to apply for and accept grant funding in the amount of \$36,375 for the Expanded Driving Under the Influence Enforcement Program

4 - Adopt the revised Resolution and approve the transfer of \$3,802 for Taxiway A improvements at the Airport

6 - Confirm the reappointment of Felix Bonacci and Robert Eberhard to the Richter Park Authority

8 - Approve the transfer of funds for the registrars of Voters as requested

9 - Approve the transfer of funds for airport tree clearing as requested.

10 – Approve the transfer of funds for the airport diesel tank removal and replacement as requested.

11 – Approve the transfer of funds for the Senior Center AC unit as requested.

12 – Approve the transfer of funds for the City Clerk’s Office as requested.

- 13 – Approve the request to amend the Highway Department budget as described.
- 34 – Receive the reports and take no action at this time
- 35 – Receive the reports and take no action at this time.
- 36 – Receive the reports and deny the request to purchase City property
- 40 – Receive the report and approve the recommendation for sewer and water extensions at Industrial Plaza Road
- 41 – Receive the report and approve the recommendations
- 42 – Receive the report and approve the recommendation for sewer and water extensions at Hillcroft Apartments, noting that the City is not taking over the existing lines at this time
- 44 – Receive the report and approve the recommendation.
- 45 – Receive the report and approve the recommendation to take no action at this time
- 46 – Receive the report and approve the recommendation
- 47 – Receive the report and approve the recommendation to proceed with a preliminary survey for the sewer project on Old Farm Road
- 48 – Receive the report and approve the recommendation to take no action at this time
- 50 – Receive the report and take no action at this time.

Mr. Levy made a motion that the Consent Calendar be adopted as read. Seconded by Mr. Gogliettino. Motion carried unanimously.

1 – ORDINANCE – Tax Credit for Elderly Homeowners

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

2 – RESOLUTION – Driving Under the Influence Safety Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Transportation, Division of Highway Safety has made a grant available in the amount of \$6,700.00 for the 2001 Thanksgiving/Christmas/New Year’s Driving Under the Influence Enforcement Program; and

WHEREAS, an equal local cash match is required in order to reach the total cost of the program, which is \$13,400.00.

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Gene F. Eriquez is hereby authorized to apply for said grant and to accept grant funds if approved, and Mayor Gene F. Eriquez is authorized to sign all contracts necessary to effectuate the purposes of said grant. Any prior acts of the Mayor in applying for such grants are hereby ratified.

The Resolution to apply for and accept grant funding in the amount of \$6,700 for the 2001 Thanksgiving/Christmas/New Year’s Driving Under the Influence Enforcement Program was adopted on the Consent Calendar.

3 – RESOLUTION – Driving Under the Influence Safety Grant

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the State of Connecticut Department of Transportation, Division of Highway Safety, has made a grant available in the amount of \$36,375.00 for the 2002 Expanded Driving Under the Influence Enforcement Program; and

WHEREAS, a 25% local cash match in the amount of \$12,125.00 is required in order to reach the total cost of the program, which is \$48,500.00.

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Gene F. Eriquez is hereby authorized to apply for said grant and to accept grant funds if approved, and Mayor Gene F. Eriquez is authorized to sign all contracts necessary to effectuate the purposes of said grant. Any prior acts of the Mayor in applying for such grant funds are hereby ratified.

The Resolution to apply for and accept grant funding in the amount of \$36,375 for the Expanded Driving Under the Influence Enforcement Program was adopted on the Consent Calendar.

4 – RESOLUTION – Taxiway A Improvements

RESOLVED by the Common Council of the City of Danbury:

WHEREAS, the Federal Aviation Administration of the United States Department of Transportation and the Bureau of Aeronautics of the Connecticut Department of Transportation make funds available through the Airport Improvement Act of 1987; and

WHEREAS, the City of Danbury intends to reconstruct, mark and light taxiway “A” at the Danbury Municipal Airport which will improve the safety and efficiency of airport operations; and

WHEREAS, the City of Danbury will make an amended application for a federal and state grant in an amount not to exceed \$2,761,176.00 with a local match of two and one-half percent equaling an amount not to exceed \$70,801.00.

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor of the City of Danbury, Gene F. Eriquez, is hereby authorized to make application for said grant, and that any and all additional acts necessary to effectuate said program be and hereby are authorized.

The revised Resolution was adopted and the transfer of \$3,802 for Taxiway A improvements at the Airport was authorized on the Consent Calendar.

5 – COMMUNICATION – Appointments to the Police Department

Letter from Mayor Eriquez requesting confirmation of the appointments of David J. Cooney, Thomas N. Collins, David G. Williams and Isaiah D. Pitts to the position of Police Officer in the Danbury Police Department.

Mr. Pascuzzi made a motion to receive the communication and confirm the appointments. Seconded by Mrs. Basso. Motion carried unanimously.

6 – COMMUNICATION – Reappointments to the Richter Park Authority

Letter from Mayor Eriquez requesting confirmation of the reappointments of Felix Bonacci and Robert Eberhard to the Richter Park Authority. The reappointments were confirmed on the Consent Calendar.

7 – COMMUNICATION – Military Leave Policy

Military Leave Policy from the Personnel Department updating the old policy. A number of State of Federal Laws pertaining to Military Leave have

changed and this policy reflects those changes. Mr. Arconti made a motion that the communication be received and the new policy approved. Seconded by Mrs. Basso. Motion carried unanimously.

8 – COMMUNICATION – Request for Funds – Registrars of Voters

Request from the Registrars of Voters for the sum of \$11,445 to cover the cost of the September 11, 2001 primary. A certification of funds was attached. The transfer of funds was authorized on the Consent Calendar.

9 – COMMUNICATION – Tree Clearing – Runway 8

Request from the Airport Administrator requesting that the Common Council release the \$134,000 that was set aside for tree clearing on runway 8 at the Airport. A certification of funds was attached. The transfer of funds was authorized on the Consent Calendar.

10 – COMMUNICATION – Removal & Replacement of Diesel Tank

Request from Airport Administrator Paul Estefan requesting an additional \$2,400.00 for the removal and replacement of the diesel tank at the Airport. A certification of funds was attached. The transfer of funds was authorized on the Consent Calendar.

11 – COMMUNICATION – AC Unit – Senior Center

Request from Director of Public Works William Buckley requesting that the sum of \$10,500 be appropriated to replace the air-conditioning unit at the Senior Center. A certification of funds was attached. The appropriation of funds was authorized on the Consent Calendar.

12 – COMMUNICATION – Request for Funds – City Clerk's Office

Request that the sum of \$5,000 be appropriated to replenish the Legal Notices account used by the City Clerk's Office to publish notices for the Common Council. A certification of funds was attached. The appropriation of funds was authorized on the Consent Calendar.

13 – COMMUNICATION – Highway State Aid

Letter from Director of Finance Dominic Setaro stating that our 2000-2001 Highway State Aid allocation has been increased by \$5,777 from the original adopted budget of \$475,128. He requests that the Common Council approve the amendment to the Highway State Aid Budget in the amount of \$5,777 to the "Maintenance of Highways, Curbs and Walks". He will adjust the Highway State Aid Revenue to offset this increase.

The request to amend the Highway Department Budget was approved on the Consent Calendar.

14 – COMMUNICATION – Donation to the Department of Elderly Services

Letter from Director of Elderly Services Leo McIlrath requesting permission to accept a donation of 15 new chairs for the SeniorNet Center from the Prime Timers: Friends of Danbury Seniors. The value is \$1,470.00. Mr. Gogliettino made a motion to receive the communication, accept the donation and send a letter of thanks. Seconded by Mrs. Abrantes. Motion carried unanimously.

15 – COMMUNICATION – Donation – Regional MIT

Letter from Police Chief Robert Paquette requesting permission to accept a donation of \$100 from the Danbury Regional MIT. Mrs. Abrantes made a motion to receive the communication, accept the donation, credit the appropriate line item and send a letter of thanks. Seconded by Mrs. Basso. Motion carried unanimously.

16 – COMMUNICATION – Acceptance of Donation

Letter from Police Chief Robert Paquette requesting permission to accept a donation of a two-year lease of a 2001 Honda Odyssey Van to be used by the Community Services Division for the Outreach Program. The approximate value of the donation is \$7,500 per year for a total of \$15,000.00.

Mrs. Basso made a motion that the communication be received, the donation accepted and a letter of thanks sent. Seconded by Mrs. Abrantes. Motion carried unanimously.

17 – COMMUNICATION – Donation to the Library

Letter from Library Director Betsy McDonough for permission to accept a donation in the amount of \$35.00 from Edyce Horning for the BOOKS line item. Mr. Saadi made a motion that the communication be received, the donation accepted, the appropriate line item credited and a letter of thanks sent. Seconded by Dean Esposito. Motion carried unanimously.

18 – COMMUNICATION – Request for additional funding for the Water Department.

Request from Superintendent of Public Utilities Mario Rizzo for additional funding in the amount of \$100,000 for the purchase of new hydrants and repair kits as well as bringing on board contractors to assist our crews in the replacement of hydrants. A certification of funds was attached noting the availability of this sum to be transferred from the Water Fund, Fund Balance to the Water Department's Utility Plant budget line item, "Hydrants".

Mr. Arconti made a motion to receive the communication and authorize the transfer of funds from the Water Fund, Fund Balance. Seconded by Mrs. Abrantes. Motion carried unanimously.

19 – COMMUNICATION – Request for Funding in the amount of \$83,600 for materials for the Library.

Mrs. Abrantes asked that this be referred to an ad hoc committee, the Director of Finance and the Director of the Library. Mayor Eriquez so ordered and appointed Council Members Buzaid, Gogliettino and Saracino to the committee.

20 – COMMUNICATION – Letter from Mayor Eriquez requesting that an ad hoc committee be established to review his request for City land adjacent to the Lake Kenosia Recreational Complex by the Ancient Order of Hibernians for the development of their hall.

Mr. Arconti asked that this be referred to an ad hoc committee, the Corporation Counsel, the Director of Parks and Recreation and the Director of Public Works. Mayor Eriquez so ordered and appointed Council Members Dean Esposito, Gallagher and Martin Moore to the committee.

21 – COMMUNICATION – Kenosia Service Center Sewer Line

Mr. Machado asked that this be referred to the Director of Public Works for a survey. Mayor Eriquez so ordered.

22 – COMMUNICATION – Toll Land XVIII – Ridgebury Hills, Briar Ridge

Mrs. Abrantes asked that this be referred to the Corporation Counsel and the Director of Public Works for reports back within thirty days. Mayor Eriquez so ordered.

23 – COMMUNICATION – Request for Committee to review Office of Civil Preparedness

Michael Moore asked that this be referred to an ad hoc committee, the Director of Civil Preparedness and the Police and Fire Chiefs. Mayor Eriquez so ordered and appointed Council Members John Esposito, Pascuzzi and Saracino to the committee.

24 – COMMUNICATION – Acceptance of Logans way as a City Road

Dean Esposito asked that this be referred to the Corporation Counsel and the Director of Public Works for reports back within thirty days. Mayor Eriquez so ordered.

25 – COMMUNICATION – Miry Brook LLC – Request for Water Main Extension

Mrs. Abrantes asked that this be referred to an ad hoc committee, the Director of Public Works and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Machado, Shuler and Basso to the committee.

26 – COMMUNICATION – Snow Plowing on Grace Street

Dean Esposito asked that this be referred to an ad hoc committee, the Director of Public Works and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Levy, Scalzo and Basso to the committee.

27 – COMMUNICATION – Road Maintenance – Marjorie Manor

Mrs. Abrantes asked that this be referred 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 Abrantes, McAllister and Saracino to the committee.

28 – COMMUNICATION – Petition for Sewers – Shannon Ridge, Fairlawn and Edgewood Streets

Mr. Scalzo asked that this be referred to the City Engineer for a survey. Mayor Eriquez so ordered.

29 – COMMUNICATION – Installation of Lights at Caye Road

Mrs. Abrantes asked that this be referred to the Director of Public Works for a report back within thirty days. Mayor Eriquez so ordered.

30 – COMMUNICATION – Request for Sewer and Water Extensions – Duck Street

Mrs. Abrantes asked that this be referred to an ad hoc committee, the City Engineer and the Planning Commission. Mayor Eriquez so ordered and appointed Council Members Manny Furtado, Michael Moore and Martin Moore to the committee.

31 – COMMUNICATION – Petition for Renumbering of Victor Street

Mr. Levy asked that this be referred to the Director of Planning, the Zoning Enforcement Officer, and the Chief of Police for reports back within thirty days. Mayor Eriquez so ordered.

32 – COMMUNICATION – WITHDRAWN

33 – COMMUNICATION – Reports regarding Storm Drainage Easement – Barnum Road

Michael Moore asked that this be referred to an ad hoc committee, the Director of Public Works and the Corporation Counsel. Mayor Eriquez so

ordered and appointed Council Members Gallagher, David Furtado and Saracino to the committee.

34 – COMMUNICATION – Reports regarding the Acceptance of Chelsea Drive

The reports were received on the Consent Calendar and no action taken at this time.

35 – COMMUNICATION – Reports regarding the Acceptance of Josh Lane

The reports were received on the Consent Calendar and no action taken at this time.

36 – COMMUNICATION – Reports regarding Request to Purchase Property on South Street

The reports were received on the Consent Calendar and the request was denied.

37 – REPORT – Plan of Conservation and Development – WITHDRAWN

38 – REPORT – Request for Sewer Extension – 83 Newtown Road

Mr. Gallagher submitted the following report:

The Common Council Committee appointed to review the request for sewer extension at 83 Newtown Road met on September 10, 2001 at 7:45 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Gallagher and Saracino. Also in attendance were Director of Public Works William Buckley and Mark Kornhaas representing the petitioner.

Mr. Gallagher began the meeting by stating that the Planning Commission had made a positive recommendation regarding this project. Mr. Buckley stated that this project would be for a new building on Industrial Plaza Road just off Newtown Road. He also recommended approval of this project as it is within the existing service area.

Mrs. Saracino moved to recommend approval of this project subject to the standard eight steps. Mr. Gallagher seconded the motion. The motion was approved unanimously.

Mr. Scalzo made a motion to receive the report and adopt its recommendations. Seconded by Dean Esposito. Motion carried unanimously.

39 – REPORT – Common Council Parliamentarian

Mr. Gallagher submitted the following report:

The Common Council Committee appointed to review the request for a Common Council Parliamentarian met on September 10, 2001 at 7:00 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Gallagher, Shuler and Basso. Also in attendance were Corporation Counsel Eric Gottschalk, Common Council Members John Gogliettino, ex-officio and Lynn Waller.

Mr. Gallagher began the meeting by having Mrs. Basso explain her request. Mrs. Basso stated that a parliamentarian might assist the Common Council with properly following Robert's Rules of Order, answer questions regarding the rules and ultimately having better meetings as a result. Her request would be to have a Common Council Member appointed parliamentarian. Mr. Gogliettino and Mr. Shuler both voiced agreement, but felt perhaps someone from outside the Common Council might better serve the role. Mr. Gallagher stated that providing Common Council members with a

concise reference of Robert's Rules of Order and better educating members as to the rules might be a better path to resolving the aforementioned problems.

Mrs. Basso moved to recommend appointment of a Common Council parliamentarian, either from the Common Council or an outside party. Mr. Shuler seconded the motion. The motion failed two to one with Mr. Gallagher and Mr. Shuler voting in the negative.

Mr. Shuler moved to recommend that the Common Council purchase concise, usable versions of Robert's Rules of Order for each member of the Common Council. Mrs. Basso seconded the motion and it was passed unanimously.

Mr. Scalzo made a motion to receive the report and adopt its recommendations. Seconded by Dean Esposito. Motion carried with Mrs. Basso voting in the negative.

40 – REPORT – Request for Sewer and Water Extensions – Industrial Plaza Road

John Esposito submitted the following report:

The Common Council Committee appointed to review the request for sewer and water extensions on Industrial Plaza Road met on September 18, 2001 at 7:00 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members John Esposito, Saadi and Basso. Also in attendance were Director of Public Works William Buckley, Attorney Paul Jaber and Mark Kornhaas.

Mr. Esposito noted the positive recommendation of the Planning Commission. Mr. Buckley gave an overview of the project. The extensions to the Best Photo Building were approved last week. That line will run through this site. The water line comes down Industrial Plaza Road and the extension for this project will be a couple of hundred feet. There will be a fire hydrant at the end.

Mr. Saadi made a motion to approve the request for sewer and water extensions to Industrial Plaza Road subject to the standard eight steps. Seconded by Mrs. Basso. Mr. Buckley noted that one easement is being exchanged for another easement. Motion carried unanimously.

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

41 – REPORT – Stream at 4 Glen Road

Mrs. Smith submitted the following report:

The Common Council Committee appointed to review the stream at 4 Glen Road met on September 6, 2001 at 7:45 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Smith, David Furtado and Saracino. Also in attendance were Director of Public Works William Buckley, Corporation Counsel Eric Gottschalk, Council Member Pauline Basso, ex-officio, the petitioner, Harry Russell and several members of the public.

Mrs. Smith asked Mr. Russell to give a synopsis of his problem. Mr. Russell cited the problems he had with the stream on his property. Mr. Furtado had visited Mr. Russell's home to observe the situation. Mr. Russell stated that the stream has clogged over the past forty years. However, in the past two years the problem has become more difficult to correct. On June 24th Mr. Russell and three other people cleaned out the stream and Mr. Russell was injured. Mr. Russell wrote to the Mayor and received no response. He was then advised to write to the Common Council.

Corporation Counsel Eric Gottschalk explained that the City has no responsibility for cleaning the stream on his property. Mr. Buckley stated the areas that the City monitors as far as the maintenance of streets and bridges. Again, the City has no duty to remove obstructions. There was further discussion regarding residents' rights and responsibilities, especially those who live upstream from Mr. Russell.

Mrs. Smith made a motion to take no action at this time. The motion was seconded and passed unanimously.

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

42 – REPORT – Request for Sewer and Water Extensions – Hillcroft

Mr. Scalzo submitted the following report:

The Common Council Committee appointed to review the request for sewer and water extensions for Hillcroft Apartments met on September 25, 2001 at 8:40 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Scalzo and Martin Moore. Mr. Shuler was absent. Also in attendance were Director of Public Works William Buckley, Attorney for the petitioner, Ward Mazzucco and Council Member Warren Levy, ex-officio.

Mr. Scalzo read the negative recommendation of the Planning Commission due to lack of information. Attorney Mazzucco stated that things have changed since this report. He has received direction from Mr. Buckley. The request has two parts, the approval to turn over the existing lines to the City and extension of sewer and water lines to the adjacent site upon which apartments are to be built. Mr. Buckley is still in discussions with the petitioner's engineer because he has some concerns about the City taking over the existing lines. Mr. Buckley is not ready to say the lines are acceptable.

Martin Moore made a motion to approve the extension of sewer and water to the adjacent lot subject to the standard eight steps. Seconded by Mr. Scalzo. Mr. Buckley pointed out that the City is not taking over the sewer and water lines. If the petitioner determines that he still wants this, he will petition the Common Council at a later date. Motion carried unanimously.

The report was received and the recommendations for sewer and water extensions at Hillcroft Apartments, noting that the City is not taking over the existing lines at this time was approved on the Consent Calendar.

43 – REPORT – SNET Easement Request – Aunt Hack Road

Mr. Levy submitted the following report:

The Common Council Committee appointed to review an SNET Easement Request on Aunt Hack Road met on September 24, 2001 at 7:55 P.M. in Conference Room 3C in City Hall. In attendance were committee members Levy and Manny Furtado, Martin Moore was absent. Also in attendance were Amy Louen of SNET, Corporation Counsel Eric Gottschalk, Director of Public Works Bill Buckley and Council Member Harry Scalzo, ex-officio.

The committee received a positive recommendation, with conditions, from the Planning Commission. A letter from the Engineering Department outlined the conditions for granting the easement. Ms. Louen showed the committee the site plan with the proposed telephone equipment and the landscaping plan. She stated that if they do not get sites like this for their equipment, they would have to use pole-mounted boxes to meet customer needs. The committee discussed the value of the easement.

Manny Furtado made a motion to approve the request subject to the terms and conditions required by the City Engineer and the Corporation Counsel, at a sale price of Five Thousand (\$5,000.00) Dollars. Seconded by Mr. Levy and passed unanimously.

Martin Moore made a motion to receive the report and approve its recommendations. Seconded by Mr. Gallagher. Mr. Moore noted that he was in concurrent meetings on this date and at this time. Motion carried unanimously.

44 – REPORT – St. James Church Water and Sewer Charges

Mr. Levy submitted the following report:

The Common Council Committee appointed to review water and sewer charges of St. James Church met on September 24, 2001 at 7:00 P.M. in Conference Room 3C in City Hall. In attendance were committee members Levy, Gogliettino and Saracino. Also in attendance were representatives of the Church, Ed Lagarto, Carolyn Flynn and Linda Spaziani, Director of the Finance Dominic Setaro, Corporation Counsel Eric Gottschalk, Director of Public Works William Buckley and Council Members Harry Scalzo and Manny Furtado, ex-officio.

Mr. Levy asked Mr. Gottschalk to explain what authority the Common Council would have in this matter. Mr. Gottschalk explained that the City Code of Ordinances does not authorize the Common Council to abate utility bills. Mr. Buckley said it was the responsibility of the property owners to monitor the water usage and repair any leaks. Mr. Lagarto said he thought the high usage in the fourth quarter of 2000 was from a leaking service line that they had repaired. They did not realize they had a leak inside the building until the first quarter of 2001 when they received the bill.

The committee explored possible ways they could minimize the impact to the Church budget. Church members pointed out all they good they do for the community at no cost. As the ordinance is now written, the committee was unable to find any options to help the Church.

Ms. Saracino made a motion to take no action on this request. Seconded by Mr. Levy. Motion carried unanimously.

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

45 – REPORT – Offer to Sell Colla Property to the City

Dean Esposito submitted the following report:

The Common Council Committee appointed to review the offer to sell the Colla Property on Mountainville Avenue to the City met on September 24, 2001 at 7:00 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Dean Esposito, Machado and Saracino. Also in attendance were Jack Kozuchowski of the Health Department, Director of Finance Dominic Setaro and Fran Pandolfi representing the petitioner.

Mr. Esposito asked Mr. Pandolfi for an overview of the offer. Mr. Pandolfi said that Mr. and Mrs. Colla have owned this property for many years. They sold a small parcel with a house on it and still have this 2.3-acre parcel. He evaluated it at \$10,000 per acre. The parcel adjoins Rogers Park.

Mr. Kozuchowski said the parcel is valuable if it is looked at as open space. However, it is not valuable to the City because it is landlocked and isolated. There may be some value to it because of its proximity to Rogers Park Pond. The City would have to build a bridge and a boardwalk or just a boardwalk. This would make a nice addition to the Ives Trail, but it would be very costly. If the City has no intention of connecting it to Rogers Park Pond, then there would be no value in purchasing it.

Mr. Esposito asked Mr. Setaro if there would be tax relief if the parcel were donated to the City. Mr. Pandolfi stated that it is not the intention of the

owners to donate the parcel, as a finished lot would be worth between \$65,000 and \$75,000. He feels there is some value to open space. Mr. Kozuchowski stated that unless the regulations are changed, the property would be open space no matter who owns it.

Mr. Esposito asked if grant money would be available. Mr. Kozuchowski said there might be and he could look for federal or state money, but he does not see this happening in the near future. Mr. Esposito asked if Mr. Kozuchowski could make a professional guess as to the cost. Mr. Kozuchowski said the City would have to hire an engineer to determine the cost.

Mr. Machado asked Mr. Kozuchowski if there were any other reason the City would want this property. Mr. Kozuchowski stated that if the City wants to appropriate funds to connect it to the Rogers Park Pond, then purchase it. If the City does not want to appropriate funds for the project, then do not purchase it. Mr. Machado asked if it would difficult to appropriate funds at this time. Mr. Setaro stated that the contingency fund is tight. Mrs. Saracino stated that they could not make a positive recommendation without knowing the total cost.

Mrs. Saracino made a motion to take no action at this time. Seconded by Dean Esposito.

Mr. Pandolfi stated that the City had the chance to purchase this property for \$3,500 some years ago. The City should buy it now for dirt. The City has to look long term. Mr. Esposito said that it is the responsibility of the Common Council to evaluate the worth to the taxpayers.

Motion carried unanimously.

The report was received and the recommendation to take no action was approved on the Consent Calendar.

46 – REPORT – Traffic Concerns on Wooster Heights

Dean Esposito submitted the following reports:

The Common Council Committee appointed to review traffic concerns on Wooster Heights met on September 24, 2001 at 7:45 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Dean Esposito, Val Machado and Martin Moore. Also in attendance were Ed Lopes of the Police Department, Director of Public Works William Buckley, Council Member Michael Moore, ex-officio, as well as several residents of the neighborhood.

Mr. Esposito asked for an overview of the request. Isadore Beresin gave a history of the neighborhood. The road is used as a shortcut to Route 7. They want stop signs put in on Harvard Road and Wooster Heights. Mr. Esposito asked Officer Lopes to outline a solution.

Officer Lopes stated that he had gone to the area to check sight lines. He had spoken with Mr. Beresin who explained his concerns. He forwarded the traffic survey to the Traffic Engineer to find out what could be done. There are three components to the problems: engineering, education and enforcement. A new traffic division was recently set up. However, there are only two officers assigned to the unit and one is also the training officer. Once the traffic officer leaves an area, the problem returns. He looked into stop signs. This would cause a problem in the winter months, since once cars stopped on the hill they would be able to get sufficient traction to continue up the hill.

Mr. Esposito asked Mr. Buckley for his views. Mr. Buckley stated that he did a field look. The light at Lee Farms was installed when the company was built. The road was going to be widened, but there was neighborhood opposition. The City would need to obtain grading rights and would have to have a survey crew to determine City property and private property. He would

recommend having a survey done. The major issue is property lines. This would give better sight lines.

Mr. Beresin said trees are not the problem, speeders are. Mr. Machado asked if a stop sign could be installed and then removed for the winter months. Mr. Buckley said that this is not a good idea. Either install it full time or not at all.

Martin Moore asked if caution or slow signs are still used. Mr. Buckley stated that warning signs are used when a stop sign is not visible. A study was done in 1992, but another one might be warranted. Martin Moore asked if the study shows a stop sign is still not feasible, could we remedy the situation with a blinking light and sight lines. Mr. Esposito asked what the procedure would be to put a traffic light on the other side of the hill. Officer Lopes stated that the police department is assigned to count cars. If the sign is necessary, the appropriate forms are filled out and the Police Department consults with the traffic engineer. The Chief of Police would then sign the order. Mr. Esposito asked if the Common Council determines it wants a sign, would one be installed. Mr. Buckley stated that the Chief of Police is the traffic authority by State law. Recommendations can only be made. If the Police Chief authorizes the installation, the public works would install the sign.

Martin Moore asked if the Common Council requests a stop sign, would the Police Department have the authority to do everything else to make the stop sign safe. Officer Lopes stated that he thinks the Chief would want to see an updated report. Martin Moore asked if the Police Department could go through the process without the Public Works Department. Mr. Buckley said that the referral would come to him for study. He said that the Chief likes to have supporting documentation. Officer Lopes said that the Chief has the authority to put slow signs, caution signs, etc.

Mr. Esposito made a motion to request that the Chief of Police as the Traffic Authority install stop signs in two locations, at Harvard Road and at Wooster Heights. Seconded by Mr. Machado and passed unanimously.

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

47 – REPORT – Sewer Problems on Old Farm Road

Mr. Scalzo submitted the following report:

The Common Council Committee appointed to review sewer problems on Old Farm Road met on September 25, 2001 at 7:55 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Scalzo and Buzaid. Mrs. Basso was absent. Also in attendance were Director of Public Works William Buckley, Assistant Corporation Counsel Les Pinter, Council Members Warren Levy and Martin Moore, ex-officio, the petitioner, Sally Roscoe and several residents of the neighborhood.

Mr. Scalzo went over the findings in Mr. Buckley's report. The original agreement showed that the City has no responsibility since this is a private line installed by the Norwin Housing Corporation that developed the houses.

Mr. Buckley stated that this has been a continuing problem. The line was not put in correctly. There is a multitude of reasons for the problem, but the major reason is because the line runs through backyards. He has come up with two solutions. After discussions about health hazards and why the problems occur, Mr. Buckley stated that the solution he prefers is to have the least amount of easements. A new line running from Southern Boulevard to the backside of Old Farm Road would require three easements. He would like to use the assessment methodology. The other solution is keeping the line where it is. The total easements needed would be fourteen. Mr. Buckley explained the assessment methodology. The City would come in with a design, secure the easement and build a new line. The cost would be assessed to the 14 homeowners that would benefit

Mr. Buckley stated that due to the backup of assessment, this project would not be started quickly. Mr. Buzaid asked if the Health Department declares it a health hazard would it be moved to the top of the list. Mr. Buckley said it would and the project could be completed by next summer.

Mr. Buzaid made a motion to proceed with a preliminary survey of the residents of Old Farm Road to determine whether to proceed with the installation. Seconded by Mr. Scalzo. Motion carried unanimously.

The report was received and the recommendation to proceed with a preliminary survey for the sewer project approved on the Consent Calendar.

48 – REPORT – Sewer Line on Farview Avenue

Mr. Scalzo submitted the following report:

The Common Council Committee appointed to review the sewer line on Farview Avenue met on September 25, 2001 at 7:00 P.M. in the Third Floor Caucus Room in City Hall. In attendance were committee members Scalzo, Levy and Martin Moore. Also in attendance Assistant Corporation Counsel Les Pinter, Director of Public Works William Buckley, the petitioners Kristin and Peter Schretzenmayer and Lynn Waller.

Mr. Scalzo read the letter from the Schretzenmayors for the record. The petitioners stated that their share of the repairs was \$1,060.00. There were three homeowners involved 32, 34 and 36 Farview Avenue. Mr. Buckley explained the history of the ownership. He said that the manhole in the island at the top of the exit belongs to the City. The portion of the line in question is privately owned. Mr. Scalzo asked the petitioners if there is anything in their deed. Mrs. Schretzenmayer said there was not. She researched records back to 1885. Mr. Levy noted that the City rebuilt the sewer in 1911.

Mr. Scalzo asked what the problem was. Mrs. Schretzenmayer stated that the sewer line under Down Street backed up. There was sewage in their neighbor's basement. The pipe was broken. Attorney Pinter noted that the question is whether the line is privately owned. Mr. Buckley stated that there are many sewer and water lines in the City that are not owned by the City. We have a record of what we own. If we put it in for us, we would have a record of it. Mr. Schretzenmayer asked if homeowner have the option of putting in septic. Mr. Buckley said that State regulations do not allow this if sewer and water are available.

Mr. Buckley said a new line would cost \$100 per lineal foot. He stated that the City could do an assessment project and the homeowners would have 20 years to pay it off. Mrs. Schretzenmayer noted that they are in for a large expense without any options. Mr. Levy asked if we have any definite information that says we do not own this line. Mr. Pinter said we could ask it the other way. There is no record that it is municipally owned. Mr. Levy asked what is fair to do. Mr. Buckley said private lines are the responsibility of the owners. Mr. Schretzenmayer said that they would like the money back that they paid for the repairs and that the City take responsibility for that section of the line under Down Street.

Mr. Scalzo asked if the cost of installing a new line would be less than going in where no line exists. Mr. Buckley said it is still \$100 per lineal foot.

Mr. Levy made a motion to take no action at this time and have Mr. Buckley do a cost survey for an assessed line. Seconded by Martin Moore. Motion carried unanimously.

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

49 – DEPARTMENT REPORTS – Health Department, Public Works, Police Chief, Fire Chief, Fire Marshall, Department of Elderly Services. Mr. Arconti

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 Dean Esposito. Motion carried unanimously.

50 – COMMUNICATION – Report regarding St. Joseph’s Readiness Center

Opinion from Assistant Corporation Counsel Les Pinter finding no basis or support for the claims set for in Attorney Sullivan’s letter and it is doubtful that the Common Council has or should have further hearing authority in matters which involve the particulars of applications where specific procedures and/or guidelines are well established.

The report was received on the Consent Calendar and no action taken.

Mayor Eriquez extended all committees.

There being no further business to come before the Common Council a motion was made at 9:00 P.M. for the meeting to be adjourned.

Respectfully submitted,

JIMMETTA L. SAMAHA
Assistant City Clerk

ATTEST:

Elizabeth Crudginton
City Clerk